

**Agenda Item No:** 5  
**Report To:** LICENSING AND HEALTH & SAFETY COMMITTEE  
**Date:** 27 January 2004  
**Report Title:** REVIEW OF THE HACKNEY CARRIAGE FARE SCALE  
**Report Author:** Environmental Services Manager



**Summary:** The report reviews the hackney carriage fare scale and recommends that no change be made in the scale for 2004/05.

**Key Decision:** NO

**Affected Wards:** Not applicable

**Recommendations:** **That the Committee resolve to approve that the Hackney Carriage Fare scale be maintained at the current level for 2004/05.**

**Policy Overview:** In December 1996 it was agreed by the Council that the hackney carriage (taxi) fare scale would be reviewed annually. In setting this fare scale a balance needs to be struck between the legitimate aims of the taxi trade to maintain profitability in the face of increasing costs, while protecting the public from excessive fares.

**Financial Implications:** Fares relate to the charges levied by the taxi trade and as such have no financial impact on the Council.

**Other Material Implications:** There are no direct legal implications. The procedure for setting fares and public notice requirements are stipulated within Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

Members should note generally that hackney carriage and private hire licences are considered possessions and therefore Article 1 to Protocol 1 of the Human Rights Act 1998, the peaceful enjoyment of possessions, is relevant.

**Exemption Clauses:**

**Background Papers:** Minutes of taxi trade meeting 13/11/2003

**Contacts:** jo.elcoat@ashford.gov.uk – Tel: 01233 330721

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**Purpose of the Report**

1. The report reviews the hackney carriage fare scale and outlines the consultation with the trade on this issue. The report recommends that no change be made in the current scale, given at Appendix A, for 2004/05.

**Issue to be Decided**

2. Whether to approve that the Hackney Carriage Fare scale be maintained at the current level for 2004/05.

**Background**

3. In December 1996 (Minute No. HCSC 856/12/1996 refers) it was agreed that the hackney carriage (taxi) fare scale would be reviewed annually.
4. Members are reminded that the fares relate to the charges levied by the taxi trade as opposed to the fees that are essentially the licence charges levied by the Borough Council. It should also be remembered that the legislation governing taxi and private hire vehicles does not allow Councils to set fares for private hire vehicles. Private hire proprietors may charge what they wish, although customers should normally agree the fare beforehand.
5. It should also be noted that the tariff is the maximum fare that can be charged and discounts can be given should the proprietor wish. It is known that such discounts are applied within the Borough especially in the case of pre-booked longer journeys and for regular bookings.

**Other Options Considered**

6. Given general inflationary increases and trade concerns regarding levels of income, particularly on the part of independent proprietors, a decrease in fares would potentially have an adverse effect on the licensed trade.
7. One proprietor has requested (November 2003) that the rate 2 i.e. late night and early morning rates, be brought forward to begin at 10.30pm. It is felt by Officers that the current times, midnight to 7.00am, continue to reflect an acceptable period for the 'late hours' surcharge. Therefore no change to the surcharge times has been recommended.

**Consultation**

8. Fares were discussed generally at a meeting between Council officers and the trade in November 2003. A number of the independent proprietors expressed a view that the taxi trade in Ashford was not doing as well as in previous years. This was reflected in concerns over income levels however no request for a general fare increase was made.

It was felt that lack of taxi rank provision was a contributory factor in these problems and representatives from the trade are to take part in consultation groups regarding Ashford's Future and the developments in Ashford town centre.

9. A letter was sent to all the hackney carriage and private hire vehicle licensees on 2 December 2003 asking for their views on fares in 2004/05. There was no response.

**Implications Assessment**

10. As previously stated the recommendation does not represent a key decision. The consideration assessment indicates low impact in terms of human rights, the environment, legal and staffing implications.

## Handling

11. If agreed that no change shall be made to the Hackney Carriage Fare scale for 2004/05 a letter will be sent to all proprietors advising this and enclosing a tariff card for 2004/05.
12. If an increase in fees is approved a Public Notice must be placed in the local press in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. If relevant objections were received in response to this Notice a further Committee report would be required.

## Conclusion

13. In light of the lack of industry support for a fare increase, low inflation and the requirement to protect the public from excessive fares it is not considered sensible to increase fares for 2004/05.

## Portfolio Holder's Views

14. The Portfolio Holder supports the recommendation, particularly in not bringing forward the late hours time to 10:30pm from midnight.

Contact: Email:	Jo Elcoat Jo.elcoat@ashford.gov.uk
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## APPENDIX A

	£
<b>FARES FOR DISTANCE OR TIME</b>	
<b>Rate 1</b>	
If the distance does not exceed 795 yards, for the whole distance	2.10
Or for the first 252 seconds of waiting time	1.70
If the distance exceeds 795 yards, for the first 795 yards	2.10
For each subsequent 123 yards or uncompleted part thereof	0.10
Or for each subsequent period of 39 seconds of waiting time or uncompleted part thereof	0.10
<b>SURCHARGES FOR CERTAIN TIMES AND DAYS:-</b>	
<b>Rate 2</b>	
a) For each hire commenced between 12 midnight and 7 am	50% of the monetary value of Rate 1
b) For each hire undertaken on <b>GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY</b> or any other specifically declared Bank Holiday only.	50% of the monetary value of Rate 1
<b>Rate 3</b>	
c) For each hire undertaken on a <b>CHRISTMAS DAY, BOXING DAY</b> or <b>NEW YEARS DAY</b>	100% of the monetary value of Rate 1
Note: When the holiday charge (b) or (c) is payable the Night Charge (a) is <b>NOT</b> payable.	
<b>Extras</b> - up to a maximum of £1.20	
d) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.	0.20
<b>Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should <u>each be counted as a person</u>. A babe in arms should not be counted as a person.</b>	
e) for each article of luggage conveyed outside the passenger compartment of the carriage	0.05
f) for perambulators	0.05
g) for dogs	0.10