



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	CABINET – 21 SEPTEMBER 2022
Report Number	AGENDA ITEM No 6
Subject	HACKNEY CARRIAGE FARE REVIEW
Wards affected	All
Accountable member	CLlr Lidia Arciszewska – Cabinet Member for Environment Email: Lidia.Arciszewska@westoxon.gov.uk
Accountable officer	Alison Gardner, Licensing Team Leader Email: alison.gardner@publicgroup.uk
Summary/Purpose	<p>The authority is responsible to undertake a review of Hackney Carriage Fares. In light of the substantial increase in the cost of fuel and general living costs a request has been submitted by the trade to review the current hackney carriage table of fares.</p> <p>A decision is therefore sought for approval to commence the public consultation on the proposed increase of the hackney carriage table of fares with a view to increasing the maximum fares that hackney carriages can charge as set out in this report.</p>
Annexes	Annex A – Fare increase proposal from trade Annex B – Current and proposed table of fares Annex C – Comparison between current and proposed fares
Recommendation(s)	<p>That Cabinet resolves to</p> <ul style="list-style-type: none">a) <i>Agree the proposed increase to the hackney carriage table of fares is advertised as a public notice in accordance with the requirements of Section 65, of the Local Government (Miscellaneous Provisions) Act 1976; and</i>b) <i>Agree subject to there being no objections received in accordance with the statutory provisions within 14 days of publication of the notice, the proposed fare increase will take effect from 12th October 2022. If objections are received within the 14 days, the</i>

	<i>matter will need to be considered further by Cabinet within two months of the first specified date.</i>
Corporate priorities	Hackney Carriage vehicles play an active part in our community and provide vital transport links for many groups such as the vulnerable, elderly and tourists as well as supporting many areas such as economic growth, tourism and the night time economy.
Key Decision	No
Exempt	No
Consultees/ Consultation	<p>This report seeks agreement for a public consultation in accordance with the requirements of Section 65, of the Local Government (Miscellaneous Provisions) Act 1976</p> <p>Leader of the Council, Chief Executive, Chief Finance Officer, Head of Legal Services, Monitoring Officer, Cabinet Member for Environment.</p>

BACKGROUND

- 1.1. Local Authorities have a statutory power to set the maximum fares that licensed hackney carriages can charge for a journey under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, local authorities have the power to “fix the rates or fares within the district as well for time as distance and all other charges in connection with the hire of a vehicle or within the arrangements for the hire of that vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereinafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.
- 1.2. The current maximum fares that were set in 2016 is the maximum fare that hackney carriages licensed by the district can charge. Since the time those fares were set they have not been reviewed or amended. The licensed trade have requested these fares are revised to reflect the increase in fuel costs and the general cost of living since these fares were last reviewed.

2. MAIN POINTS

- 2.1. Since the last fare increase the cost of living, inflation and fuel prices have all increased, and as such the current hackney carriage maximum tariffs no longer meet the licence holders’ costs. The process of setting a fare increase is complex and a balance needs to be struck between the legitimate aims of the taxi trade to maintain profitability in the face of increasing costs.
- 2.2. Hackney carriage drivers are not required to charge the maximum fare. This means that hackney carriage drivers are within their rights to negotiate the fare down provided that the final agreed fare is no more than the maximum set.
- 2.3. Following the proposal which has been signed by more than 10% of the licensed trade which is attached in **Annex A**, a revised table of fares has been developed to reflect the request from the trade. The proposed changes to the fares are shown in red in **Annex B**.
- 2.4. Introducing these changes to the tariff would incur a small cost to the licence holder to have their meter calibrated with the new rate. The calibration certificate would be submitted to the Licensing Team.
- 2.5. Any changes to the current table of fares must be subject to a statutory consultation process. This consultation process is unusual in that if no objection to a table of fares or variation is duly made within the consultation period specified in the published notice the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice. Therefore, should the Cabinet decide to consult on the proposed revised table of fares those revisions will come into force providing no objections to the change are received without any further decisions being required of the Cabinet. If objections are received and not withdrawn, the Cabinet will be asked to consider those objections and decide whether to change the table of fares or not.
- 2.6. The consultation period must not be less than 14 days and must be published in a local newspaper setting out the variation and specifying a period and means of objecting.
- 2.7. There are currently 105 licensed Hackney Carriage Vehicles within the district.
- 2.8. The comparison with the other Oxfordshire/Bordering authorities for an average two mile journey on tariff I can be seen in the table below

Local Authority	Two mile journey on tariff 1	Date of last review	National Ranking (349 Councils)	
Cherwell	£5.56	2012	303	Under review – proposed rate £6.45
Cotswold	£6.30	2019	184	Under review – proposed rate £7.10
Oxford	£7.60	2014	33	
South and Vale	£6.90	2014	87	Under review – proposed rate £8.10
West Oxfordshire	£6.20	2014	216	

- 2.9. The proposal is to increase the fare for distance, waiting time, timings for hiring and the soiling charge with all other charges remaining the same. A copy of the existing table of fares which also highlights the proposed increase/change in red is attached at **Annex B**.

3. FINANCIAL IMPLICATIONS

- 3.1. There are no direct financial implications for the Council arising from this report.
- 3.2. All drivers would be required to have their meters calibrated with the new rate and submit a calibration certificate to the Licensing Team. This would be undertaken at their own cost.

4. LEGAL IMPLICATIONS

- 4.1. The legal authority for the Council to fix fares for hackney carriages is provided by Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. When a Council makes or varies a table of fares, it must publish in one local newspaper a notice setting out the table of fares, or variations to the table, specifying the period (not less than 14 days) within which, objections to the table or variations can be made. A copy of the proposed tariff must be available at the Council's offices for the public to inspect, free of charge, at all reasonable hours. If there are no objections, the table, or variation, will come into effect on the expiration date of the period specified in the notice.

5. RISK ASSESSMENT

- 5.1. If the Council decides not to approve the recommended increase in fares, licence holders will be unable to recover their costs and earn a proper living, which could result in the Council being legally challenged which could adversely affect the Council's reputation.
- 5.2. There is not a direct right of appeal against the fares set by a Local Authority, however any party that is dissatisfied by the fares could seek a Judicial Review of the Council's decision.

6. EQUALITIES IMPACT

- 6.1. Not directly applicable to this decision.

7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 7.1. There are no direct climate and ecological implications from revising the taxi fares.

8. ALTERNATIVE OPTIONS

The Council can decide not to increase hackney carriage fares as part of this review although this option is not considered desirable as it would result in an owner-driver not being able to fully recover the costs which will be incurred by them to operate and maintain their hackney carriage to a high standard.

9. BACKGROUND PAPERS

- 9.1. None