

Slough Borough Council

Report To: Licensing Committee

Date: 10 October 2022

Subject: Proposed Hackney Carriage Tariff Amendment

Chief Officer: Richard West

Contact Officer: Russell Denney-Clarke, Trading Standards and Licensing Manager
Melanie Sagar, Principal Licensing Officer

Ward(s): ALL

Exempt: NO

Appendices: **Appendix A** – Tariff Chart March 2022
Appendix B - Chart A - August 2022-2
Appendix C - Chart B - August 2022-2
Appendix D – Copy of April 2022 tariff amendment advert
Appendix E – Hackney Carriage proprietor vote result chart
Appendix F - 25-mile radius benchmarking
Appendix G - 25-mile radius benchmarking SBC policy
Appendix H - PHTM national list
Appendix I- Gov.uk fuel price tracker

1. Summary and Recommendations

- 1.1 The purpose of this report is to review the current Hackney Carriage Vehicle Tariff fare scale and consider whether to approve one of the requests from the Slough Taxi Federation and the Slough Taxi Association to amend the approved Hackney Carriage Vehicle tariff in light of rises in running costs such as fuel to the trade.

Recommendations:

The Committee is requested to consider the tariff charts and resolve

- (a) That the tariff rates remain as those agreed in March 2022 (Appendix A) or approve a new tariff rate - either Chart A (Appendix B) or Chart B (Appendix C)
- (b) That the agreed tariff rate be recommended to Cabinet for approval.
- (c) Should an amended tariff rate be agreed (Chart A or Chart B) the costs of advertising the fare charges in the local newspapers be met by Hackney Vehicle proprietors; in pursuance of the Licensing Committee resolution in January 2007 that advertising costs to be met by Hackney Vehicle proprietors.
- (d) If following the public notice relating to the new tariff any objections are received and not withdrawn the objections shall be determined by the Trading Standards and

Licensing Manager in consultation with the Licensing Committee Chair, who shall determine whether to modify the approved tariff chart and in the event that objections are materially significant the matter be referred back to the Committee for consideration.

(e) Alternative options include the following:

- Approve part of the requested increase.
- Approve a different increase to those proposed; or
- Not approve either requested increase leaving the fares at the current rate

Reason:

- (a) Local authorities have a statutory power to set the maximum fares that licensed hackney carriages (taxis) can charge for a journey. Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”), 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 with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.”
- (b) The procedure for setting fares and public notice requirements are stipulated within section 65 of the 1976 Act

2. Report

Introductory paragraph

- 2.1 Consideration has been given to how the decision sought will help the Council meets its vision, corporate priorities however the nature of the hackney fares is outside the scope of these priorities.

Options considered

Consideration has been given to how the decision sought will help the Council meets its vision, corporate priorities however the nature of the hackney fares is outside the scope of these priorities.

Background

On 24 March 2022 the Licensing Committee approved a fare increase requested by the Slough Taxi Federation.

As set out in section 65 of the 1976 Act, Slough Borough Council began a 14-day consultation on the amended tariff by placing an advert of the new tariff chart in the local press. No objections or comments were received by the close of the consultation on 22 April 2022, so the new tariff came into effect on 25 April 2022. A copy of the advert is attached at **Appendix D**.

After the close of the consultation window, the Licensing Team has received complaints about the approved tariff and requests from both the Slough Taxi Federation and the Slough Taxi Association as well as individual proprietors to change it.

The Slough Taxi Federation and Slough Taxi Association were informed of the next Licensing Committee date and invited to submit a formal tariff amendment request.

An email was sent to all Hackney Carriage Proprietors inviting them to vote for their preferred tariff either by using an online vote or by emailing confirmation of their preference to licensing@slough.gov.uk . The result of the vote is attached at **Appendix E**.

To assist when considering the tariff amendment request, Licensing conducted a benchmarking exercise for comparison of tariffs in neighbouring authorities within a 25-mile radius using the Slough Borough Council published Market Supplement policy benchmarking criteria. List of other authority fares and relevant policy extract attached at **Appendix F and G**.

The data for Appendix F has been taken from the published national fare table compiled by Private Hire and Taxi Monthly. The full fare table for September is attached at **Appendix H**

An extract from the [Monthly and annual prices of road fuels and petroleum products - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/monthly-and-annual-prices-of-road-fuels-and-petroleum-products) covering the period August 2020 – August 2022 is attached at **APPENDIX I**.

3. Implications of the Recommendation

3.1 Financial implications

3.1.1 There are no financial implications to the Council.

If the tariff increase is approved, there is a legal obligation to publish details of this in local newspapers. Any person may write in with a representation against the tariff increase. Should this happen, all representations will be presented to the Chair of the Licensing Committee in conjunction with the Trading Standards and Licensing Manager who shall decide whether to modify the proposed table of fares. In addition to this, taxi drivers will be invited individually to comment. As there could be equality implications, the chart will also be considered by the Council's disability forum.

3.2 Legal implications

3.2.1 Local authorities have a statutory power to set the maximum fares that licensed hackney carriages (taxis) can charge for a journey. Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 ("the 1976 Act"), 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 with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a "table of fares") made or varied in accordance with the provisions of this section."

The procedure for setting fares and public notice requirements are stipulated within section 65 of the 1976 Act.

There is no right of appeal so any legal challenge to the final decision made would be by way of judicial review.

There are no human rights implications in adopting the recommendations of this report.

3.3 Risk management implications

3.3.1 The provisions for the Council to approve Hackney Carriage fares are contained within the Local Government (Miscellaneous Provisions) Act 1976

The drivers are looking at the tariff to be increased to mitigate the rising costs of fuel and insurance.

Risk Management Matrix Score 2

There aren't any future control risks as the Drivers request the increase which is tied in legislation.

3.4 Environmental implications

3.4.1 Consideration has been given to environmental implications however the nature of the hackney fares is outside the scope of these priorities.

3.5 Equality implications

3.5.1 It is important that the Council through its licensing functions protects the public by ensuring that the fares charged by licensed Hackney Carriages are fair, justified and not excessive.

When considering the requested tariff increase regard was given to the Equality Act 2010 and Trading Standards enforced legislation to ensure, as far as possible, that the proposed tariffs are not misleading, unfair, or discriminatory to passengers without adversely altering the requested increase.

4. Background Papers

'1' - [Local Government \(Miscellaneous Provisions\) Act 1976](#)

'2' - [Town Police Clauses Act 1847](#)

'3' - [Equality Act 2010](#)

"4" - Licensing Committee Report March 2022