

# LICENSING REGULATORY COMMITTEE

## Local Government (Miscellaneous Provisions) Act 1976 – Proposed Variation of Hackney Carriage Fares - Notification of Objections Received 3<sup>rd</sup> August 2017

### Report of the Food, Safety and Licensing Manager

#### PURPOSE OF REPORT

The report is to enable Members to consider objections received in response to the advertising of proposed fare increases through the application of RPI to current Tariff charges for hackney carriages licensed by Lancaster City Council.

**This report is public.**

#### RECOMMENDATIONS

- 1. The Committee is requested to consider the objections received in response to the public advertisement of proposed Tariff increases to hackney carriage fares licensed by Lancaster City Council.**
- 2. To determine whether to vary the increase agreed by this Committee on the 1<sup>st</sup> June 2017, and if so, to determine in what manner, or to implement the increase as previously agreed and set a new implementation date.**

#### 1.0 Introduction

- 1.1 The Licensing Authority is required to consider the tariffs for fare charges in respect of hackney carriages on an annual basis and to determine whether a fare adjustment is necessary. There is no nationally agreed formulae for assessing and applying an adjustment.
- 1.2 Members will recall that a proposal was presented to this Committee on the 1<sup>st</sup> June 2017 that in accordance with procedure, an annual increase based on RPI, as of March 2017, be applied to the Tariff for 2017/18 subject to the necessary public notice period.
- 1.3 It was agreed to apply RPI at 3.1% to the Tariff and to authorise the Chief Officer (Governance) to advertise the table of fares.

#### 2.0 Lancaster Hackney Carriage Tariffs

- 2.1 A copy of the revised Tariff card increases, as advertised in accordance with the Committee decision on the 1<sup>st</sup> June 2017, is attached as Appendix 1 to this report.

- 2.2 The advert was placed in the Lancaster Guardian on the 15<sup>th</sup> June 2017. The deadline for making any such objections to the proposed Tariff increase was to be made by noon on the 7<sup>th</sup> July 2017.
- 2.3 Members will recall that the purpose of the advertisement was to provide notice to the Public of the proposed fare increase and therefore comply with Council obligations under legislation.
- 2.4 Anyone wishing to object to the proposed Tariff increase could do so by making representation to the Council. In the event of objections being received, the matter would need to be referred back to Committee for due consideration before an increase could be implemented. If no objections were received, the proposed increase would have taken effect at noon on the 7<sup>th</sup> July 2017.
- 2.5 At the time of writing this report, a number of objections to the proposal were received, but only in the days after the date for submitting objections had closed. Only one objection was received within the consultation period. The objections are summarised in Appendix 2 to this report. The Committee will note that all the objections received are from licensed drivers and proprietors.
- 2.6 Members may also recall that the Committee decision from the 1<sup>st</sup> June 2017, in regard to Tariff increases, also included a decision to instruct the Food, Safety and Licensing Manager to conduct a review of the current mechanism for adjusting fares. The purpose was to examine whether there may be an alternative mechanism available that is more appropriate for the Committee to consider introducing for future years. This review has not yet been concluded, although a request has been sent out to other Licensing Authorities to share their fare review process as the first starting point. A summary of the responses received is included in Appendix 3 to this report.
- 2.7 Members should be aware that during the ballot the Licensing Service received 24 copies of an alternative Tariff put forward by some of the consultees and this was reported to the Committee on the 1<sup>st</sup> June 2017.

### **3.0 Conclusion**

- 3.1 Members are asked to consider the objection received and to determine whether to vary the increase agreed by this Committee on the 1<sup>st</sup> June 2017, and if so, to determine in what manner, or to implement the increase as previously agreed and set a new implementation date.
- 3.2 Should Members decide to implement the previously advertised RPI Tariff Increase, then a new implementation date will need to be agreed. Officers suggest that any agreed date should include a reasonable notice period to allow time for the new Tariff charge adjustments to be made to vehicles, and suggest that an implementation date of the 1<sup>st</sup> August would be appropriate.
- 3.3 Should Members decide to set a substantially altered Tariff increase, it may be necessary to carry out the public consultation exercise again, and set a new implementation date.

**CONCLUSION OF IMPACT ASSESSMENT**  
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None applicable to this report.

**FINANCIAL IMPLICATIONS**

Financial Services have advised on the relevant RPI rate.

**LEGAL IMPLICATIONS**

The legal requirement to advertise any proposed change is covered in the report.

**BACKGROUND PAPERS**

None.

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