



Committee: LICENSING COMMITTEE

Date: THURSDAY, 5 JANUARY 2023

Venue: MORECAMBE TOWN HALL

Time: 1.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on 17 November , 2022 (previously circulated).

3. **Items of Urgent Business authorised by the Chair**

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Matters for Decision

5. **Hackney Carriage Fare Review 2023/24** (Pages 3 - 9)

Report of the Licensing Manager

Exclusion of the Press and Public

6. **Exempt Item**

The Committee is recommended to pass the following recommendation in relation to the following item:

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the ground that it could involve the possible disclosure of exempt information, as defined in paragraph 1 of Schedule 12A of that Act.”

Councillors are reminded that, whilst the following item has been marked as exempt, it is for the Committee to decide whether or not to consider it in private or in public. In making the decision, Councillors should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion, Councillors should also be mindful of the advice of Council officers.

7. Existing Dual Driver's Licence Holder (Pages 10 - 30)

Report of the Licensing Officer

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Colin Hartley (Chair), Mike Greenall (Vice-Chair), Fabiha Askari, Gerry Blaikie, Roger Cleet, Andrew Gardiner, Jake Goodwin, Tim Hamilton-Cox, Sally Maddocks and Margaret Pattison

(ii) Queries regarding this Agenda

Please contact Democratic Services - email democracy@lancaster.gov.uk.

(iii) Changes to Membership, or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 20 December , 2022.

Licensing Committee**Hackney Carriage Fare Review 2023****5 January 2023****Report of Licensing Manager****PURPOSE OF REPORT**

This report is to update members on proposals to introduce a new fare tariff in relation to licensed hackney carriages operating in the Lancaster district.

Members of the Licensing Committee are required to refer their findings for decision to the next Cabinet meeting.

This report is public

RECOMMENDATIONS

- (1) **It is recommended that members consider proposals in relation to a new fare tariff for hackney carriages operating in the Lancaster district, and;**
- (2) **Refer their findings to the next Cabinet meeting for approval.**

1.0 Introduction

- 1.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 makes provision for the Council to fix the rates of fares within the district for time, distance and all other charges in connection with the hire of a hackney carriage. The table of fares is attached to the inside of a hackney carriage; this allows members of the public to view all charges when hiring a vehicle.
- 1.2 The current table of fares took effect on 4th May 2022 and is attached at **Appendix 1**.
- 1.3 The setting of fares is an Executive function as it is not one that is listed in the Local Authorities (Function and Responsibilities) (England) Regulations 2000 and therefore falls to the Cabinet to make the decision. In its capacity as an advisory Committee to Cabinet, the Licensing Committee are required to refer any decision to Cabinet for approval.

2.0 Background

- 2.1 The current hackney carriage table of fares, the frequency of tariff reviews and method for fare setting in future years was approved by the Councils Cabinet on 12th April 2022. This was following a period of engagement and consultation with the licensed trade.
- 2.2 It was approved that, retail price index (RPI) would be applied annually across the tariff, including flag fall and rolling rate, rounding down to the nearest 5p. The statutory requirement for advertisement and consultation would then follow before an updated table of fares would be published, with an updated table of fares coming into effect on a specified date.
- 2.3 The last review of hackney carriages tariff was undertaken in April 2022, prior to this there was no fare review or uplift in hackney carriages fares since 2019. Before that RPI was not consistently applied and the table of fares did not reflect the approved methodology or a wage reflective to the cost of living for the average licensed driver.

The review and subsequent uplift earlier this year saw the cost of smaller journeys subject to a minor uplift with journeys over 5 miles being subject to a 10-15% increase. The time and a half/double time rates on this tariff saw fares raised between 10-24%. The increase therefore was significant for the trade and public, but it represented the cost of living and rising fuel costs at that time.

- 2.4 It was agreed that the methodology would be applied to the tariff annually, using the retail price index (RPI) from November. With lead times into Cabinet and with advertisement and consultation requirements, any amendments should be effective from April 1st 2023.

3.0 Current Position

- 3.1 Since the update, very little feedback has been received by licensing from members of the public, No complaints have been received by way of allegations of overcharging or challenges to fares paid. Similarly, because of input from the licensed trade through the consultation period they were as a collective, happy with the updated tariff.
- 3.2 The retail price index for November 2022 was 14%, this has been applied across the tariff as approved by Cabinet. The table of fares reflecting those updates is attached at **Appendix 2**.

Members may wish to consider amending soiling charges as applying RPI to this charge was not included in the approved methodology. The soiling charge is a maximum charge vehicle proprietors can charge members of the public should they soil the vehicle. It should represent to cost of cleaning the vehicle and/or loss of earnings for the take taken to ensure the vehicle is roadworthy.

4.0 Options and Options Analysis (including risk assessment)

- 4.1 The options available to members are listed in the table, along with the advantages/disadvantages and risks associated with each option.

	Option 1: Maintain current table of fares approved in April 2022.	Option 2: Apply retail price index (RPI) across the tariff. (14%) Rounding down to the nearest 5p.	Option 3: Deregulate fare setting
Advantages	Public are aware of expected fares when hiring a hackney carriage.	Drivers income is increased in line with rising cost of living The licensed profession may be perceived as a career option for local people.	Allows licensed trade to calculate their own fares, they may be best placed to calculate costs.
Disadvantages	The current table of fares may not represent current cost of living.	Second increase in quick succession may lead to a decrease in public use.	Licensing Authority has no control on charges passed to the public. May create confusion as fares could vary across the trade.
Risks	Not consistently applying the methodology approved by Cabinet Drivers may decide to leave the trade, fares do not meet the demands of the rising costs of living.	Increase too much for service users. Drivers may see reduced income due to lack of public use.	Lack of public confidence in use of Hackney Carriages due to unknown charges. Varying charges between proprietors creating confusion

5.0 Officer preferred option

- 5.1 Option 2 - Apply retail price index (RPI) across the tariff. (14%) Rounding down to the nearest 5p.
- 5.2 Any concerns from members of the public would be addressed through the consultation process by placing a notice in the local press proposing the revised tariff.

5.3 The retail price index (RPI) for November is published mid-December, due to Christmas deadlines for publishing it has not been possible to include the views of the licensed trade as part of the report. They will however be available at the meeting in January for members consideration.

5.4 Members are requested to make recommendations to Cabinet on their preferred option.

6.0 Conclusion

6.1 Earlier in 2022, following a period of consultation with the public and licensed trade, the Councils Cabinet, on recommendation of Licensing Committee agreed a methodology for fare reviews in relation to hackney carriages operating in the district.

6.2 The approved methodology has been applied to the relevant parts of the hackney carriage tariff, with a 14% increase to flag-fall and rolling rate (rounded down to the nearest 5p). It represents a 40/60/80p increase in flagfall across the 3 tariffs with little difference to rolling rates (until tariff 3 where a 5p increase would be applied).

6.2 The cost of living is rising; licensed drivers need to ensure the profession is sustainable; whereby the table of fares allows drivers to earn a fair salary.

6.3 Members will need to balance the views of the licensed trade with expectations of the public and ensure that any decision to depart from the approved methodology is documented, along with the reasons for doing so.

6.3 As this is an Executive decision the Licensing Committee is not the decision-making body so must refer this to Cabinet for their approval.

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

[Click here and type conclusion of impact assesment]

FINANCIAL IMPLICATIONS

There are no direct financial implications to the Council as a result of this report.

SECTION 151 OFFICER'S COMMENTS

Not applicable

LEGAL IMPLICATIONS

Pursuant to Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, the advertising requirements are as follows:-

1. Putting a notice in the local paper
2. Notice must specify a date, not less than 14 days from the date that the notice is published to allow for objections and is the date, if no objections are made, that the revised fare will come into force.
3. If objections are made, and not withdrawn the Council must consider those objections and the fares then will come into effect (modified or unmodified) within 2 months of the original date.

MONITORING OFFICER'S COMMENTS

Not applicable

BACKGROUND PAPERS

None.

Contact Officer: Jennifer Curtis
Telephone: 01524 582732
E-mail: jcurtis@lancaster.gov.uk
Ref: JC/Fares2023/24

Hackney Carriage Table of Fares 2022/23**Tariff 1**

For hirings commenced between 07.01 and 23.59	
If the distance does not exceed 880 yards for the whole distance:	£3.00
For each of the subsequent 176 yards or uncompleted part thereof:	20p
Waiting Time: For each period of 40 seconds or uncompleted part thereof	20p

Tariff 2

For hirings commenced between midnight and 07.00 For hirings commenced between 19.00 and midnight on the 24 th December For hirings commenced between 19.00 and midnight on the 31 st December For hirings commencing on any Bank Holiday or Public Holiday	
If the distance does not exceed 880 yards for the whole distance:	£4.50
For each subsequent 176 yards or uncompleted part thereof:	30p
Waiting time: For each period of 40 seconds or uncompleted part thereof	30p

Tariff 3

For hirings commenced between 00.01 25 th December and 07.00 27 th December For hirings commenced between 00.01 1 st January and 07.00 2 nd January	
If the distance does not exceed 880 yards for the whole distance:	£6.00
For each subsequent 176 yards or uncompleted part thereof:	40p
Waiting time: For each period of 40 seconds or uncompleted part thereof	40p

For each passenger in excess of one [for the purpose two children aged 11 or under to count as one passenger for the whole distance]	20p
For each perambulator or article of luggage carried outside the passenger compartment of the vehicle	20p
Soiling Charge: A charge may be requested if the passenger[s] soils the vehicle.	This will not exceed £100.00

The driver may at his/her discretion require the payment of an agreed amount in advance of the journey. The amount will be set against the metered fare. A receipt will be given.

A booking fee up to a maximum of £4.00 may be charged where:

- (a) The Hackney carriage is booked in advance; and
- (b) (i) The Customer shall be told the cost of the booking fee at the time that the booking is taken and the amount recorded in the booking log; and
(ii) The customer shall be told that the booking fee is in addition to the fare for the journey; and
- (c) The hiring involves a separate journey of at least one mile, starting from the taxi rank or the operator's premises to the pick-up point.

Any complaints regarding this vehicle and/or driver should be addressed to the Licensing Service, Public Protection, Morecambe Town Hall, Marine Road, Morecambe, LA4 5AF

Telephone 01524 582033 or e-mail - licensing@lancaster.gov.uk

Proposed Hackney Carriage Table of Fares 2023/24**Tariff 1**

For hirings commenced between 07.01 and 23.59	
If the distance does not exceed 880 yards for the whole distance:	£3.40
For each of the subsequent 176 yards or uncompleted part thereof:	20p
Waiting Time: For each period of 40 seconds or uncompleted part thereof	20p

Tariff 2

For hirings commenced between midnight and 07.00 For hirings commenced between 19.00 and midnight on the 24 th December For hirings commenced between 19.00 and midnight on the 31 st December For hirings commencing on any Bank Holiday or Public Holiday	
If the distance does not exceed 880 yards for the whole distance:	£5.10
For each subsequent 176 yards or uncompleted part thereof:	30p
Waiting time: For each period of 40 seconds or uncompleted part thereof	30p

Tariff 3

For hirings commenced between 00.01 25 th December and 07.00 27 th December For hirings commenced between 00.01 1 st January and 07.00 2 nd January	
If the distance does not exceed 880 yards for the whole distance:	£6.80
For each subsequent 176 yards or uncompleted part thereof:	40p
Waiting time: For each period of 40 seconds or uncompleted part thereof	40p

For each passenger in excess of one [for the purpose two children aged 11 or under to count as one passenger for the whole distance]	20p
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