

BRECKLAND DISTRICT COUNCIL

Report of: Craig Fowler – Environmental Health and Licensing Manager

To: Licensing Committee – 23 March 2022

Author: Josie Hoven – Licensing Team Leader

Subject: Review of Taxi Licensing Fees and Hackney Carriage Fares

Purpose: To seek approval from the Licensing Committee on the revised taxi licensing fees and hackney carriage fares following consultation .

Recommendation:

It is recommended that the Licensing Committee review the responses received on the proposed increase in both taxi licensing fees and hackney carriage fares and agree and approve the final taxi licence fees and hackney carriage fares and the date both will come into effect.

1.0 BACKGROUND

- 1.1 On 12th January 2022 the Licensing Committee agreed to go out to consultation on the proposed hackney carriage fares and taxi licensing fees as the last increase in both areas occurred in 2015. The consultations on both have taken place and the committee now needs to review the responses and approve the final fees and fares and the date each will come into effect.
- 1.2 Hackney Carriage Fares - The Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 s.65 allows local authorities to set and review hackney carriage fares. Breckland Council have elected to set or vary a table of fares. Under the above acts the Council may only set a maximum fare level. The fare shown on the meter is the maximum that may be charged. If drivers wish to charge less than the maximum this is an arrangement between themselves and the hirer.
- 1.3 Taxi Licensing Fees - Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 allows a District Council to charge such fees for the grant of vehicle and operator's licences as may be sufficient in the aggregate to cover in whole or in part the reasonable cost of carrying out inspections on private hire and hackney carriage vehicles for the determination of granting or renewing a licence, the reasonable costs of providing hackney carriage stands and any reasonable administrative costs with the grant, renewal, the control and supervision of hackney carriage and private hire vehicles.
- 1.4 For comparison the current hackney carriage fare chart is attached as Appendix A and the proposed new tables of hackney carriage fares is attached as Appendix B. The current taxi licence fees are attached as Appendix C and the proposed taxi licence fees are attached as Appendix D.
- 1.5 The trade has been contacted via email and letter on 14th January 2022 to seek their views on the proposed increases in hackney carriage fares and taxi licence fees. A copy of the letter is attached as Appendix E. The consultation directly with the trade closed on 25th January 2022. We published a public notice for the taxi fees on 14 February 2022 and on 1st March 2022 for the hackney carriage fares. The closing date for comments was 14th

March 2022. The public notices were advertised in the Eastern Daily Press on those dates and public notices have been displayed at the Council offices in Dereham.

- 1.6 Fourteen responses were received from the trade for consideration by the committee. These are attached as Appendix F. No comments or objections were received from the public.
- 1.7 Hackney Carriage Fares - the Local Government (Miscellaneous Provisions) Act 1976 Section 65 (4) states "If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections".
- 1.8 Fees for vehicle and operators' licences – the Local Government (Miscellaneous Provisions) Act 1976 Section 70 (5) states " If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections".
- 2.0 Objections have been made and not withdrawn on both the hackney carriage fares and the vehicle and operator fees, so the Committee must consider the objections and set a further date, no later than two months after 1st April 2022, on which the table of fares and the fees shall come into force, with or without modifications.

3.0 OPTIONS

The committee may after consideration of the objections for:

Hackney Carriage Fares:

- Make no changes to the proposed tables of fares and approve and set a date for the new hackney carriage fares to come into force.
- Make modification to the proposed table of fares and approve and set a date for the new hackney carriage fares to come into force.

Taxi Licence fees:

- Make no changes to the proposed taxi licence fees and approve and set a date for the new fees to come into force.
- Make modification to the proposed taxi licence fees and approve and set a date for the new taxi licence fees to come into force.

3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 Now that the formal notification and consultation has taken place the Council must decide on the fees and fares in accordance with the relevant sections of the Local Government (Miscellaneous Provisions) Act 1976 – it cannot choose to do nothing.
- 3.2 Hackney Carriage Fares and Taxi Licence Fees have not been formally reviewed since 2015. There have significant increases in associated costs for both the trade and the licensing department during that period.
- 3.3 Hackney Carriage Fares - there have been significant increases in associated costs for the taxi trade. The trade has seen increases in running costs including but not limited to fuel, insurance, vehicle, wages and maintenance costs with no increase in income from fares to cover these costs. The private hire and hackney carriage trade offers a valuable

service to the residents of Breckland, where often there is no public transport in the form of regular buses etc.

Taxi Licence Fees - the Council have fully reviewed the anticipated costs associated with granting, renewing and maintaining compliance of the taxi licensing function and the proposed licence fees have been set accordingly so that the licence fees are based on full cost recovery ensuring that the Breckland council tax-payer is not subsidising the taxi trade. Any lower fees would mean that we are not meeting the costs and a budget deficit. Any higher fees may result in a profit and this would be potentially unlawful.

4.0 **EXPECTED BENEFITS**

4.1 Hackney Carriage Fares – the taxi trade will be able to increase their fares up to the maximum set out in the proposed fares. This will allow them to recover the costs of licensing and maintaining their vehicles and operator’s licences, supporting the local economy.

Taxi Licence Fees – the Council will receive the full cost of granting, renewing and maintaining compliance of the taxi licensing function with no cost to the taxpayer.

5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

Constitution & Legal

A review of the Hackney Carriage Fares has been requested so must be carried out as detailed in s.65 of the LG(MP) Act 1976.

Data Protection

Data Protection forms a part of the licensing process and is carried out in line with the current data protection policy.

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All

7.0 **ACRONYMS**

7.1 LG(MP) Act 1976 – Local Government (Miscellaneous Provisions) Act 1976

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Key Decision: Yes

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A	Current Breckland Fare Chart
Appendix B	Proposed Table of Fares
Appendix C	Current Taxi Licensing Fee's
Appendix D	Proposed Taxi Licensing Fee's
Appendix E	Copy of the letter to the trade
Appendix F	Copies of representations received