

Crawley Borough Council

	Report No:RS/7	D
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Report to the Licensing Committee

4 November 2009

Hackney Carriage Fares, 2009 - 2010

1. Key Points

- 1.1. The purpose of this report is to consider proposals for increases to the hackney carriage table of fares for 2009 – 2010.
- 1.2. The last increase in the hackney carriage fares took place in December 2008 and a copy of the current table of fares is set out at **Appendix A**.

2. Recommendations

- 2.1. The Committee is requested to confirm that there should be no increase in Hackney Carriage fares for 2009/10.

ANGELA TANNER
Head of Regulatory Services

3 Background

- 3.1 The Council as Licensing Authority for the Borough of Crawley is the appropriate authority for the purposes of setting Hackney Carriage fares in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976,(hereinafter referred to as "the Act").
- 3.2. It is the Council's procedure to consult with the relevant trade association to establish an appropriate 'table of fares' for the forthcoming financial period.
- 3.3. Following consultation with the trade a report is drafted and presented for the consideration of the Licensing Committee.
- 3.4. The report includes the trade's proposals and neighbouring authorities current tariffs.
- 3.5. If Committee decides to approve the proposal based on the enclosed information there is no need for the trade proposal to be published in the form of a public notice in the local press.
- 3.6. The table of fares set by the Committee will continue in that form until such time as the Committee determine. The Council's standard practice is to review these fares annually.

4. Content

- 4.1 The current table of fares came into effect on the 1st December 2008 (as set out at **Appendix A**)
- 4.2. Following consultation with the trade, the Council received a letter from the Crawley Hackney Association dated 19th October 2009, which outlined the trade's proposal (a copy of the letter is attached as **Appendix B**).
- 4.3 In order to provide further clarity the neighbouring authorities' Hackney Carriage fare cards are attached as **Appendix C**.These are based on last year's tariffs and it is not known whether or not our neighbouring authorities are planning an increase.

5. Ward Members' Views

- 5.1. The Council on this occasion has not consulted or sought the views of Ward Members as this matter does not relate to any one particular area.

6. Staffing, Financial and Legal Implications/Powers

- 6.1. The Council's policy for fees and charges is to increase overall by 5%. It has been proposed that there should be no increase for 2009/10 due to the

economic recession and the effect that this has had on the Hackney Carriage trade.

- 6.2 There are no extra staffing or financial implications to the Council.
- 6.3. The legislation sets out a statutory period regarding the time allowed for objection. Unlike other sections of the Act which allow for objectors or aggrieved persons to appeal to a magistrates court, Section 65(4) requires all objections to the proposed table of fares to be referred to the licensing authority which made the original decision.
- 6.4. **Article 1** of the First Protocol of the Human Rights Act 1998 entitles every person to the right to peaceful enjoyment of their possessions, which includes their livelihood or their means of earning it. The impact of a fare tariff may affect a person's livelihood or their means of earning it. In setting a fare tariff the Council must consider the impact on both the public and those whose livelihood may be affected.

7. Links to the Sustainable Community Strategy and Corporate Plan

- 7.1 The proposals contained in this report relate to the following key areas of the Sustainable Community Strategy

Community Cohesion		Community Safety	y
Young People and Children		Health and Well Being	
Older People		The Environment	y
The Local Economy	Y	Social Inclusion	

The following key principles are applicable:-

- (i) Working together y
- (ii) Dignity, respect and opportunities for all y
- (iii) Involving People y
- (iv) Making it last y

The report relates to the following areas in which the Council operates to enhance the town and the quality of life of local people:-

- (i) Our Communities: (ensuring they are safe, healthy, cohesive and enjoyable) y
- (ii) Our Environment: (ensuring that it is attractive, clean, protected and sustainable) y
- (iii) Our Economy: (ensuring it is thriving, vibrant and prosperous) y
- (iv) Our Council: (ensuring it is engaging, transparent, business-like with a social conscience, cost-effective and a place-shaping community leader) y

8 Reasons for the Recommendation

- 8.1. The fares consultation is very important to the Hackney Carriage Trade and to their customers, the general public. Members will need to determine a hackney carriage fare structure which reflects the interests of both the trade and the general public.
- 8.2. The trade in general have stated that they do not want any increases in fares as the current economic climate is difficult for them to make a decent standard of living and any increase would have a greater detrimental affect on this.
- 8.3. The Committee may also make any changes to the table that it considers reasonable and appropriate.
- 8.4. Although the views of the trade are particularly relevant they are only one factor to be considered.

9 Background Papers

- 9.1 Letter from the Crawley Hackney Association dated 19th October 2009.
2008 -2009 Hackney Carriage Fares Tariff Card.
Correspondence with neighbouring authorities.

Contact Officer: Bill Nailen
Direct Line: 01293 438734

Appendix A

CRAWLEY HACKNEY CARRIAGE –FARES

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976

Valid from the 1st December 2008

Tariff 1 Applies to all hiring's except those mentioned in tariff 2 & 3	
Initial distance not exceeding 1,608 meters (1,759 yards) or 8 minutes 25 seconds or un-completed part thereof	£3.20
For a distance of 1,609 meters (1,760 yards) or 8 minutes 25 seconds or un-completed part thereof	£3.40
For each subsequent 153 meters (167 yards) or 48 seconds or un-completed part thereof	20p

Tariff 2 Applies to all hirings begun between midnight and 06am including all Bank Holidays, and all hiring's from 18:00hrs to 23:59 hrs on the 24th December and from 18:00hrs on New Years Eve to 23:59 on 1st January	
Initial distance not exceeding 1,608 meters (1,759 yards) 8 minutes or un-completed part thereof	£4.50
For a distance of 1,609 meters (1,760 yards) or 8 minutes or un-completed part thereof	£4.80
For each subsequent 161 meters (176 yards) or 48 seconds or un-completed part thereof	30p

Tariff 3 Applies to all hiring's from 00:01 on the 25th December to midnight on the 26th December	
Initial distance not exceeding 1,608 meters (1,759 yards) or 8 minutes or un-completed part thereof	£6.00
For a distance of 1,609 meters (1,760 yards) or 8 minutes or un-completed part thereof	£6.40
For each subsequent 161 meters (176 yards) or 48 seconds or un-completed part thereof	40p

Extra Charges
A soilage charge of £55 (minimum) Subject to the licensing capacity of the vehicle, the driver when carrying more than 4 persons may be entitled to charge tariff 2. When a Hackney Carriage is hired by distance the proprietor or driver shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorized by the above table which may not be recorded on the face of such meter. The driver may charge any "road charge or tolls" where applicable (this must be agreed with the customer before hire commences).

Licensing Section 2008/2009

Appendix B

19th October 2009

Licensing Department,
Crawley Borough Council,
The Town Hall.
Crawley.
RH10 1UZ

For the attention of Bill Nailen

Dear Bill

Further to our recent meeting regarding tariff review for 2009/2010. As we discussed, the Association recently balloted members in order to obtain their opinion regarding the tariff for the forthcoming year. The voting figures were as follows:

In favour of No Change 55 (including one late paper returned, included).

In favour of Increase 26.

In favour of Decrease 1.

We therefore request that you convey to the Licensing Committee on our behalf that the Hackney Trade will not be requesting any alteration to the fare tariff for the year 2009/2010.

Thank you, as ever, for your kind assistance and cooperation in this matter.

Yours Sincerely

Crawley Hackney Association

Appendix C
Vehicle No: H
Licensed to carry 6 persons
Effective From 17th November 2008



Vehicle No: H
Licensed to carry 6 persons
Effective From 17th November 2008



Table of Maximum Fares

TARIFF 1 - Effective for hiring begun between 07.00am and 11.29pm
 For the first 1350m or 6min 25 secs or combination of distance & time (or part) **£3.40**
 For each additional 90m or 20 secs or combination of distance & time (or part) **£0.10**

TARIFF 2 - Effective for hiring begun between 11.30pm and 06.59am
 For the first 1350m or 6 min 25 secs or combination of distance & time (or part) **£5.10**
 For each additional 90m or 20 secs or combination of distance & time (or part) **£0.15**

TARIFF 3 - Effective from midnight to midnight on Bank Holidays, Public Holidays, Christmas Day and Good Friday
 For the first 1350m or 6min 25 secs or combination of distance & time (or part) **£6.80**
 For each additional 90m or 20 secs or combination of distance & time (or part) **£0.20**

EFFECTIVE FOR CARRYING 5 - 8 PASSENGERS

TARIFF 4 - Effective for hiring begun between 07.00am and 11.29pm
 For the first 1350m or 6 min 25 secs or combination of distance and time (or part) **£5.10**
 For each additional 90m or 20 secs or combination of distance and time (or part) **£0.15**

TARIFF 5 - Effective for hiring begun between 11.30pm and 06.59am
 For the first 1350m or 6 min 25 secs or combination of distance & time (or part) **£7.65**
 For each additional 90m or 20 secs or combination of distance and time (or part) **£0.22**

TARIFF 6 - Effective for hiring from midnight to midnight on Bank Holidays, Public Holidays, Christmas Day and Good Friday.
 For the first 1350m or 6 min 25 secs or combination of distance & time (or part) **£10.20**
 For each additional 90m or 20 secs or combination of distance or time (or part) **£0.30**

EXTRA CHARGES

Where licensed to carry 1-4 passengers, each passenger in excess of two **£0.10**
 Where licensed to carry 5-8 passengers, each passenger in excess of six **£0.10**
 For each box or package carried outside the passenger compartment of the vehicle **£0.10**

SOILAGE CHARGE

If this vehicle is damaged or soiled by a passenger the driver or proprietor is entitled to recover all costs of cleaning or repairing such damage or soiling from the passenger/person responsible.

Please report any comments or complaints to:

The Licensing Officer, Park House, North Street, Horsham, RH12 1RL Tel 01403 215471

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MAXIMUM HACKNEY CARRIAGE FARESWITH EFFECT FROM 1st APRIL 2009

Local Government (Miscellaneous Provisions) Act 1976 Section 65

Tariff 1**Applies to all hiring's except those mentioned in Tariff's 2 & 3**

Initial distance not exceeding 546 metres (598 yards) or a combination of distance and time or part thereof.	£2:80p
For each subsequent 161 metres (176 yards or part thereof)	20p
Waiting Time for each period of 40 seconds	20p

Tariff 2**Applies to all hiring's begun between 12 midnight and 6 a.m. on weekdays and 12 midnight and 8:30 a.m. on Sundays, after 8 p.m. on 24th and 31st December, all day 26th December , Good Friday and Public and Bank Holidays**

Initial distance not exceeding 546 metres (598 yards) or a combination of distance and time or part thereof.	£4:20p
For each subsequent 161 metres (176 yards or part thereof)	30p
Waiting Time for each period of 40 seconds	30p

Tariff 3**Applies to all hiring's from 00.01 hours on December 25th to midnight December 25th**

Initial distance not exceeding 546 metres (598 yards) or a combination of distance and time or part thereof.	£5:60p
For each subsequent 161 metres (176 yards or part thereof)	40p
Waiting Time for each period of 40 seconds	40p

Additional ChargesSubject to the Licensed capacity of the vehicle, the driver when carrying **6 or more passengers** is entitled to charge **Tariff 2**Soiling charge **£40****Emergency Fuel Surcharge**To be applied to each £5 of indicated metered fare or part thereof **during periods** when pump prices reach

A	£1:40p to	£1:64p per litre	25p
B	£1:65p to	£1:89p per litre	40p
C	£1:90p per litre		60p

In the event of a complaint please contact :

The Hackney Carriage / Private Hire Licensing Officer

Mid Sussex District Council, Oaklands, Haywards Heath, West Sussex, RH16 1SS

Tel. 01444 458166

Borough of Reigate & Banstead

HACKNEY CARRIAGE TARIFF

FIXED BY THE COUNCIL

The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the following table which it may not be possible to record on the face of the taximeter.

FARES FOR DISTANCE (including VAT)

All distance and time charges include uncompleted parts thereof

RATE 1	
Hirings between 7 a.m. and 10 p.m. Mondays to Saturdays (excluding 24 December and 31 December 8 p.m. to 10 p.m.)	
£3.20	for the first 1609.34 metres (one mile)
20p	for each additional 168.25 metres (approx 10.45% of a mile)
20p	waiting time for each period of 44 seconds

RATE 2	
Hirings between 10 p.m. and 7 a.m. Mondays to Fridays Hirings between 10 p.m. Saturday and 7 a.m. Monday Hirings begun on Bank Holidays (excluding Christmas Day, Boxing Day) Excluding 10pm.to midnight 24 and 31 December	
£4.00	for the first 1609.34 metres (one mile)
20p	for each additional 134.42 metres (approx 8.35% of a mile)
20p	waiting time for each period of 35 seconds

RATE 3

Christmas and New Year

Double of Rate 1 - Hirings between 8p.m. on 24 December and 7a.m. on 27 December and hirings between 8p.m. on 31 December and 7 a.m. on 1 January

£6.40	for the first 1609.34 metres (one mile)
40p	for each additional 168.25 metres (approx 10.45% of a mile)
40p	waiting time for each period of 44 seconds

EXTRAS

20p For each shopping carrier bag conveyed outside of the passenger compartment of the carriage, subject to maximum charge of 60p per passenger.

20p For each article of luggage (excluding carrier bags) conveyed outside of the passenger compartment of the carriage (no maximum charge)

20p For each person in excess of one (2 children under the age of 10 shall be regarded as one person and children under the age of 3 shall not be reckoned but each must occupy a seat).

£2.40 Booking charge for a hiring involving a separate journey to pick up hirer.

£100 Soiling of the carriage leaving it unfit for immediate subsequent hiring unless cleaned.

THIS SCALE OF CHARGES APPLIES ONLY TO JOURNEYS UNDERTAKEN WITHIN THE AREA OF THE BOROUGH OF REIGATE AND BANSTEAD

If the taxi is used in the licensed area for a contract of private hire, where the hiring was not arranged with or through the driver while the carriage was plying for hire or waiting, then the above fares or charges may only be calculated from the point in the district at which the hirer commences the journey. If any journey ends outside of the licensed area **and no rate of fare was agreed before the hiring was effected** then the driver may not charge a fare greater than shown in this table.

R N Clifford, Chief Executive 20 January 2009