

Crawley Borough Council

	Report No: PES/141	B
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Report to the Licensing Committee

9 January 2014

Hackney Carriage Fares Objections, 2013 - 2014

1 Key Points

- 1.1. On 12th November 2013 the committee decided to vary the table of fares which may be charged in connection with the hire of hackney carriages within the Borough of Crawley. The purpose of this report is for members to consider the objections received following the publishing of notice of the variation, and then to set a further date for the variation to take effect with or without modification.

2 Recommendations

2.1. The Committee is requested to:

- (1) Give due consideration to the objections (as set out in this report) made in respect of the Licensing Committee's decision of 12th November 2013 to vary the table of fares which may be charged in connection with the hire of hackney carriages within the borough of Crawley; and
- (2) Set a further date (such date to be on or before 3 February 2014) on which the variation to the table of fares, with or without modification, shall come into force.

ANGELA TANNER
Head of Planning and Environmental Services

3.0 Background

- 3.1 On 12th November 2013 the Licensing Committee decided to vary the table of fares which may be charged in connection with the hire of hackney carriages within the Borough of Crawley (“table of fares”).
- 3.2 As required by section 65 of the *Local Government (Miscellaneous Provisions) Act 1976* (“the Act”), the Council published a notice in a newspaper circulated within the borough setting out the variation to the table of fares and specifying that any objections to the variation must be submitted to the Council by 3 December 2013.
- 3.3 Had no objections been made, the variation to the table of fares would have taken effect on 4 December 2013. However, the Council received 3 objections to the variation to the table of fares within the period allowed.

4.0 Objections

- 4.1 The documents in which the objections refer to matters additional to any objection to the variation to the table of fares and these are matters which are not relevant to the decision to be taken by the Committee. Therefore, instead of attaching copies of these documents to the report, the objections have been extracted from the documents and are quoted below.
- 4.2 One document in the form of a petition signed by 7 hackney carriage drivers set out the following objection to the variation to the table of fares:

“We, the undersigned hackney carriage drivers strongly disagree with the proposed increase in our fares. We raise the following concerns;

...

- 4) All the signatories on this petition believe that if the increase in fare is to be allowed then the change should be to tariff 1 from £3.80 to £4. There should be no amendment in tariff 2 and 3. Also there should be no introduction on tariff 4 ...”

- 4.3 The other objections were in the form of an email from two hackney carriage driver who set out the following objection to the variation to the table of fares:

“Dear sir

1. I am a hackney carriage driver and I strongly disagree with the proposed increase in our fares for the following reasons;

the unleaded petrol prices dropped from £1.39.9 to £1.27.9. As we are spending less on fuel and the proposed fare increase is too much.

I with so many other drivers believe that if the increase in the fare is to be allowed it must be only in the tariff one in the face of the meter to make it from £3.80 to £4.00. There should be no change in tariff 2, and 3, and with no introduction of tariff 4 ...

A 20 pence increase on the face of the meter can give us an extra about £900 in a year which is more than enough ...”

2. "I'm a hackney driver and I'm not in favour of any increase in our fare. We are already losing trade because of high prices compare to private hire. If there is to be an increase, then may I suggest current inflation rate Maximum 5% increase?"

4.4 The objectors' identities have been withheld to protect their privacy.

5.0 Decision to be made

5.1 Where objections have been made, section 65 of the Act requires the Council to set a further date, to be no later than 2 months after the first specified date, on which the varied table of fares shall come into force, with or without modifications, as decided after consideration of the objections.

5.2 Therefore, the decision that falls to the Licensing Committee is, having first considered the objections, to set a date when the variation to the table of fares will take effect, whether as originally decided by the Committee on 12th November 2013, or with modifications. The date must be on or before 3 February 2014.

6.0 Ward Members' Views

6.1. The Council on this occasion has not consulted or sought the views of Ward Members as this matter is not ward specific. However, as described above, there is a formal notification process which allows for objections to be made and considered.

7.0 Staffing, Financial and Legal Implications/Powers

7.1 The legislation requires that the Council consider the objections to the variation to the table of fares and decide whether to implement the table of fares as original decided on 12th November 2013, or to make modifications, and then to set a date as to when it will come into force.

7.2 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 whose livelihood may be affected.

7.3 There are no extra staffing or financial implications to the Council.

8.0 Risk Implications

8.1 None.

9.0 Environmental Implications

9.1 None.

10.0 Links to the Sustainable Community Strategy and Corporate Plan

10.1 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) Prosperity	y
(ii) Community	y
(iii) Environment	y
(iv) Value for Money	y

11.0 Reasons for the Recommendation

11.1. The legislation requires members to consider any objections received regarding the proposed hackney carriage fare tariff. On 20th November 2013 a public notice was placed in the local papers and within the 14 days period allowed for objections the Council received two objections from members of the trade.

12.0 Background Papers

None.

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