

Crawley Borough Council

Report to Licensing Committee

12 September 2023

Hackney Carriage Fares 2023 - 2024

Report of the Head of Community Services - HCS/065

1. Purpose

- 1.1. The purpose of this report is to consider a request to vary the fares which may be charged for journeys by hackney carriages licensed by Crawley Borough Council. The proposal is to increase the current fares.

2. Recommendations

The Committee is requested to:

- 2.1 Approve the table of fares put forward by the Chairman of the Crawley Hackney Carriage Association (on behalf of its members) as set out in Appendix B, either:
- i. without amendment; or
 - ii. amended.
- 2.2 Authorise the Head of Community Services to publish a Public Notice of the variation agreed upon and the period within which objections can be made in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

3. Reasons for the Recommendations

- 3.1 Members of the Crawley Hackney Carriage Association (CHCA) have requested that the Council considers revising the current fare structure and increasing tariff levels. The CHCA makes this request in the light of the rising cost of living, rising inflation, the ongoing negative impact of the Coronavirus pandemic on the industry and costs significantly increased.
- 3.2 Committee members are asked to note that the last increase implemented was 14th July 2022.
- 3.3 Procedure requires the Licensing Committee to consider the matter and decide whether to vary the table of fares (also referred to as the tariff card) in the terms sought. This needs to be carried out bearing in mind those affected, namely the members of the hackney carriage trade and the travelling public.
- 3.4 Although the views of the Hackney Carriage Trade are important, the views and impact on the travelling public are key, alongside a safe accessible service.
- 3.5 The Licensing Committee may make any changes to the table of fares that it considers reasonable and appropriate. Extensive consultation with representatives of the CHCA has resulted in this latest proposed fare card and tariff structure.

- 3.6 Members of the Licensing Committee have previously requested that a simplified table of fares is prepared in consultation with the hackney carriage trade. Work will continue between Officers and the Trade to progress a future proposal that meets these objectives but to date this has proved challenging.

4. Background

- 4.1 The Council, as Licensing Authority for the borough of Crawley, is the appropriate authority for the purposes of setting hackney carriage rates or fares in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. This is the maximum charge that can be levied in respect of a journey and licensed drivers can charge no more than the maximum metered fare as set by the Licensing Authority.
- 4.1. The last variation to the table of fares took effect on 14th July 2022, and prior to that, December 2019 and September 2017. A copy of the current table of fares is set out in Appendix A to this report.
- 4.2 Discussions have been ongoing with the Chairman and Secretary of the CHCA who provided details of a proposed increase to the current table of fares. Officers were informed that the proposal arose out of a consultation process with CHCA, comprising of 100 members. The final documentation associated with this consultation was provided to Council Officers in June 2023 and is being placed before the first available meeting of the Licensing Committee.
- 4.3 The proposed increase is designed to provide licensed drivers with an improved 'hourly rate', to offset the additional monies incurred of running a taxi business due to escalating vehicle costs as well as a means to take account of the shift in trade as a result of the Coronavirus pandemic and its ongoing impact, alongside rising inflation and cost of living increases.
- 4.4 The Council is advised that the majority of CHCA members were in favour of the proposed variation, which they state is less than the inflation rate. The proposal is as follows:

TARRIFF 1

Start £4.50, first mile £5.10

After the first mile £2.80 per mile

Waiting time £24 per hour

TARIFF 2

Start £5.80 first mile £6.70

After first mile £3.60 per mile

Waiting time £30.00 per hour

TARIFF 3

100 % extra of Tarif 1

TARIFF 4

50 percent extra of Tarif 1

SOILING CHARGE

£120.

- 4.5 Given that there has not been an increase in the table of fares for 12 months, Officers are supportive of the increases proposed. There have been ongoing discussions as to the form and content of the new fare tariff, alongside implementation timescales. The proposed new fare card is included at Appendix B and can be directly compared with the current fare card, which is included at Appendix A. The format of the fare card has not changed.

- 4.6 The proposed changes have also been shared with a meter supply company, Digitax, to test the functionality of such and to ensure that each change and charges correspond and work appropriately. This company is content that the proposals will be compatible with taxi meter capabilities.
- 4.7 However, if Committee members wish to make any revisions or deviate from the request put forward by the CHCA, the proposals and functionality of such will need to be tested with meter suppliers to ensure that the relevant distances and charges correspond.

5. Wider Hackney Carriage Trade Consultation

- 5.1. It is important to note that not all hackney carriage proprietors are members of the CHCA (it appears that 23 proprietors are not). In order to seek their views, a letter was sent to all licensed hackney carriage proprietors with the proposed tariff card. At the time of writing this report, feedback from three members of the hackney carriage trade had been received. Feedback includes the below, but for clarity, it does appear that Hackney Carriage fares are lower than Private Hire Operator fares in the Borough. The Council does not set the fares in respect of private hire vehicles, but simply set the maximum fare permitted to be charged in relation to hackney carriages.
- *"It's too much."*
 - *"I'm against this proposal and i hope it doesn't get through i thing it is way too much we're going to end up losing our customers to over and private uber thanks."*
 - *"My suggestion about new proposed tariff is that no increase in fares. Fares should remain same as before".*

6. Consultation & Objections

- 6.1 If the Committee decides to vary the existing table of fares, a public notice must be placed in a local newspaper and must also be available to the public for inspection without payment at the Town Hall for a period of 14 days from the date of first publication. This is usually displayed on the Town Hall noticeboard and on the relevant section of the Council's website. If valid objections are then received, these are reported back to the Licensing Committee for its further consideration. The Committee will then be required to set a further date on which the table of fares shall come into force with or without further variation as it decides after due consideration of any objections.
- 6.2 If no valid objection is received, or valid objections are received but subsequently withdrawn, the variation to the table of fares takes effect on the date the public notice expires or the date the last objection is withdrawn, whichever is later.
- 6.3 The table of fares set by the Licensing Committee will continue in that form until such time as the Licensing Committee once again decides to vary it. However, the Council's standard practice is to consult with the trade regularly and review fare levels when requested by the CHCA.
- 6.4 Regular face-to-face meetings will be reinstated with both the private hire and hackney carriage trade to facilitate information exchange and partnership working. In addition, there are regular communications via email and Trade WhatsApp Groups regarding issues impacting the trade.

- 6.5 The Council has not consulted or sought the views of Ward Councilors as this matter is not ward-specific. There is a formal consultation process where representations can be made by any party, as described above.

7. Implications

- 7.1 There are no staffing or financial implications for the Council arising from this report other than the fact that the Service is self financing and activities should be cost neutral.
- 7.2 The process for varying hackney carriage fares is controlled by statute and set independently of the procedure used to set the Council's general fees and charges. The Council as Licensing Authority sets the maximum fare that can be charged by the hackney carriage trade. This does not stop a proprietor or driver charging less than the fare specified if they wish to do so.
- 7.3 The Council as Licensing Authority does not set the fares in respect of the private hire trade.
- 7.4 As previously stated, 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.
- 7.5 An Equalities Impact Assessment has been carried out and is included at Appendix C
- 7.6 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.

8. Background Papers/Information

[Section 65 of the Local Government \(Miscellaneous Provisions\) Act 1976](#)

[Report PES/255 - Hackney Carriage Fares 2017-2018 - Licensing Committee, 11 September 2017](#)

[Agenda – Hackney Carriage Fares 2020-2021 - Licensing Committee, 11 November 2019](#)

[Agenda for Licensing Committee on Monday, 20th June, 2022, 7.00 pm - Crawley Borough Council](#)

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