

**To:** General Purposes Licensing Committee

**Date:** 17<sup>th</sup> October 2012 **Item No:**

**Report of:** Head of Environmental Development

**Title of Report:** Hackney Carriage Tariff – Application for Increase

## **Summary and Recommendations**

**Purpose of report:** To consider a request for a Hackney Carriage Tariff increase from the City of Oxford Licensed Taxicab Association (COLTA)

**Report Approved by:**

**Finance:** Paul Swaffield

**Legal:** Daniel Smith

**Policy Framework:** Vibrant Sustainable Economy

**Recommendation(s):**

**Committee is requested to:**

- i) consider the request from the City of Oxford Licensed Taxicab Association for an increase in the Hackney Carriage tariff in accordance with the information contained within this report; and subject to this decision**
- ii) request that the Head of Environmental Development and the Head of Law and Governance carry out the statutory requirement of a public consultation.**

## **Introduction**

1. Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 a Local Authority may set the fares for Hackney Carriages within its district.

## **Background**

2. The City of Oxford Licensed Taxicab Association (COLTA) has applied for a variation in the Hackney Carriage tariff to commence from the 10<sup>th</sup> December 2012. The request from the Secretary of COLTA is attached at **Appendix One**.

3. COLTA has provided information from the journal "Private Hire Monthly" highlighting the average national fare for a 2 mile journey set at tariff 1, and compared that to the current local tariff and their proposed tariff increase. In the July 2012 issue of the "Private Hire Monthly" Oxford City Council were placed 126<sup>th</sup> most expensive authority out of 363 authorities for the fare price of a 2 mile journey on tariff 1.
4. In brief COLTA has requested that :-
  - **Tariff 1** the flag full will increase from £2.45 to £2.50
  - **Tariff 1 & 3** waiting time decreased from 20.3 seconds to 20 seconds
  - **Tariff 2** waiting time increased from 18.9 seconds to 19 seconds
  - **Tariff 1 & 3** distance of first flag fall to be reduced from 80 metres to 70 metres. Subsequent metres increased from 1600 to 1610 metres, then decreased from 125 metres to 110 metres
  - **Tariff 2** distance of first flag fall to be reduced from 53 metres to 47 metres. Subsequent metres decreased from 2120 to 2115 metres, then decreased from 130 metres to 110 metres.
5. The Committee should be aware that the last tariff increase was on the 10<sup>th</sup> January 2011. Attached at **Appendix Two** is the current tariff chart, and the new proposed tariff chart is attached at **Appendix Three**.
6. If the Committee agree to COLTA's request for a tariff increase a Public Notice shall be required to be placed in a local newspaper, detailing the proposed tariffs, and a period of 14 days shall commence for a public consultation.
7. COLTA has also requested that the Committee give consideration to the placement of a notice in all Hackney Carriage vehicles stating that any fare that ends outside the City boundary shall be charged on the metre at tariff 3. A copy of this request is attached at **Appendix Four**.
8. The currently applied regulation as to fares that terminate outside of the City boundary is detailed below (and can be found displayed on the current tariff chart that is displayed in all licensed Hackney Carriage vehicles, and can be found within the Hackney Carriage and Private Hire Vehicle Application Packs and detailed on the Council website):
  - **The driver does not have to accept journeys that end outside the City of Oxford boundary; the fare or rate of fare must be by agreement between the hirer and driver before the journey commences. The fare is likely to be higher than within the City as drivers cannot accept a return hiring. Where no such**

**agreement exists then the scale of charges applicable to journeys within the City shown below will apply.**

9. The Licensing Authority occasionally receives complaints from members of the public who claim not to be aware of the above regulation, and have perceived that the driver of a Hackney Carriage has either overcharged them for a fare, or has refused to use a metre and quoted a price for the intended journey.
10. The general public appear not to realise that if a journey does not end within the City boundary the driver can legitimately refuse the fare or can negotiate a fare; or that the driver cannot ply for hire until the vehicle has returned to within the City boundary.

**Legal Considerations**

11. The charging of Hackney Carriage fares and payment are governed by a number of different legislation
  - Local Government (Miscellaneous Provisions) Act 1976 Section 65 to set the fare and 65(5) within the district to charge more than the fare shown on the meter
  - Town Police Clauses Act 1847 Section 54 allows agreement to be made in advance of the hiring that a sum less than that shown on the meter at the end of the hiring will be paid
  - Local Government (Miscellaneous Provisions) Act 1976 Section 66 prohibits any demand of a fare greater than that shown on the meter for hiring's which end outside the district, unless an agreement to pay more than the metered fare has been made in advance of the journey.
12. The Committee may take a view that the request from COLTA to set a fare at tariff 3 for journeys that end outside of the City boundary is a reasonable one, however, Members are reminded of the comments made in this report at paragraphs 8 to 10 and that they may take a view that improved communications between the driver and any potential passengers would result in fewer misunderstandings as to what the current regulation states,

**Financial Considerations**

13. There are no financial implications to a tariff increase as a portion of the Hackney Carriage licence fee is to pay for any costs involved.

**Recommendations**

14. The Committee is recommended:

- i) to consider the request from the City of Oxford Licensed Taxicab Association for an increase in the Hackney Carriage tariff in accordance with the information contained within this report; and subject to this decision
- ii) to request that the Head of Environmental Development and the Head of Law and Governance carry out the statutory requirement of a public consultation.

**Name and contact details of author:** Jill Cramer  
Senior Licensing Officer  
Environmental Development  
Tel: 01865 (252257  
Email: [jcramer@oxford.gov.uk](mailto:jcramer@oxford.gov.uk)

**Appendix One :** Request from COLTA for tariff increase

**Appendix Two :** Current tariff chart

**Appendix Three :** Proposed new tariff chart

**Appendix Four :** Request from COLTA for notice in Hackney Carriages

**Version number:** 1