

## **Hambleton District Council**

**Report To:** Cabinet

**Date:** 6 September 2022

**Subject:** **Hackney Carriage Table of Fares**

**Portfolio Holder:** Governance  
Councillor Mrs I Sanderson

**Wards Affected:** All Wards

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### **1.0 Purpose and Background**

- 1.1 This report asks Cabinet to consider the four objections to the proposed Hackney Carriage Table of Fares.
- 1.2 On 5 July 2022 Cabinet, on the recommendations of the Licensing Committee, approved variations to the Hackney Carriage Table of Fares (minute CA.14 refers). A copy of the Table of Fares is attached to this report marked 'Annex A'. The variation in fares was recommended in recognition of the recent sharp increases in fuel prices.
- 1.3 Following approval by Cabinet the Council was required by relevant legislation to advertise its Table of Fares for a defined period, and to give time for interested parties to lodge objections. Any objections received would need to be considered by Cabinet before any variations to fares could be applied. Having considered the objections, Cabinet could decide to give final approval to the varied Table of Fares, or to modify the Hackney Carriage Table of Fares.
- 1.4 On 15 July 2022, the proposed variation to the Table of Fares was circulated for comment to 146 individuals licensed as either hackney carriage drivers or proprietors with Hambleton District Council.
- 1.5 On 22 July 2022, the proposed variation to the Table of Fares was published in the Darlington and Stockton Times, and displayed in the Council offices, in order to seek views from the general public.
- 1.6 Objections were received from 4 of the 146 members of the hackney carriage trade. No objections were received from any other member of the public. All four objections discouraged an increase to £5 for the first mile and three of those objections suggest an increase to the rolling mile to raise the cost of longer journeys. The objections are attached to this report at 'Annex B'.
- 1.7 Prior to making its recommendation to Cabinet, the Licensing Committee considered several requests from the hackney carriage trade, including suggestions (as here) relating to the first mile and longer rolling mile rates. The Licensing

Committee also considered the potential impact of increasing the cost of longer journeys beyond the prices available in some neighbouring districts. In addition, the Licensing Committee considered information relating to fuel prices and comparison data of the fares charged throughout North Yorkshire. The comparison data considered by the Licensing Committee showed that Hambleton's existing daytime rates for the first mile were below the average cost in the local area. However, the running mile rate for longer journeys of £2 per mile was among the highest in the area. This meant that short journeys were relatively cheap in Hambleton, but longer journeys were already among the most expensive.

- 1.8 The Licensing Committee acknowledged the need to ensure that members of the public were not discouraged from using taxis in Hambleton, and it considered the likelihood of customers being encouraged to use unlicensed vehicles and/or vehicles from neighbouring districts with cheaper fares. On the basis that the charges for longer journeys in Hambleton were already relatively high, the Licensing Committee recommended an increase on the first mile rate (which was generally lower than that charged elsewhere) but not on the rolling mile rate. This led to the recommendations on fares which the Cabinet approved at its meeting on 5 July 2022.
- 1.9 Cabinet is required to consider the objections before reaching a final decision on fares. It is apparent that the issues raised in the four objections were considered by the Licensing Committee, which heard evidence on the matter, and which did not dissuade it from recommending an increase to the rate for the first mile, although it did for longer journeys.
- 1.10 Cabinet when considering the objections could take the view that the variation to the Table of Fares was made following detailed consideration of the issues now raised by objectors, and that the Cabinet in the circumstances is satisfied that the Hackney Carriage Table of Fares should be applied without modification. Alternatively, and as stated above, the Cabinet could modify the Table of Fares.
- 1.11 When producing a Table of Fares the Council needs to find a balance between ensuring that drivers in Hambleton are fairly rewarded for their work and ensuring that members of the public are not deterred from using hackney carriages in the area.
- 1.12 The Council's Table of Fares can only set a maximum charge and therefore drivers are permitted (in negotiation with their passengers) to charge a lower fare at their own discretion.

## **2.0 Link to Council Priorities**

- 2.1 Following the recent rises in fuel prices, a review of the Hackney Carriage Table of Fares is in keeping with the Council's priority of Driving Economic Vitality.

## **3.0 Risk Assessment**

- 3.1 There are no significant risks associated with this report.

## **4.0 Financial Implications**

- 4.1 There are no financial implications for the Council in implementing the recommendations.
- 4.2 An increase in fares would have a financial effect on taxi-users throughout the district of Hambleton (i.e. an increase of £1.50 for the first mile of any journey but no increase in the rate beyond the first mile).
- 4.3 Hackney carriage businesses would benefit from the increase to help off-set increasing fuel costs. Any increase in fares would incur a small, one-off cost to all hackney carriage proprietors for a meter recalibration.

## **5.0 Legal Implications**

- 5.1 The procedure for setting fares along with the associated public notice requirements are contained within section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
- 5.2 In accordance with the Act, the proposed Table of Fares was advertised at the Council offices and by way of a notice in a local newspaper stating a period (not less than 14 days from the date of publication) within which interested parties may lodge objections. Where objections are received, the Council shall set a further date (not later than two months from the first specified date), at which time the Table of Fares shall come into force with or without modifications as determined by the Council after consideration of the objections.
- 5.3 No variation will be applied to the Hackney Carriage Table of Fares until such time as the Council's legal obligations have been satisfied in this regard.
- 5.4 Section 9D of the Local Government Act 2000 provides that any function of a local authority which is not specified in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 is to be the responsibility of an executive of the authority under executive arrangements. The power to fix hackney carriage fares under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 is not specified in the regulations and is therefore the responsibility of an executive of the authority under executive arrangements. Hambleton District Council's Constitution delegates responsibility for executive functions to Cabinet and therefore any decision in this regard must be referred accordingly.

## **6.0 Equality/Diversity Issues**

- 6.1 Disability is a protected characteristic within the meaning of the Equality Act 2010. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not, the Council must endeavour to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic and take steps to meet their needs.

- 6.2 A balance must be sought to allow hackney carriage drivers to make a reasonable living from their trade whilst also removing or minimising disadvantages suffered by persons who have relevant protected characteristics.
- 6.3 The maximum Table of Fares applies equally to all licensed hackney carriage vehicles. The driver of any hackney carriage vehicle must provide reasonable assistance to wheelchair users and must not make any additional charge.

## **7.0 Recommendations**

- 7.1 It is recommended that Cabinet considers the objections and either:
- (1) approves the Hackney Carriage Table of Fares contained in Annex A to this report to take effect from 1<sup>st</sup> October 2022, or
  - (2) modifies the Hackney Carriage Table of Fares with the modified Table of Fares to take effect from 1<sup>st</sup> October 2022.

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**Background papers:** Report and Minutes of the Licensing Committee meeting dated 10 June 2022

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