

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Operational Services Cabinet Committee
Date: 23 November 2023
Reporting officer: Emily Lane-Blackwell – Assistant Licensing Manager
Subject: Results following consultation of Taxi Tariff

Purpose and summary of report:

To present Members with the outcome of the recent consultation with Gravesham licensed Hackney Carriage drivers on the bi-annual taxi tariff review

Recommendations:

That Members:

1. Consider whether there should be any amendments to the current taxi tariff and make any recommendations to the Portfolio Holder for approval.
2. Endorse the next review of the tariff to commence no later than autumn 2025 in accordance with the previously agreed two yearly timetable.

That the Portfolio Holder:

1. Approves any changes recommended under their delegated powers as set out in the Council's constitution.
2. Authorises the Assistant Licensing Manager to proceed with and complete the taxi tariff setting process.

Key Implications:	
Item	Implications
Legal	<p>The authority for the council to fix fares for hackney carriages is given under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>When a council makes or varies a table of fares, it must publish in one local newspaper a notice setting out the table of fares, or variations to the table, specifying the period (not less than 14 days) within which, objections to the table or variations can be made.</p> <p>A copy of the proposed tariff must then be available at the council's offices for the public to inspect, free of charge, at all reasonable hours.</p> <p>If there are no objections, the table, or variation, will come into effect on the expiration date of the period specified in the notice. If there are objections the council must set a further date, within two months after the date first specified, on which the table is to come into force with or without modification, as decided. Any such</p>

	modification would be dealt with by the Portfolio Holder using powers already delegated to them in the Constitution.
Finance and Value for Money	The cost of re-calibrating individual meters would be met by individual hackney carriage proprietors. The cost of the newspaper advertisement, (required when changing the tariff) approximately £100, would be accommodated from within the G336/38102 ('Advertising – not for recruitment') budget of £500 for 23/24.
Corporate Plan	There are direct links to Corporate Objective: One Borough. It is a commitment of the Council to put Gravesham residents first by driving improved levels of regulatory standards across commercial businesses and licence holders.
Climate Change	None

1. Background

- 1.1 A report was brought to this committee on 14 September 2023 outlining proposals to consult with the taxi trade on the taxi tariff.
- 1.2 Members of the Cabinet Committee duly considered the proposed consultation methodology and instructed the Assistant Licensing Manager to consult with the local taxi trade as set out in the report.
- 1.3 The Consultation commenced on 18 September in accordance with the aforementioned methodology, which saw the trade being asked to advise on their preferred option for changes to the yardage out of the following:
 - 1.3.1 Decrease the tariff by 20p per mile by increasing the yardage to 176 yards (1/10 of a mile).
 - 1.3.2 Do nothing and keep the tariff as it currently is, with the yardage set at 20p every 160 yards (1/11 of a mile).
 - 1.3.3 Increase the tariff by 20p per mile by reducing the yardage to 146.67 yards (1/12 of a mile).
 - 1.3.4 Increase the tariff by 40p per mile by reducing the yardage to 135.38 yards (1/13 of a mile).
 - 1.3.5 Increase the tariff by 60p per mile by reducing the yardage to 125.71 yards (1/14 of a mile).
 - 1.3.6 Increase the tariff by 40p per mile by increasing the yardage to 270.76 (2/13 of a mile) but also increasing the charge per 270.76 yard to 40p (also see 2.2 and 2.3, below).
- 1.4 Due to administrative error the trade were not specifically consulted on the retainment of the six-mile uplift.
- 1.5 It is however proposed that the uplift is retained at 2^{nths} of a mile above the agreed yardage on the basis that:

- 1.5.1 The tariff represents the maximum possible charge and therefore retention of the six-mile uplift would provide choice to drivers in terms of whether they wish to apply it or not, whereas removal of the uplift would remove this choice.
- 1.5.2 The Gravesham Taxi Association had previously confirmed they would wish to see the uplift retained.
- 1.5.3 As part of the formal tariff setting process, a further public consultation will need to be carried out whereby the proposed new tariff will be published in a local paper and comments invited, during which any drivers aggrieved by the proposal will have the opportunity to object (albeit it is expected that retention of the uplift would be supported by the local taxi and PH trade).
- 1.5.4 There is no other legal requirement to consult on proposed changes to tariffs and therefore not having explicitly done so does not impede the process nor create any additional risk.

2. Consultation outcome

- 2.1 All 135 Hackney Carriage Drivers were consulted by way of email. They were given the option to respond via email or to come to the Civic Centre reception and submit a paper response.
- 2.2 Only one paper response was received, which was a duplicate of an already emailed response and indicates that future consultations can be reliably carried out electronically only. .
- 2.3 Fifty-five drivers responded to the consultation. This is a 40% response rate.
- 2.4 A summary of the responses received is set out below:
 - 2.4.1 Option 1.3.1 - None
 - 2.4.2 Option 1.3.2 – One
 - 2.4.3 Option 1.3.3 – None
 - 2.4.4 Option 1.3.4 – Six
 - 2.4.5 Option 1.3.5 – Forty Seven
 - 2.4.6 Option 1.3.6 – One
- 2.5 As can be seen, option 1.3.5, representing an increase to the tariff of 60p per mile, received 47 of the 55 responses (85%).
- 2.6 The current tariff is attached to this report at **Appendix 1**.
- 2.7 The tariff shown in **Appendix 2** represents the trade's preferred option for a new tariff.

3. Benchmarking

- 3.1 Private Hire and Taxi Monthly, a website and monthly magazine for the trade and licensing authorities, maintains a 'league table' of tariffs set by licensing authorities (including Transport for London in relation to 'black cabs'). This is ranked highest to the lowest based on the cost of a 2 mile journey on rate 1.

- 3.2 The October 2023 figures for all Kent licensing authorities are provided in **Appendix 3**. Members will note that, based on these figures, Gravesham currently has the joint 8th highest fare out of the 13 Kent Authorities. If we were to impose the tariff requested by the trade, the new tariff would move Gravesham to 3rd out of the 13 Kent Authorities.
- 3.3 According to the national fares table Gravesham currently has the 161st highest 2-mile fare out of the 364 licensing authorities. If we were to impose the tariff requested by the trade we would move to be the 45th highest fare.

4. Appendices

- 4.1 There are 3 appendices.
- 4.2 The following documents are to be published with the report:
- 4.2.1 Appendix 1 – Current Tariff
 - 4.2.2 Appendix 2 – Trade-preferred Tariff
 - 4.2.3 Appendix 3 – League table

5. Background Documents

- 5.1 There are no background documents.

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Secondary Implications	
Risk Assessment	An unreasonably expensive tariff could be a source of resentment amongst the travelling public. Equally, and just as importantly, the council's tariff limits the earning potential of its licensed taxi trade and so an unreasonably low tariff could be a source of resentment amongst the trade.
Data Protection Impact Assessment	<p><i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i></p> <p>a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? A definition of each type of data can be found on the Information Commissioner's Office website via the above links. No</p> <p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A</p> <p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk. N/A</p>
Equality Impact Assessment	<p>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. Yes – An overly expensive taxi tariff may affect the ability of those on a low income to afford a taxi. Members need to weigh up the effect of all potential users of taxis against the needs of the trade who provide the valuable service to local users.</p> <p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. No</p> <p><i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i></p>
Crime and Disorder	There are obvious links to community safety in ensuring an adequate supply of properly licensed taxis as a safe mode of transport for the public, particularly when other public transport is unavailable, for example during the nighttime economy period. An unreasonably low earning potential could reduce the number of licensed taxis and also therefore the ability for people to get home, or elsewhere, safely.
Digital and website implications	The Digital Team would be asked to upload a copy of any updated Tariff on to the council's website and may be asked to assist in publicising any changes approved.
Safeguarding children and vulnerable adults	The current version of the council's Hackney Carriage and Private Hire Licensing Policy includes mandatory safeguarding training as a pre-requisite to being able to apply for a licence. Drivers and operators are required by way of licence conditions to report concerns of CSE to Kent Police. The policy also includes guidance on the use of immediate suspensions/revocations, which could potentially be used in instances of suspected or confirmed CSE to safeguard the public.