

PUBLIC PROTECTION COMMITTEE
3RD NOVEMBER 2015
Hackney Carriage Tariffs

Submitted by: **Head of Business Improvement & Democratic Services**

Purpose

To inform the Committee of the request from the Chairman of the Hackney Carriage Association to change the commencement time of tariff 2.

Recommendation

That the Committee consider the request and to make any decision deemed appropriate.

1. Background

1.1 The tariffs (or fares) that are charged by Hackney Carriages can only be increased or altered with the approval of the Council. The Chairman of the Hackney Carriage Association requests that the time at which tariff 2 commences (which is currently midnight) be changed to commence at 10.00 p.m. (22.00 hrs). Tariff 2 is 50% more than Tariff 1.

2. Issues

2.1 Should the Council agree to the request, people who normally hire Hackney Carriages between 10.00 p.m. and midnight will be paying 50% more than they currently pay.

3. Options

The Committee can:

- a) Agree to the time change.
- b) Refuse the time change.

If the committee agree to the change then the following steps must be taken –

4. Recommendation

- 1) A notice must be published in a local newspaper, stating proposed fares or variation to the fares.
- 2) This must specify a date, not less than 14 days from the date on which the notice is first published. That date has two functions:
 - (a) it is the date by which any objections must be lodged; and
 - (b) it is the date on which the revised fares will come into effect if either -
 - (i) no objections are received; or

- (ii) any objections received have been withdrawn before that specified date.
- 3) It must also state where objections should be addressed and how they can be made. Obviously, it is desirable for such objections to be lodged in writing, as opposed to any other method (although an objection by fax or email should be acceptable).
- 4) A copy of the notice must be available to the council offices for inspection, free of charge , 'at all reasonable hours' (LG(MP)A 1976, S65(1)(b)).
- 5) Once the objection period (usually 14 days) has expired, if there have been no objections received or those received have subsequently been withdrawn, then the new fares take effect, either at the end of the objection period or when the last objection is withdrawn (LG(MP)A 1976 s65(3)).
- 6) However, if objections are made and are not withdrawn, then the council must consider the objections.
- 7) In the light of those objections (although it must consider them, it does not have to vary the proposed fare as a result of them) the council then sets a second date, which cannot be more than two months after the first date specified, when the new fares come into force.

5. **Reasons for Preferred Option**

6. **Crime and Disorder**

7. **Human Rights**

Article 6(1) guarantees an applicant a fair hearing.
Article 14 guarantees no discrimination.

8. **Equality Impact Assessment**

No issues have been identified.

9. **Major Risks**

There is no right of appeal against the fares once set there is the possibility of judicial review.

10. **Key Decision Information**

This is not a key decision.

11. **Earlier Cabinet/Committee Resolutions**