



LICENSING SUB COMMITTEE

13 OCTOBER 2023

VARIATION TO HACKNEY CARRIAGE TARIFFS FOR CHRISTMAS 2023/NEW YEAR 2024

Report from: Bhupinder Gill - Assistant Director, Legal and Governance

Author: Mandy Francis - Licensing Manager, Gravesham and Medway Shared Licensing Service

Summary

The purpose of this report is for Members to set the tariff variation for the Christmas 2023/New Year 2024 period.

1. Recommendations

- 1.1 That the Committee set the tariffs for the Christmas 2023/New Year 2024 as proposed by the Medway Licensed Taxi Drivers Association at Appendix A and agree for officers to advertise in accordance with legislation and circulate to the taxi trade for comments for a period of 14 days commencing on 14 October 2023.
- 1.2 That the Committee agree that if no objections are received within the 14 day notice period, or if all objections made are withdrawn, the variation will come into operation on the date of the expiration of the 14 day notice period or the date of withdrawal of the objection(s), whichever is the later.

2. Budget and Policy Framework

- 2.1 8.1.2 – 8.1.4 of the Council's Hackney Carriage and Private Hire Policy states:
 - 8.1.2 Medway Council will review the tariff when a bona-fide proposal is received;
 - 8.1.3 in reviewing the fare tariff the Council will follow the procedures in the Local Government (Miscellaneous Provisions) Act 1976; and
 - 8.1.4 when determining the level of fares, consideration will be given as to what it is reasonable to expect the travelling public to pay as well as the need to give drivers an incentive to provide a cost-effective service at the times it is needed.

3. Background

- 3.1 The Medway Licensed Taxi Drivers Association submit annual Christmas/New Year tariff variations.
- 3.2 The Christmas 2023/New Year 2024 variation was received by Licensing on 15 September 2023.
- 3.3 Their proposal for this year was circulated to their members via a newsletter, which invited comments, suggestions, or amendments.
- 3.4 No objections to their proposed variation were received.
- 3.5 We are requesting members set the Christmas 2023/New Year 2024 tariffs to those proposed by the Medway Licensed Taxi Drivers Association, which will then be advertised in accordance with legislation by way of a notice placed in the newspaper and circulated to the taxi trade inviting comments for a period of 14 days.
- 3.6 There are cost and consultation period implications associated with any request for varying the tariff. It would therefore be appropriate for the Council to agree the set tariff prior to consultation.
- 3.7 If no objections are received within the 14 day period, or if all objections made are withdrawn, the variation will come into operation on the date of the expiration of the 14 day notice period or the date of withdrawal of the objection(s), whichever is the later.
- 3.8 If objections are received and not withdrawn, a further report would be submitted to the Licensing Sub Committee for consideration and to set a date for the variation to come into effect with or without modifications after consideration of the objections.

4. Proposed Revisions

- 4.1 The proposed Christmas 2023/New Year 2024 variation of tariffs, submitted by the Medway Licensed Taxi Drivers Association is attached at Appendix A.

5. Risk Management

- 5.1 There are no risks associated with Members setting the variation to tariffs and seeking views from the public and taxi trade.

6. Financial and legal implications

- 6.1 The cost of advertising the variation would be met from within existing budgets.

- 6.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that “a district council may fix the rates or fares within the district for time as well as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.”
- 6.3 It is at the discretion of the Council as the licensing authority to set a tariff for licensed hackney carriages operating within the borough.
- 6.4 By fixing the fares, the Council is effectively setting the maximum fare that hackney carriage drivers can charge. Legally, taxi drivers may charge less than this rate but may not charge more.
- 6.5 The setting of fares applies only to hackney carriage drivers and not to private hire drivers who can charge their own rates as statute allows. In practice however, the majority of Medway licensed private hire drivers have meters installed in their vehicles and charge the rate set by the tariff for journeys within the borough as this leads to fewer arguments with customers who may otherwise be confused as to why charges differ for the same journey.

Lead officer contact

Mandy Francis, Licensing Manager for the Gravesham and Medway Shared Licensing Service
Telephone No: 01474 337438
Email mandy.francis@gravesham.gov.uk

Appendices

Appendix A – Proposed Christmas 2023/New Year 2024 tariffs

Background papers

None