



Licensing Sub Committee

9 February 2024

Variation to Hackney Carriage Tariffs

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Summary

The purpose of this report is for Members to set the tariff following a request and recommended tariff received from the Medway Licensed Taxi Drivers Association (MLTDA).

1. Recommendations

- 1.1 That the Committee set the tariffs as proposed by the MLTDA 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 22 February 2024.
- 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the Committee agree that if no objections are received within the 14-day notice period, or if all objections made are withdrawn, the variation will come into operation on the date of the expiration of the 14-day notice period or the date of withdrawal of the objection(s), whichever is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 current tariff, attached at **Appendix A**, was set by Members on 5 August 2022 and came into effect on 15 September 2022.
- 3.2 Following requests to submit a tariff review made to the MLTDA by its members, the MLTDA conducted a survey with all Medway licensed hackney carriage and private hire drivers. The Licensing Team circulated the survey link on their behalf in order that all drivers, not just MLTDA members, were consulted.
- 3.3 On 12 January 2024, the Licensing Team received a proposed tariff submission report from the MLTDA for a variation to the current tariff with a copy of the survey, response analysis and drivers comments, which are attached at **Appendix B**.
- 3.4 We are requesting members consider the submission from the MLTDA and set the tariffs as proposed.
- 3.5 The set tariff will then be advertised in accordance with legislation by way of a notice placed in the newspaper 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 as a result of the legal requirement to advertise any variation to the current set tariffs. 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 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.
- 3.8 If objections are received and not withdrawn, a further report will 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 variation of tariffs, submitted by the MLTDA, relates to an increase to the flag/starting price from £3 to £4; there is no change to the distance and waiting time element.

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 carriages 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.

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Background papers

None

Appendices

Appendix A - Current Medway tariffs
Appendix B - Proposed tariff submission report from the MLTDA