

**Report of the Assistant Director
(Regulatory Services) to the
meeting of the General Licensing
Regulatory Board to be held on
the 18th November 2009**

Hackney Carriage Tariff

1.0 Purpose of Report

- 1.1 To place before Members a request from the Barnsley Hackney Association for the Council to increase the Hackney Carriage Tariff.

2.0 Recommendation

- 2.1 That Members consider and accept the request from the Barnsley Hackney Carriage Association to increase the Hackney Carriage Tariff from 00:01 hours on Monday the 23rd November 2009, subject to any further significant representations being received prior to 17:00 hours on Friday 20th November 2009. Should any further significant representations be received then the matter will be returned to the General Licensing Regulatory Board for consideration.

3.0 Background

- 3.1 The authority for the Council to fix fares for Hackney Carriages is given under the provisions of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.
- 3.2 When the Council makes or varies the fares (which may be by time and/or distance) it must publish in at least one local newspaper a notice setting out the new table of fares and specifying the period (not less than 14 days) within which and the manner in which, objections to the fares can be made.
- 3.3 A copy of the proposed tariff must be available at Council offices for the public to inspect free of charge, at all reasonable hours.
- 3.4 If there are no objections, the new table of fares will come into effect on the expiration date of the period specified in the published notice. However, if there are objections the Council must reconsider the issues and can either approve or amend the tariff.

4.0 Current Position

- 4.1 The request from the Hackney Carriage Association to increase the charges has been submitted on the basis of the following and a copy of the request is attached as Appendix 1:

“The Barnsley Hackney Carriage Association recently had a meeting about the increase in licensing fees and came to the conclusion that a fare rise was needed to try to recoup some of the outlay back. This point was raised at a further meeting and a vote was taken. This resulted in a majority vote for a fare increase. It was also pointed out that we have not had a fare rise in over two and a half years and that we endured throughout the last wave of dramatic fuel price rises.”

4.2 There was a material error in the original increase request from the Hackney Carriage Association, whereby they failed to include an increase of £0.10 (item 3a) for Bank Holidays. A copy of the appropriate part of the second email is attached as Appendix 2. This has resulted in the need for a further advert to be placed in the Barnsley Chronicle and the timescales for representations to be extended to the 20th November 2009. This amendment has been incorporated into the table at item 4.7 below.

4.3 The Board last considered and increased the Hackney Carriage Tariff in September 2006 and item 4.7 below contains a comparison table of current and proposed charges.

4.4 Following the advertisement of the proposed tariff increase only one representation has been received and this is from the National Private Hire Association (NPTA) and their response relates to the wording of the tariff structure. The comments from the NPTA are set out below and to take account of the issues raised by the NPTA the wording of the tariff has been updated accordingly:

1. The units of price for time and distance must match so your new waiting time should read 10p for 30 seconds.

2. I note that neither the proposed or old tariff had any initial waiting time on the tariff sheet, which it should technically have.

The tariff sheet at a) should read for the "first mile or part thereof or 8 minutes waiting time"

4.5 In the calculation prepared by the NPTA and set out in Appendix 2 the proposed increase equates to between a three and six percent increase depending on the distance travelled and tariff charged.

4.6 Members of the three relevant Hackney Carriage and Private Hire Associations in Barnsley have all been provided with copies of the proposal and the matter has also been discussed at the Trade Liaison Group. No additional comments have made by the trade other than those made in the submission by the Hackney Carriage Association.

4.7 Set out below is a table which identifies the current tariff and the proposed tariff taking into account the comments from the NPTA:

**BARNSELY METROPOLITAN BOROUGH COUNCIL
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 PART II**

Proposals for variation of Hackney Carriage Tariff

CURRENT FARES		PROPOSED FARES	
1. <u>FARES FOR DISTANCE NOT TO EXCEED A MAXIMUM OF (INCLUSIVE OF VAT)</u>		1. <u>FARES FOR DISTANCE NOT TO EXCEED A MAXIMUM OF (INCLUSIVE OF VAT)</u>	
a) If the distance does not exceed 1 mile for the whole distance	£3.00	a) for the first mile or part thereof or 8 minutes waiting time	£3.10
b) If the distance exceeds 1 mile for the first mile	£3.00	b) If the distance exceeds 1 mile for the first mile	£3.10
c) For each subsequent 1/15 th mile or uncompleted part thereof	£0.10	c) For each subsequent 1/16 th mile or uncompleted part thereof	£0.10
2. <u>WAITING TIME NOT TO EXCEED A MAXIMUM CHARGE OF</u>		2. <u>WAITING TIME NOT TO EXCEED A MAXIMUM CHARGE OF</u>	
For each period of 60 seconds or uncompleted part thereof	£0.10	For each period of 30 seconds or uncompleted part thereof	£0.10
3. <u>EXTRA CHARGES NOT TO EXCEED A MAXIMUM OF</u>		3. <u>EXTRA CHARGES NOT TO EXCEED A MAXIMUM OF</u>	
a) For hirings between 24:00 and 07:00 hours on any day	£0.70	a) For hirings between 23:00 and 07:00 hours on any day	£0.80
b) For hirings on Bank Holidays being Easter Monday, Spring Bank Holiday and Summer Bank Holiday between 07:00 and 24:00 hours	£0.70	b) For hirings on Bank Holidays being Easter Monday, Spring Bank Holiday and Summer Bank Holiday between 07:00 and 24:00 hours	£0.80
c) For each article of luggage in excess of two conveyed outside the passenger compartment	£0.20	c) For each article of luggage in excess of two conveyed outside the passenger compartment	No change
d) For each person in excess of two (two children under ten to be counted as one adult and children under three not to be counted)	£0.20	d) For each person in excess of two (two children under ten to be counted as one adult and children under three not to be counted)	No change
e) For the carriage of each perambulator, cycle or caged animal	£0.20	e) For the carriage of each perambulator, cycle or caged animal	No change
f) For the carriage of each uncaged animal	£0.50	f) For the carriage of each uncaged animal	No change
g) Soiling of vehicle charge – not to exceed maximum of	£30.00	g) Soiling of vehicle charge – not to exceed maximum of	No change
4. <u>CHRISTMAS AND NEW YEARS PERIODS</u>			
For hirings between 20:00 on 24 th December to 07:00 hours on the 27 th December and for hirings between 20:00 31 st December and 07:00 hours 2 nd January		No Change	
Not to exceed a maximum of the double metered rate <u>WITH NO EXTRA CHARGES AS SHOWN IN 2 and 3 ABOVE</u>			

NB. NO EXTRA CHARGES TO BE MADE FOR THE CARRIAGE OF WHEELCHAIRS OR FOR THE CARRIAGE OF GUIDE OR HEARING DOGS.

PRIVATE HIRE OF A HACKNEY CARRIAGE

EXTRACT FROM LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

JOURNEYS WITHIN THE METROPOLITAN BOROUGH UNDER CONTRACT FOR PRIVATE HIRE FARES NOT TO EXCEED ABOVE RATES TO BE CALCULATED FROM THE POINT AT WHICH HIRER COMMENCES JOURNEY

JOURNEYS ENDING OUTSIDE THE METROPOLITAN BOROUGH UNDER CONTRACT FOR PRIVATE HIRE FARES SHALL NOT EXCEED ABOVE RATES EXCEPT WHEN A FARE OR RATE OF FARE IS AGREED WITH THE HIRER BEFORE THE HIRING IS EFFECTED

5.0 Options

5.1 Under the Provisions of the Local Government (Miscellaneous Provisions Act) 1976 Members may:-

- i) make the variation as requested;
- ii) make the variation as they think fit;
- iii) refuse the request.

6.0 Compatibility with European Convention on Human Rights

6.1 Approving the application as recommended will not involve interference with Convention Rights. Should any other decision be contemplated however, there may be a potential interference with the rights of the applicant under Article 1 of Protocol 1 (Protection of Property) and, in that event, further advice will be given in the meeting.

7.0 Reduction of Crime and Disorder

7.1 There are no implications for crime and disorder in the community arising from the proposals in this report.

8.0 Financial Implications

8.1 Nil.

BACKGROUND PAPERS

(Available for inspection at the Licensing Reception, Civic Office, Eldon Street, Barnsley)

Local Government (Miscellaneous Provisions) Act 1976

Officer Contact: Mr. K Rowland
Telephone No: 01226 772614
Date: 28th October 2009

Appendix 1

Email request for a tariff increase from the Hackney Carriage Association:

Good afternoon,

The Barnsley Hackney Carriage Association recently had a meeting about the increase in licensing fees and came to the conclusion that a fare rise was needed to try to recoup some of the outlay back. This point was raised at a further meeting and a vote was taken. This resulted in a majority vote for a fare increase. It was also pointed out that we have not had a fare rise in over two and a half years and that we endured throughout the last wave of dramatic fuel price rises. The proposal for this years fare rise is:

- 10 pence on the first mile*
- 10 pence on subsequent miles*
- 10 pence on waiting time*
- 10 pence on the evening tariff*
- For the evening tariff to start at 11pm*

We are asking for a 10 pence per minute rise on the waiting time as this has not been reviewed for many years and the present 10 pence per minute only equates to £6 per hour, with running costs taken into account this means that we are earning less than the National minimum wage.

The start time of the evening tariff must also be reviewed as the change in licensing hours for public houses has dramatically changed the working evening for Hackney carriage workers.

In summary the rise in licensing costs to the trade, fuel rises, the recession, the fact that waiting time has not been reviewed in very long time, the working evening being changed dramatically and to bring us in line with neighbouring authorities are the reasons for the fare rise proposal.

*Regards,
Nicola (on behalf of BHCA)*

Appendix 2

.....there is just 1 other discrepancy which we picked up on and that is that for hirings on a Bank holiday we use tariff 2 on our meters which is the after midnight tariff so effectively we will still need to use this tariff for bank holidays, this means that there will be a change to the bank holiday tariff and this needs to be altered to 80p extra, I hope you understand what I have written, if not please give me a call on XXXXXXXXXXXXXXXX

Appendix 2

Email from Bryan Roland, National Private Hire Association

Hi all

Have worked out the comparison sheet which is attached - I have only two comments to make on what I see to be a perfectly reasonable request-

- 1. The units of price for time and distance must match so you new waiting time should read 10p for 30 seconds.*
- 2. I note that neither the proposed or old tariff had any initial waiting time on the tariff sheet, which it should technically have.
The tariff sheet at a) should read for the "first mile or part thereof or 8 minutes waiting time"*

Hope this assists

*Bryan Roland
The National Private Hire Association
8, Silver Street,
Bury, Lancs. BL9 0EX.
Tel : 0161 280 2800
Fax: 0161 280 7787*

Note: The comparison sheet is set out below for reference purposes.

BARNSELEY

CURRENT TARIFF

Name : **TARIFF 1**

Date: 11/10/2006

Soiling charge: £30.00
Wait: 60 (secs)

Flag fall: £3.00 A

Initial yardage: 1760 B

Unit thereafter: 117.3333 C

Price unit : 0.1 D

Initial Waiting Time (secs): 900

Name : **TARIFF2**

Date: 11/10/2006

Soiling charge: £30.00
Wait: 60 (secs)

Flag fall: £3.70 A

Initial yardage: 1760 B

Unit thereafter: 117.3333 C

Price unit : 0.1 D

Initial Waiting Time (secs): 900

Name : **TARIFF 4**

Date: 11/10/2006

Soiling charge: £30.00
Wait: 60 (secs)

Flag fall: £6.00 A

Initial yardage: 1760 B

Unit thereafter: 117.3333 C

Price unit : 0.2 D

Initial Waiting Time (secs): 900

PROPOSAL / NEW TARIFF
Number 3Name : **TARIFF 1**

Wait: 30 (secs)

Flag fall: £3.10 A

Initial yardage: 1760 B

Unit thereafter: 110 C

Price unit : 0.1 D

Initial Waiting Time (secs): 480

Name : **TARIFF 2**

Wait: 30 (secs)

Flag fall: £3.90 A

Initial yardage: 1760 B

Unit thereafter: 110 C

Price unit : 0.1 D

Initial Waiting Time (secs): 480

Name : **TARIFF 3**

Wait: 30 (secs)

Flag fall: £6.20 A

Initial yardage: 1760 B

Unit thereafter: 110 C

Price unit : 0.2 D

Initial Waiting Time (secs): 480

TARIFF 1			TARIFF 2			TARIFF 3		
<i>Current</i>	<i>Proposed</i>	<i>% Change</i>	<i>Current</i>	<i>Proposed</i>	<i>% Change</i>	<i>Current</i>	<i>Proposed</i>	<i>% Change</i>
£3.00	£3.10	3.33%	£3.70	£3.90	5.41%	£6.00	£6.20	3.33%
£3.00	£3.10	3.33%	£3.70	£3.90	5.41%	£6.00	£6.20	3.33%
£4.50	£4.70	4.44%	£5.20	£5.50	5.77%	£9.00	£9.40	4.44%
£6.00	£6.30	5.00%	£6.70	£7.10	5.97%	£12.00	£12.60	5.00%
£7.50	£7.90	5.33%	£8.20	£8.70	6.10%	£15.00	£15.80	5.33%
£9.00	£9.50	5.56%	£9.70	£10.30	6.19%	£18.00	£19.00	5.56%
£10.50	£11.10	5.71%	£11.20	£11.90	6.25%	£21.00	£22.20	5.71%
£12.00	£12.70	5.83%	£12.70	£13.50	6.30%	£24.00	£25.40	5.83%
£13.50	£14.30	5.93%	£14.20	£15.10	6.34%	£27.00	£28.60	5.93%
£15.00	£15.90	6.00%	£15.70	£16.70	6.37%	£30.00	£31.80	6.00%
£16.50	£17.50	6.06%	£17.20	£18.30	6.40%	£33.00	£35.00	6.06%