



WEST NORTHAMPTONSHIRE COUNCIL

Taxi and General Licensing Committee

11th July 2022

Report Title	Hackney Carriage Tariff Fare Increase
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Report Author	Eleanor Flannery , Licensing Team Leader Licensing.NBC@westnorthants.gov.uk
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Contributors/Checkers/Approvers

Solicitor	James Chadwick	01/07/2022
MO	James Chadwick on behalf of the monitoring officer	04/07/2022
Senior Finance Officer	Martin Henry	04/07/2022

List of Appendices

Appendix A – Current tables of fares for Daventry, Northampton & South Northants

Appendix B – WNC Proposed table of fares

Appendix C- Signed petition proposal Daventry area

1. Purpose of Report

- 1.1 The purpose of this report is to ask Members of the Committee to act in an advisory capacity with regard to an Executive function for the purposes of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the Functions and Responsibilities Regulations"), namely setting a harmonised West Northamptonshire Council ("WNC") Hackney Carriage tariff

fare structure as a result of the three predecessor district councils merging into one unitary authority.

2. Executive Summary

- 2.1 There is currently work underway reviewing all currently in force local hackney carriage and private hire vehicle policies inherited by WNC, which is now the taxi licensing authority for the west of the county, from the now abolished Northampton Borough, Daventry District and South Northants District Councils on 1st April 2022.
- 2.2 A review of the hackney carriage tariff was due to be undertaken as part of this larger piece of work, however due to current cost of living crisis and following a request from the Northampton and Daventry trade, a decision was made to review the hackney carriage tariff for the whole of the WNC area.

3. Recommendations

- 3.1 It is recommended that the Committee considers the proposed "WNC Hackney Carriage tariff" table of fares at **Appendix B** and resolve to recommend by way of further report by officers to Cabinet that it vary the three existing Hackney Carriage tariff fare tables currently in force in the WNC taxi licensing area accordingly.

4. Reason for Recommendations

- 4.1 The option proposed aligns all existing Hackney Carriage tariff fare tables to create a consistent set of fares for all Hackney Carriage journeys undertaken across the WNC area, providing consistency for members of the public whilst benefiting the licensed trade. Due to the rising cost of fuel and in order for the licensing trade to make a sufficient living it is essential a review of fares is undertaken.
- 4.2 The increase proposed takes into consideration a % increase that strikes a balance between an increase for the trade and the impact of an increase upon members of the public.

5. Report Background

- 5.1 The current tables of Hackney Carriage fares took effect from December 2013 in the Northampton area of WNC, October 2008 in the South Northants area and May 2019 in the Daventry area. There have been no increase since those times. A copy of the current area tables of fares can be found at **Appendix A**.
- 5.2 Licensing authorities have a statutory power to set the maximum fares that licensed hackney carriages (taxis) can charge for a journey. Under section 65

of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act"), licensing authorities have the power to;

"...fix the rates or fares within the district as well for time 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."

- 5.3 West Northamptonshire Licensed Hackney Carriage drivers are seeking an increase due to a significant rise in the cost of living since their last tariff review and the rising cost of living and fuel. The Licensing Department area teams wrote to all Hackney/Combined licence holders to canvas their views regarding a potential fare increase.
- 5.4 A total of 114 Northampton area licensed Hackney and Combined licence holders were contacted resulting in 39 drivers in total responding. Of these responses 100% were in favour of a fare increase and welcomed the proposal fare table detailed at **Appendix B**.
- 5.5 Daventry based WNC officers received a signed petition from Hackney Carriage licensed drivers with regard to the fare structure in that taxi area. A copy of this petition can be found at **Appendix C**. 36 Licensed Hackney Drivers signed the petition which makes up 34% of the Daventry taxi area licensed Hackney Carriage drivers.
- 5.6 It must be noted that the South Northants taxi area does not currently have any licensed Hackney Carriage drivers operating within it. However should a new tariff be agreed this will apply to the entirety of the wider West Northamptonshire Council taxi area.
- 5.7 Licensed Hackney Carriage drivers are not obligated to charge the maximum fare set out in the table of fares. This means that hackney carriage drivers are well within their rights to negotiate the fare down provided that the final agreed fare is no more than the maximum set.
- 5.8 Since 2013 the average cost of a litre of diesel in the UK was 140p per litre, since the last fare was agreed by members this has risen to 163p per litre as of 09/05/2022. (GOV.UK National statistics – weekly fuel prices)
- 5.9 The Ofgem electricity cap on prices has also increased and resulted in a rise of around 54% in April this year. Therefore, electric vehicles will see increased costs too with a further rise is anticipated this coming October.
- 5.10 The reduction of drivers has been attributed to the pandemic, whereby the COVID related restrictions impacted on the industry to the extent that many

drivers left the industry to find alternative employment. The increase in fuel prices is likely to decrease the number of drivers further if it is not addressed.

- 5.11 A copy of the proposed varied WNC Hackney Carriage tariff table of fares can be found at **Appendix B**.

6. Issues and Choices

- 6.1 The Committee can resolve to recommend by way of further report by officers to Cabinet that it vary the three existing WNC Hackney Carriage tariff table of fares in line with the document at **Appendix B**, as recommended at paragraph 3.1 above. However, this may potentially result in a reduction in the number of licensed drivers and impact upon the availability of hackney carriages for public transport and impact upon school contracts.
- 6.3 The Committee can resolve not to recommend to Cabinet that it vary the three existing WNC Hackney Carriage tariff table of fares in line with the document at **Appendix B** and instead resolve to recommend whatever tariff table of fares it decides is more appropriate. However, the Committee should be mindful that any increase in fares, especially one higher than proposed at **Appendix B**, will be passed onto those using public transport and for this reason this option is not recommended.
- 6.4 The Committee can resolve not to recommend any variation of the three existing WNC Hackney Carriage tariff table of fares. This option is not recommended, for the reasons set out in paragraphs 5.3 to 5.10 above.
- 6.4 Under the three existing WNC Hackney Carriage tariff table of fares, there is currently a difference in the rural/urban fares for tariff 2. However it is considered that there is no longer any justification for a difference in rural and urban area fares for paying passengers. For example, those travelling by hackney carriage from Northampton train station (an urban area) to Daventry (a rural area) could currently be charged a different maximum fare to those travelling in the opposite direction.

7. Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 There are no resources or financial implications arising from the proposals.

Comments added by ...

7.2 Legal

- 7.2.1 Paragraph 5.2 above sets out the ability of district councils to fix the rates and fares for Hackney Carriage journeys in their area. WNC is a district council for the purposes of the Act.
- 7.2.2 Sections 65 (2) to (4) set out the statutory process that district councils must follow in order to lawfully make or vary a table of Hackney Carriage fares. This process can be summarised as requiring that councils;
- a) Publish in at least one local newspaper circulating in the district a notice setting out the proposed table of fares or the variation to an existing table and in it specify the period, which shall not be less than 14 days from the date of the first publication of the notice, within which objections to the proposal can be made.
 - b) A copy of the notice must be deposited at the council's offices and be open to public inspection without payment.
 - c) If no objection to a table of fares or variation is made by any member of the public within the period specified in the notice or if any objections made have been withdrawn by the end of that period or at any point after that, it shall come into operation.
 - d) If any objection is made and is not withdrawn before the specified period elapses, the council must set a further date, not later than two months after the first specified date, on which the table of fares will come into force with or without modifications as decided by them after consideration of any objection.
- 7.2.3 In considering any objection, the only requirement is that it is taken into account when making a further decision as to whether the table of fares or revision should come into force in light of that objection. There is no legal requirement to do or not do as the objection requests.
- 7.2.4 In making any decision generally, the principle of "Wednesbury reasonableness" requires the Committee to only take into account relevant factors, disregard irrelevant factors and to act reasonably.
- 7.2.5 In relation to this report, the Committee would only need to be satisfied that any change to the tariffs currently applicable in the WNC taxi licensing area is reasonable taking into account the information set out in paragraphs 5.3 to 5.10 above, regardless of whether it would effectively increase fares payable by passengers or not. In an of itself, a decision to raise Hackney Carriage fares is unlikely to be the subject of successful judicial challenge by way of review in the High Court, because section 65 of the Act makes specific provision for district councils to do so provided a statutory process for doing so is followed.

Legal Comments added by James Chadwick, Senior Licensing and Litigation Solicitor.

7.3 **Risk**

7.3.1 There are no significant risks arising from the proposed recommendations in this report.

7.4 **Consultation**

7.4.1 See paragraph 7.2.2 above. A copy of the notice will be displayed at the Council's offices in Northampton, Daventry and Towcester and in addition a copy will also be placed on the Public Protection Partnership's website. The Council would also email a copy of the notice to individual members of the trade upon request.

7.5 **Climate Impact**

7.5.1 No environmental or climate impact is expected as a result of simply amending hackney carriage fares.

7.6 **Community Impact**

7.6.1 The proposed changes in tariff will impact upon those members of the public who use hackney carriage vehicles for public transport.

7.7 **Communications**

7.7.1 No recommendations identified.

8. Background Papers

8.1 None.

Appendix A



NORTHAMPTON
BOROUGH COUNCIL

TARIFF CARD

1 December 2013

Tariff 1 (Day) 0600-2300

Tariff 2 (Night) 2300-0600

Minimum Charge

£2.20

Minimum Charge

£3.40

Minimum Distance of up to but not exceeding 158 yards

Mileage Charges

Charged in units of 176 yards
at a cost of 0.20p per unit.

DAY (£)

1. Mile	Cost =	4.20
2. Miles	Cost =	6.20
3. Miles	Cost =	8.20
4. Miles	Cost =	10.20
5. Miles	Cost =	12.20
10. Miles	Cost =	22.20

Charged in units of 176 yards
at a cost of 20p per unit

NIGHT (£)

1. Mile	Cost =	5.40
2. Miles	Cost =	7.40
3. Miles	Cost =	9.40
4. Miles	Cost =	11.40
5. Miles	Cost =	13.40
10. Miles	Cost =	23.40

Waiting time for each 30 seconds- 20P (includes periods when vehicle is stationary)

Sundays and Bank Holidays 06:00-02:00

Charges as Tariff 2

Extra Charges

For every incident of fouling the vehicle a charge not exceeding

£40.00

Tariff 3 (Christmas/New Year – Double Fare)

20:00 on 24 December until 06:00 on 27 December & 20:00 on 31 December until 06:00 on 2 January

Mileage Charges : As Tariff 1 + 100%

Extra Charges: as above +100%

The above charges are a general guide, journeys outside the Borough Boundary will normally be metered unless an alternative tariff is agreed prior to the commencement of the journey.

Daventry District Council table of fares

Taxi Tariffs	
Tariff 1 – Standard Rate For hirings on any day except as below	
£2.20 (minimum charge)	For the first 704 yards (607.6m)
20p	For each additional 176 yards (161m) or part thereof
20p	For each period of 80 seconds or uncompleted part thereof of waiting time including periods during the journey when the vehicle is stationary
Tariff 2 – Enhanced Rate For hirings begun between 11.00 p.m. and 07.00 a.m. on Public Holidays, except Good Friday, which is charged at standard rate and those listed on Tariff 3 below. Also, for hirings begun between 7:00 a.m. and 11:00 p.m. on Sundays.	
£3.30	For the first 704 yards (607.6m)
30p	For each additional 176 yards (161m) or part thereof
30p	For each period of 80 seconds or uncompleted part thereof of waiting time including periods during the journey when the vehicle is stationary
Tariff 3 – Double Rate For hirings begun between 6 p.m. on the 24 th December and 7 a.m. on the day after Boxing Day, and 6 p.m. on 31 st December and 7 a.m. on 2 nd January	
£4.40	For the first 704 yards (607.6m)
40p	For each additional 176 yards (161m) or part thereof
40p	For each period of 80 seconds or uncompleted part thereof of waiting time including periods during the journey when the vehicle is stationary
Extra Charges	
50p	For each additional passenger (excluding children under the age of 5)
£70.00 (maximum charge)	No charge in excess of SEVENTY pounds shall be made in the event of any hirer causing any damage to or soiling the vehicle hired in any way whether by vomiting, urinating, spitting or otherwise

SOUTH NORTHAMPTONSHIRE COUNCIL

TABLES OF FARES (EFFECTIVE FROM 1 OCTOBER 2008)

Tariff 1	Distance	
	Any distance up to 1 mile	£3.40
	then every 1/8th of a mile (220 yards)	20p
	Waiting Time	
	Every 45 seconds	Add 10p
Tariff 2	Late Night (23:00-05:00), Sundays and Bank Holidays	Add 50% of the fare
Tariff 3	Christmas and New Year	
	Between 23:00 Xmas Eve and 05:00 the day after Boxing Day	Add 100% of the fare
	Between 23:00 New Year's Eve and 05:00 the day after New Years Day	

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	Between 23:00 New Year's Eve and 05:00 the day after New Years Day	

Appendix B



West Northamptonshire Council Hackney Carriage Tariff

Tariff 1 (Day) 06:00-23:00

Minimum Charge £2.40

(Minimum Distance of up to but not exceeding 158 yards)

Mileages rates charged in units of 176 yards at a cost of 0.24p per unit.

Mileage rate	Cost
1. Mile	£4.80
2. Mile	£7.20
3. Mile	£9.60
4. Mile	£12.00
5. Mile	£14.40
10. Mile	£26.40

Tariff 2 (Night, Sundays & Bank Holidays) 23:00- 06:00

Minimum Charge £3.60

(Minimum Distance of up to but not exceeding 158 yards)

Mileages rates charged in units of 176 yards at a cost of 0.24p per unit.

Mileage Rate	Cost
1. Mile	£6.00
2. Mile	£8.40
3. Mile	£10.80
4. Mile	£13.20
5. Mile	£15.60
10. Mile	£27.60

Tariff 3 (Christmas/ New year – Double Fare)

20:00 on 24 December until 06:00 on 27 December & 20:00 on 31 December until 06:00 on 2 January.

Mileage Charges: As Tariff 1 + 100%

Extra Charges - for every incident of fouling the vehicle a charge not exceeding £50.00

Extra Charges: as above +100%

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The above charges are a general guide, journeys outside the West Northamptonshire Boundary will normally be metered unless an alternative tariff is agreed prior to the commencement of the journey.

Waiting time for each 25 seconds- 20p (includes periods when vehicle is stationary)

Appendix C

Re: Increase of taxi Fare

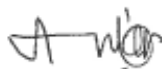
Dear Andrea

With regards to our conversation we had back in March where I have asked for the fare increase and since I have spoken to most of the drivers and companies and requesting you to consider following recommendations:

1. We are requesting an increase our base rate¹ from £2.20 to £2.80 that increase should reflect on rate 2 and rate 3
2. We are requesting an increase of 0.30p per mile also should reflect on rate 2 and rate 3.
3. Our meter set to change after 704 yards which we requesting a change after 352 yards.
4. We get 0.20p waiting time for 80 seconds which we are requesting to change 0.20p per 30 seconds.

You also may be aware that we have fuel increase of nearly £0.70p in recent weeks and cost of diesel in Daventry is £1.82 and petrol is £1.64 today. We have seen a sharp increase on energy bills which have gone up by 54%, and the cost of living in every way has increased and we are experiencing a very difficult time and are struggling to cope in these circumstances and request you to consider our request, so please contact me if any other information is required.

Regards,



A. Muhammad

On behalf of All Taxi companies and drivers named on attached sheet.