

5. INCREASE IN HACKNEY CARRIAGE FARES 2011

REPORT OF: Housing, Environmental Health and Building Control
Contact Officer: Alec Lee, Licensing Officer
Email: alecl@midsussex.gov.uk Tel: 01444 477335
Wards Affected: All
Key Decision No

Purpose of Report

- 1 The purpose of the report is for the Licensing Committee to consider an application from the Mid Sussex Taxi Association requesting an increase in the Hackney Carriage fares.

Recommendations

- 2 Members are recommended to:
 - a) Increase the Hackney Tariff on the 1st April 2011 by a standard 20p per fare, to take into account the increase in fuel costs.
 - b) Ask Officers to consult Mid Sussex Taxi Association with a view to agreeing that fares should be set for 12 months, unless exceptional circumstances prevail.
-

Background

- 3.1 The Mid Sussex Taxi Association has requested an increase in Hackney Carriage fares from 1st April 2011 on the grounds of fuel prices and the impact of the Private Hire fleet working in the Mid Sussex area (Appendix 1). The last change to the tariffs was agreed by the Licensing Committee in October 2010 for additional days covered in tariff 2 and an increase in fare when carrying more than 5 passengers.
- 3.2 The proposal is to:
 - reduce the minimum fare (flag) distance from 598 yards to 422 yards, thereby increasing all fares by 20p.
 - retain the flag fare at £2:80
 - retain the distance travelled for every 20p thereafter to 176 yards (or part thereof).
 - Waiting time to be retained at 20p for 40 seconds, which equates to £18 per hour.
- 3.3 The current tariff is shown as Appendix 2. The proposed tariff is shown as Appendix 3. The only change between the two is reducing the minimum fare distance, with a consequent increase in fares of 20p per journey.

Policy Context

- 4 By virtue of the Town Police Clauses Act 1847, The Local Government (Miscellaneous Provisions) Act 1976 and the Transport Act 1985 the Council is required to administer and enforce the activities of Hackney Carriages throughout the district.

Financial Implication

- 5 Amendments to the Hackney Carriage tariffs cost the Council approximately £900 for advertising the changes in the local newspapers. This cost will be met within the existing budget.

Risk Management Statement

- 6 Given that the increase in fares is only 20p per journey, and that the last change to the fare structure took effect from December 2010, there is a risk that the time and cost involved in implementing frequent changes to the fares structure, which is reflected in licence fees charged, outweighs any benefit to the trade. It is suggested that further discussion take place with Mid Sussex Taxi Association with a view to agreeing yearly fares, unless exceptional circumstances prevail. The results of any such consultation will be brought before this Committee.

Other Material Considerations

- 7 None

Background Papers

- 8 None

Mid Sussex Taxi Association

Founded 1995

Chairman: CE.Vinall. 07702180369

To the: Mid Sussex District Council's Development and Transport Committee.

Subject: The Association's application for adjustments to the current Hackney Carriage metered tariff as from April 1, 2011. Set down hereunder is the proposed tariff adjustment as adopted at the Annual General Meeting of the Association for the year 2010:

~ EXTRACT FROM MINUTES - AGM 2010, NOVEMBER 11 ~

6. **Committee and Plate Holders** written proposals.

b. That this Association should petition MSDC to vary the hackney tariff in accordance with the following: That the Minimum Fare (Flag) distance be reduced by 176 yards that is from 598 yards to 422 yards thereby increasing all fares by 20p. *Proposed – Committee.* See below:

Detail	Minimum Fare		Increment		Selected Mile Points					
	Dstnce	Amnt	Dstnce	Amnt	1	2	3	4	5	20
Current	598	2.80	176	0.20	4.20	6.20	8.20	10.20	12.20	42.20
Proposal	422	2.80	176	0.20	4.40	6.40	8.40	10.40	12.40	42.40
%					4.76	3.22	2.40	2.00	1.60	0.47

Voting: FOR 10, AGAINST 7, *motion carried. This will be subject to ratification by postal balloting of the membership.*

~ END OF EXTRACT ~

In accordance with custom and practice the members of the Association have been offered the opportunity to express their views by participating in a ballot to ratify or otherwise this resolution. The result of the vote is as follows:

FOR: 36, AGAINST: 10, the proposal is therefore ratified.

Justification.

Market Share:

The very large Private Hire fleet operating on radio circuits within the MSDC borders is continuing to erode the financial viability of the Mid Sussex taxi trade. Many of these vehicles are out-of-district and many of their operating practices are of dubious legality. It is becoming clear; in fact it has been published by the trade press, that the current legislation (*Miscellaneous Provisions Act (1976)*) is a woefully inadequate and that new legislation is required.

Fuel Costs:

The continuing rise of fuel prices is making all taxi drivers nervous as it directly affects our profitability, but because of the current economic circumstances the members seek no adjustment to the running mile, only 20p per job.

We respectfully request that the above proposals are duly considered by the above committee.

The preceding documentation is laid before the Mid Sussex Council by:

ID.Craigen, Secretary for the Association. November, 2010
'The Claymores', Green Road, Wivelsfield Green, Haywards Heath, West Sussex, RH17
7QA



**MID SUSSEX
DISTRICT COUNCIL**

**MAXIMUM HACKNEY CARRIAGE FARES
WITH EFFECT FROM 1st April 2011**

Local Government (Miscellaneous Provisions) Act 1976 Section 65

Tariff 1

Applies to all hiring's except those mentioned in Tariff's 2 & 3

Initial distance not exceeding 385 metres (422 yards) or a combination of distance and time or part thereof.

£2:80p

For each subsequent 161 metres (176 yards or part thereof)

20p

Waiting Time for each period of 40 seconds

20p

Tariff 2

Applies to all hiring's begun between 12 midnight and 6 a.m. on weekdays and 12 midnight and 8:30 a.m. on Sundays, after 8 p.m. on 24th and 31st December, all day 26th December, Good Friday, Easter Sunday and Public and Bank Holidays, and all Sundays which are followed by a Bank Holiday in Lieu.

Initial distance not exceeding 385 metres (422 yards) or a combination of distance and time or part thereof.

£4:20p

For each subsequent 161 metres (176 yards or part thereof)

30p

Waiting Time for each period of 40 seconds

30p

Tariff 3

Applies to all hiring's from 00.01 hours on December 25th to midnight December 25th

Initial distance not exceeding 385 metres (422 yards) or a combination of distance and time or part thereof.

£5:60p

For each subsequent 161 metres (176 yards or part thereof)

40p

Waiting Time for each period of 40 seconds

40p

Additional Charges

Subject to the Licensed capacity of the vehicle, the driver when carrying **5 or more passengers** is entitled to charge **Tariff 2**

Soiling charge

£40

Emergency Fuel Surcharge

To be applied to each £5 of indicated metered fare or part thereof **during periods** when pump prices reach

A **£1:40p** to **£1:64p per litre**

25p

B **£1:65p** to **£1:89p per litre**

40p

C **£1:90p per litre**

60p

In the event of a complaint please contact:

The Hackney Carriage / Private Hire Licensing Officer

Mid Sussex District Council, Oaklands, Haywards Heath, West Sussex, RH16 1SS, Tel. 01444 458166

6. REVIEW OF LICENCE FEES AND CHARGES FOR HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES FROM THE 1 APRIL 2011

REPORT OF: Lynne Standing, Head of Housing, Environmental Health and Building Control
Contact Officer: Yvonne Leddy, Business Unit Leader
Email: yvonneleddy@midsussex.gov.uk Tel: 01444 477300
Wards Affected: All
Key Decision No

Purpose Of Report

1. To seek approval of revised Hackney Carriage and Private Hire Vehicle licence fees and charges.

Summary

2. This report seeks approval of revised Hackney Carriage and Private Hire vehicle licence fees and charges from 7 April 2011 to cover the cost of providing the service.

Recommendations

3. **The Licensing committee agree the increase in fees as set out in Appendix 1.**
-

Background

4. It is intended that licence fees reflect the cost of providing the Taxi Licensing service. Under the Local Government (Miscellaneous Provisions) Act 1976, a Local Authority may recover the costs incurred for granting licences in relation to both hackney carriage and private hire. Fees can reflect the costs of assessing the suitability of the applicant, including a police check and driving and knowledge tests. They may also include the costs of the issue of licence plates and driver badges, and other administrative tasks, such as operating the hackney carriage and private hire computerised licensing system. Fees can also reflect the reasonable cost of enforcing the legislation such as when collaborating with other agencies, such as the Police and the Department of Transport, when carrying out spot checks and other joint initiatives to test the road-worthiness of licensed vehicles.
5. The current fees came into effect two years ago on 1 April 2009. The level of fees is set according to the number of vehicles licensed by each Private Hire Operator. This is consistent with other Local Authorities, such as Horsham District Council and Crawley Borough Council, who both have a range of fees for Private Hire operators' Licence which depends on the size of the fleet of vehicles.
6. Two changes are proposed:
 - In order to maintain the current level of service, and to avoid the service operating at a loss, it will be necessary to raise the fees and charges in line with inflation by 4% as shown in Appendix 1.
 - It is suggested that the number of bands reflecting the size of the fleet be expanded from three to five to take into account the time and cost involved in the administration and enforcement of the operators' licence. This will particularly impact on fleets of over 50 vehicles. Details of proposed MSDC bandings

compared to neighbouring authorities' bandings are contained in table 1 below. Further comparative data can be found in Appendix 2.

Table 1		
Local Authority	Private Hire Operators Licence Fee	
Mid Sussex District Council (Proposed fee for 2011/12)	< 2 vehicles	£146
	3 to 25 vehicles	£252
	26 to 50 vehicles	£312
	51 to 75 vehicles	£400
	> 75 vehicles	£500
Horsham District Council (10/11)	1 vehicle	£157
	Each additional vehicle	£44
Crawley Borough Council (2010/11))	1 to 5 vehicles	£141.90
	6 to 10 vehicles	£282.60
	11 to 20 vehicles	£563.10
	21 to 50 vehicles	£986.60
	51 to 100 vehicles	£1401.60
	>101 vehicles	£2,118.10

7. Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976, if the Council were to approve the above mentioned increases in fees, it would be necessary to advertise the proposal in local newspapers for 28 days. If an objection were made against the fee increase the Licensing Committee would be required to reconsider the matter.

Policy Context

8. By virtue of the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and the Transport Act 1985 the Council is required to administer and enforce the activities of Hackney Carriages throughout the District.

Financial Implications

9. The additional income generated by these increases to Hackney Carriage Charges will be approximately £5000 and will be reported in 2011 – 2012 budget management reporting.

Risk Management Implications

10. There is a potential risk that the trade may not be able to pay the required licence fees. However the increase in fees is modest, they reflect the costs incurred in providing the service and are comparable to neighbouring Councils.

Other Material Implications

11. None.

Background Papers

12. None

MID SUSSEX DISTRICT COUNCIL

COMPARISON OF CURRENT AND PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES AND CHARGES

HACKNEY CARRIAGES PROPOSED		CURRENT	
		(from April 2009)	(2011-12)
a)	Hackney Carriage Vehicle £226	£217	
b)	Transfer of Hackney Carriage licence to a new proprietor / change of vehicle	£24	£25
c)	Hackney Carriage Drivers Licence	£44	£46
d)	Replacement copy of paper licence	£5.50	£6
e)	Replacement Drivers Identity Badge	£5.50	£6
f)	Replacement Hackney Vehicle Plate	£5.50	£6
g)	Replacement vehicle windscreen wallet	£1	£1
PRIVATE HIRE			
a)	Private Hire Vehicle Operators Licence for SEVENTY SIX OR MORE vehicles (new band) £500	N/A	
b)	Private Hire Vehicle Operators Licence For FIFTY ONE TO SEVENTY FIVE vehicles (new band) £400	N/A	
c)	Private Hire Vehicle Operators Licence TWENTY SIX to FIFTY vehicles (new band) £312	N/A	
d)	Private Hire Vehicle Operators Licence for TWENTY SIX OR MORE (replaced by bands a-c)	£300	N/A
e)	Private Hire Vehicle Operators Licence for THREE TO TWENTY FIVE vehicles £252	£238	
f)	Private Hire Vehicle Operators Licence for NOT MORE THAN TWO VEHICLES £146	£140	
g)	Upgrade of Private Hire Vehicle Operators		

	Licence during the 12 month validity of the licence £100	£100	
h)	Transfer of Private Hire Vehicle Operators Licence to a new proprietor	£24	£25
i)	Replacement copy of Private Hire Vehicle Operators Licence	£5.50	£6
j)	Private Hire Vehicle Licence £192	£184	
k)	Transfer of Private Hire Vehicle licence to a new proprietor / change of vehicle	£24	£25
l)	Private Hire Drivers Licence	£39	£46
m)	Replacement copy of paper licence	£5.50	£6
n)	Replacement Drivers Identity Badge	£5.50	£6
o)	Replacement Private Hire Vehicle Plate	£5.50	£6
p)	Replacement vehicle windscreen wallet	£1	£1
REFUNDABLE DEPOSITS			
(a)	For each external plate	£25	£25
HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE INSPECTIONS			
(a)	Full Inspection	£42	£42
(b)	Cancellation with less than 48 hours notice	£10	£10
(c)	Retest if returned within 7 days or 300 miles	No Charge	No
	charge		
(d)	Retest if returned more than 7 days after failure	£42	£42
Criminal Records Bureau (C.R.B.) Check			
	Each application (as charged by CRB at time of application)	£36	£36
Drivers Knowledge Test			
(a)	Application and written exam (payable at time of booking)	£20	£20

HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES AND CHARGES: COMPARISON OF PROPOSED MSDC FEES 2011/12 WITH CURRENT FEES OF OTHER LOCAL AUTHORITIES

	MSDC	HORSHAM DC	WEALDEN DC	CRAWLEY BC	WORTHING BC
HACKNEY CARRIAGES					
a) Hackney Carriage Vehicle (includes repayment for unmet demand survey)	£226	£284(new)	£135	£296.70 (new)	£212
b) Transfer of Hackney Carriage licence to a new proprietor / change of vehicle	£25	£51	£50/£35	£28.40	£56
c) Hackney Carriage Drivers Licence	£46	£99 (new) £70 (renewal)	£300 (3 yrs)/£115 (1yr)	£69.30 (new) £57.30 (renewal)	£78 (app fee new) £87 (grant/renewal)
DVLA DISCLOSURE Replacement copy of paper licence	£6		£5 £5	£5	
e) Replacement Drivers Identity Badge	£6		£17	£8	£26
f) Replacement Hackney Vehicle Plate	£6		£32/12	£22	
g) Replacement vehicle windscreen wallet	£1				
PRIVATE HIRE					
a) Private Hire Vehicle Operators Licence for 76 OR MORE VEHICLES	£550	£157 + £45	£260 (3yrs)	£1401.60 (51-100)	
for 51 TO 75 VEHICLES	£450	each add		£986.60 (21-50)	£1760 (30+)
for 26 TO 50 VEHICLES	£312	vehicle		£563.10 (11-20)	£1505(16-30)
For 3 to 25 VEHICLES	£252			£282.60(6- 10)	£364(4-15)
for 1 to 2 VEHICLES	£146			£141.90 (1-5)	£86(1-3) +APP FEE(£87)
b) Upgrade of Private Hire Vehicle Operators Licence to THREE OR MORE vehicles During the 12 month validity of the licence	£100				
c) Transfer of Private Hire Vehicle Operators Licence to a new proprietor	£24		£50		£53.00
d) Replacement copy of Private Hire Vehicle Operators Licence	£5.50		£5	£5	
e) Private Hire Vehicle Licence	£184	£260(new) £234(renewal)	£120	£251.10/£259.80	£180
f) Transfer of Private Hire Vehicle licence to a new proprietor / change of vehicle	£24	£51	£35	£28.40	£56
g) Private Hire Drivers Licence	£39	£75new £70 (renewal)	£282 (3 yrs)/£115 (1yr)	£69.30 (new) £57.30 (renewal)	£78 (+app fee new) £87 (grant/renewal)
h) Replacement copy of paper licence	£5.50		£5	£5	
i) Replacement Drivers Identity Badge	£5.50		£17	£8	£26

j)	Replacement Private Hire Vehicle Plate	£5.50	£32	£22
k)	Replacement vehicle windscreen wallet	£1		

REFUNDABLE DEPOSITS

(a)	For each external plate	£25		
-----	-------------------------	-----	--	--

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE INSPECTIONS

(a)	Full Inspection	£42		£53
(b)	Cancellation with less than 48 hours notice	£10		
(c)	Retest if returned within 7 days or 300 miles	No Charge		
(d)	Retest if returned more than 7 days after failure	£42		

Criminal Records Bureau (C.R.B.) Check

Each Application	£36		£36	£36
------------------	-----	--	-----	-----

Knowledge test	£20	£26	£12 retest	£45.00 retest
----------------	-----	-----	------------	---------------