

Committee: Licensing Committee
Date: 12 January 2005
Agenda Item No: 4
Title: Hackney Carriage Fares
Author: Murray Hardy (01799) 510598

Summary

- 1 This report sets out proposals submitted by the Uttlesford Licensed Operators and Drivers Association (ULODA) for a change to the Hackney Carriage (Taxis) Table of Fares in respect of all hirings.

Background

2. Under the provisions of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 a District Council may fix or vary the rates and fares charged by Hackney Carriages (Taxis). The Table of Fares dictates the maximum charge which can be made for journeys in a Taxi using a meter and licensed by the District Council. Private Hire Vehicles are not subject to this degree of control and the fare charged is agreed between hirer and operator. Currently Uttlesford license 28 vehicles as Taxis.
3. The current Table of Fares came into effect on 6 January 2003 with the standard and enhanced tariffs being approved by the Licensing Sub-Committee. The current Table of Fares is as follows:

Rate 1 DISTANCE

For up to one mile	=	£2.20
Each additional 176 yards	=	£0.14 (£1.40 per mile)

Rate 2 DISTANCE

For hirings begun between Midnight and 6.00am or on a Public Holiday (excluding Xmas/New Year) and for hirings begun between Midnight Saturday and Midnight Sunday.

For up to one mile	=	£3.30
Each additional 176 yards	=	£0.21 (£2.10 per mile)

Rate 3 DISTANCE

For hirings on Christmas Day/Boxing Day/New Years Day (rate commences from 1900 hours on Christmas Eve and New Years Eve)

For up to one mile	=	£4.40
Each additional 176 yards	=	£0.28 (£2.80 per mile)

EXTRA CHARGES

Waiting time	=	£0.25 per minute
Soiling charge	=	£50.00 maximum

In vehicles licensed to carry between five and eight passengers, the above mentioned rates are increased by 50%.

Proposal

- 4 A proposal has been received from ULODA. The association has calculated that since the current tariff became effective fuel costs have increased by 13.8% and insurance and other operating expenses have increased by 10%. The increase in the Retail Price Index from January 2003 to November 2004 is approximately 5%. ULODA's proposal would increase fares by between 6% and 9% depending on the tariff. ULODA have also put forward proposals for amending the basis of charge. Members will appreciate from the existing tariff that there is an initial charge which covers any distance travelled up to and including 1 mile. Thereafter the charge increases for each tenth of a mile travelled. The proposals if accepted will increase the fares in units of either 0.067 or on 0.045 of a mile depending on the tariff. To assist Members this report sets out the proposal as put forward by ULODA and as a comparison gives details of what the corresponding increase would be if Members decided to maintain a charging regime based on units of one tenth of a mile.

Rate 1 DISTANCE

For up to one mile	=	£2.40
Each additional 117.33 yards	=	£0.10

(at 176 yard units the figure would be £0.15. In either case the per mile equivalent is £1.50)

Rate 2 DISTANCE

For up to one mile	=	£3.50
Each additional 78.22 yards	=	£0.10

(at 176 yard units the figure would be £0.225. In either case the per mile equivalent is £2.25.)

Rate 3 DISTANCE

For up to one mile = £4.80

Each additional 117.33 yards = £0.20

(at 176 yard units the figure would be £0.30. In either case the per mile equivalent is £3.00.)

In vehicles licensed to carry between five and eight passengers, the above mentioned rates are increased by 50%

Rate 4 DISTANCE

For up to one mile = £7.00

Each additional 78.22 yards = £0.20

(at 176 yard units the figure would be £0.45. In either case the per mile equivalent is £4.50)

This is a new rate for only those vehicles that carry between 5 and 8 passengers and will only be operative from 6pm Christmas Eve to Midnight Boxing Day and again from 6pm New Years Eve to Midnight New Years Day

EXTRA CHARGES

Waiting Time = to remain the same at £0.25 per minute at Rate 1, to increase to £0.33 per minute at Rates 2 and 3

Soiling Charge = To be increased from £50 maximum to £75 maximum

- 5 Any increase must be advertised in local newspapers giving an implementation date and allowing a period of not less than fourteen days for objections to be made. If no objections are received the revised Table of Fares will take effect from the date so advertised. If objections are received the Council must consider these and then set a date for introducing a Table of Fares either the same as that published or as amended in the light of those objections. The date on which the new charges are introduced after objections are considered must be within two months of the originally specified implementation date.

Conclusions

- 6 A record of fares fixed by Local Authorities in Essex is maintained by Basildon District Council. For journeys up to 1 mile if the proposed increase is accepted Uttlesford will remain the lowest base fare among the authorities that regulate fares. Only two authorities would have lower fares than Uttlesford for journeys up to 2 miles and three would be lower up to 3 miles. For journeys up to 4 miles Uttlesford would be in the median range. For adjoining authorities in the East Herts District, the fares are currently £3.00 for the first mile and £1.80 for each subsequent mile and in South Cambridgeshire, the figures are £2.50 for the first mile and £1.30 for each subsequent mile. The proposed increase appears to have the support of the majority of the Hackney Carriage/Joint license holders albeit this view is opposed by some Hackney Carriage/Joint licence holders.

RECOMMENDED that:-

1. Members determine if any increase should be allowed.
2. Whether such an increase be on the levels proposed in this report.
3. Any approved increase be implemented from 1 March 2005 subject to not receiving any objections.

Background Papers: Basildon District Council "Fares for Local Authorities"
ULODA request for revision of the Table of Fares

Committee: Licensing
Date: 12 January 2005
Agenda Item No: 5
Title: Modifications to Hackney Carriage/Private Hire Vehicle Licensing
Author: Murray Hardy (01799) 510598

Summary

- 1 This report is to inform Members of the proposed alterations to the current standard vehicle licensing conditions.

Background

- 2 In April 1992 this Council resolved to adopt the Local Government (Miscellaneous Provisions) Act 1976 which dealt with the licensing of Hackney

Carriage and Private Hire issues which included matters relating to drivers, vehicles and operators.

- 3 The Council requires conditions to be imposed regarding licensing and from time to time they need to be reviewed to reflect current legal requirements, best practice and developments in vehicle design and technology.
- 4 The concept of introducing an age limit when first licensing a motor vehicle was first discussed at the third quarterly meeting held on 24th August 2004 between officers and members of the licensed trade. The matter was adjourned on that day for further consultation between licensed operators to seek their views on this proposal.
- 5 This matter again was discussed at the same forum on 23 November 2004 when it was agreed that officers should write to all operators of licensed vehicles to gauge whether or not there was any support for this proposal.
- 6 Following that consultation 8 individual operators and ULODA replied supporting this proposal whereas the HCDA and one operator replied expressing the opposite view. The operator opposed to the proposal has suggested that it should be the subject of a public consultation. It is the view of officers that such a consultation is unnecessary as save for a long term improvement in the quality of the fleet the public would not be affected by the proposals.
- 7 Currently our vehicle licence conditions makes no mention of the age of the vehicle when first licensed. The current criteria for vehicles relates to the regularity of inspections by our staff at Great Dunmow and currently those vehicles over five years old are inspected on a six monthly basis whereas vehicles under five years of age are inspected annually.
- 8 Enquiries with other local authorities reveal that the majority in Essex do have an age limit policy. Examples of this are listed below:

Basildon	7 years
Braintree	5 years
Castle Point	10 years
Colchester	5 years
Chelmsford	5 years
Rochford	10 years
Tendring	10 years
Thurrock	8 years
Southend	8 years

Currently four councils in Essex do not have an age limit policy and they are:-

Brentwood
Harlow
Maldon
Epping Forest

- 9 It is proposed that this Council introduce a policy whereby upon first licensing the age of the vehicle should not be more than 10 years old from the date of first registration.
- 10 This policy should not apply to current licensed vehicles that are over ten years old but when a vehicle licence was transferred then the replacement vehicle should be under that age.
- 11 Operators have expressed that an exemption apply to specialist vehicles ie wheelchair accessible or those with tail lifts and vintage cars on the grounds that they do less mileage than the counterparts as it specialises work with the disabled. Currently, we do have a policy regarding the licensing of vintage cars which was adopted by the Committee on 9 June 2004.
- 12 The Vehicle and Operator Services Agency does support this proposal on grounds of improving road safety and the features built in with more modern vehicles. It also raises the operating standards of vehicles which are available for hire within this district.

RECOMMENDED that

- 1 Members determine whether or not an age limit on vehicles first licensed be introduced.
- 2 If approval is given then Members determine the age of the vehicle.
- 3 An implementation date be determined by the Committee.

Background Papers: None.

Committee: Licensing Committee
Date: 12 January 2005
Agenda Item No: 6
Title: Determination of a Private Hire Drivers Licence
Application for a Private Hire Driver's Licence – Robert Christian Rodriguez
Author: Murray Hardy (01799) 510598

Summary

- 1 This report deals with an application for a Private Hire Driver's Licence where the applicant does not meet the standard licensing conditions insofar as Condition 4 is breached. Condition 4 states that an applicant should not have any criminal convictions which are not deemed to have been spent within the meaning of the Rehabilitation of Offenders Act 1974 and not to have been conditionally discharged for any offence in the last five years. The applicant

has a conviction recorded against him which will become spent on 15th May 2005.

Background

- 2 Mr Rodriguez of 23 Stephen Neville Court, Saffron Walden, Essex has applied for the grant of a Private Hire Driver's Licence. Examination of his application form reveals a conviction for causing actual bodily harm and this is confirmed on the Enhanced Disclosure form received from the Criminal Records Bureau.
- 3 On 22 November 2004, Mr Rodriguez was interviewed at the Council Offices, Saffron Walden, where he gave the following details which led to his conviction.
- 4 In December 1999 Mr Rodriguez was employed by the Friends Provident Insurance Company and attended their annual Christmas Party which was being held at the Garden House Hotel in Cambridge. The function consisted of a dinner/dance which was attended by colleagues and their friends, which was held in a function room. He attended this event with a male and female colleague who were also partners, however he was unaccompanied.
- 5 At the commencement of this function those attending were allocated their dining tables and it transpired that his two friends were sitting on a table separate to Mr Rodriguez.
- 6 During the course of the evening an argument developed between Mr Rodriguez's friends and other diners on the same table. The applicant who describes the argument as heated overheard this. He witnessed another diner hit his male friend so he intervened by pushing the assailant away, whereupon he was assaulted by that person who was an off-duty Prison Officer. Upon being assaulted himself he became embroiled in a fight resulting in guests having to intervene to quell this melee.
- 7 When order was restored both Mr Rodriguez and his two friends left the hotel by taxi.
- 8 As a result of this incident the applicant received cuts and bruising to his face, but the injuries to his male friend are not known.
- 9 Approximately four or five days later he received a request from Cambridgeshire Police to attend Parkside Police Station for an interview surrounding the events at the Garden House Hotel. He attended the Police Station voluntarily with his Solicitor and following that interview he was charged with one offence of causing actual bodily harm.
- 10 This case was heard before Cambridge Crown Court after the applicant had entered a plea of guilty on legal advice and was convicted on 21 May 1999. He was sentenced on 15 May 2000 to pay compensation of £800 and ordered to pay costs amounting to £180. No other penalty was imposed.

- 11 The case against his two co-defendants, namely his male friend and his wife, was heard on 20 May 1999 and after a trial they were found not guilty.
- 12 Mr Rodriguez believes that he was provoked into taking the action that he did, fuelled by the fact that the Prison Officer had consumed an above average amount of alcohol. He is unable to quantify what injuries the Prison Officer sustained.
- 13 At the time of the offence, Mr Rodriguez was in employment and considered to be a high earner by the Court.
- 14 Currently he is unemployed and if this application was successful he has been offered a vacancy as a driver to work on behalf of Crocus Cars based in Saffron Walden
- 15 On 14th December 2004 Mr Rodriguez was interviewed by Mrs Oliva, Solicitor from the Corporate Governance Department in accordance with the licensing standards adopted by this Committee on 19th September 2003.
- 16 Following that interview Mrs Oliva decided to refer this matter for the Committee to determine whether there were sufficient grounds to justify a departure from policy

Background Papers: Application Form. Enhanced Criminal Records Bureau Form.