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| Report Title:                                | <b>Changes to the Hackney Carriage Tariff at the Royal Ascot Race Meeting</b>   |
| Contains Confidential or Exempt Information? | No – Part 1   |
| Member reporting:                            | Councillor M. Airey, Lead Member for Environmental Services (including parking, flooding, housing and performance management) |
| Meeting and Date:                            | Licensing Panel 2 April 2019  |
| Responsible Officer(s):                      | Andy Jeffs, Executive Director<br>David Scott, Head of Communities, Enforcement and Partnerships                              |
| Wards affected:                              | All   |



## REPORT SUMMARY

RBWM licenced hackney carriage drivers have requested that they be permitted to charge a higher fare than the standard tariff when picking up passengers at the Royal Ascot race meeting.

This report gives the reasoning behind this and sets out options for members to consider.

## 1. DETAILS OF RECOMMENDATIONS

**RECOMMENDATION:** That the Licensing Panel notes the report and:

- i) **Consider whether any changes should be made to the Hackney Carriage Tariff**
- ii) **If changes are agreed, delegate their implementation to the Head of Communities, Enforcement & Partnerships.**

## 2. REASONS FOR RECOMMENDATIONS AND OPTIONS CONSIDERED

- 2.1 RBWM licenced hackney carriage drivers are required to use their taximeter to determine the fare for all journeys that take place wholly within the Royal Borough. The taximeter uses rates set by the RBWM Licensing Panel and these are published in the Hackney Carriage Tariff, a copy of which is in Appendix A
- 2.2 For journeys that begin within RBWM and end outside the Borough, whilst drivers are encouraged to use their meter for purposes of clarity, the driver can charge a fare higher than the set tariff as long as this fare is agreed with the passenger at the outset of the journey (in such cases, as the fare is agreed at the outset the meter would not be used)

- 2.3 The Hackney Carriage Tariff has two tariffs, Tariff 1 for use during the day and Tariff 2 (50% higher) for use at night (between 23.00 and 06.00) and on bank holidays.
- 2.4 RBWM licenced hackney carriage drivers working from the official rank during the Royal Ascot race meeting are required to use Tariff 1 for journeys to destinations within the Royal Borough. For other destinations, the meter does not have to be used if a fare is agreed with the passenger at the start of the journey.
- 2.5 The drivers have made it known that working from this rank causes great difficulties to them which do not occur when working elsewhere. It takes a considerable amount of time to get through the traffic to the rank and then another long period of time to get to the head of the rank. If they then collect a fare who only wishes to go a short distance, for example to Windsor, the drivers say that they will not make a reasonable return from that fare and it will then take them a considerable amount of time to get back to the rank.
- 2.6 Drivers are legally obliged to take a fare for a journey wholly within the Borough unless there is a reasonable excuse not to do so.
- 2.7 The drivers also point to a great deal of competition from private hire drivers whose fares are not set by the licensing authority.
- 2.8 The drivers have therefore asked if they could use some other method of charging, instead of Tariff 1, when working from the rank at Royal Ascot. The aim would be to ensure that they can make a reasonable living whilst providing a vital means of transport for racegoers which does not have to be pre-booked.
- 2.9 One means of achieving this would be to agree standard, set fares to certain locations. These could be displayed on signs at the rank so potential passengers would be fully aware of the fares they are going to be charged
- 2.10 Another option would be for them to be permitted to use Tariff 2 when picking up at the official rank at Royal Ascot for;
- all journeys wholly within the Royal Borough, and
  - for all other journeys, subject to the driver and passenger being allowed to agree a fare at the start of the journey
- 2.11 The use of Tariff 2 would benefit the drivers but it would mean passengers paying 50% more than they would currently. It could also be argued that the drivers are fully aware of the challenges of operating at Royal Ascot and that they do not have to do so, so they should accept that some of the fares that they take may not bring in a great deal of income.
- 2.12 Some research has been carried out as to what, if anything, other licensing authorities do in respect of tariffs used at major sporting and music events in their areas. These are set out in Appendix B and, as can be seen, there is no common approach to this matter.
- 2.13 Options that Members may wish to consider are set out in Table 1.

**Table 1 – Options for Changes to the Hackney Carriage Tariff**

| Option   | Comments  |
|--|---|
| <p>1. Leave the fares as they are for RBWM licenced hackney carriages picking up at the official rank during the Royal Ascot race meeting.</p> <p>This is the recommended option</p>   | <p>The situation will remain as it is for the drivers and passengers</p>  |
| <p>2. Amend the Hackney Carriage Tariff such that Tariff 2 is used for RBWM licenced hackney carriages picking up at any time at the official rank during the Royal Ascot race meeting,</p> <ul style="list-style-type: none"> <li>• for all journeys wholly within the Royal Borough, and</li> <li>• for all other journeys, subject to the driver and passenger being allowed to agree a fare at the start of the journey</li> </ul> | <p>This could be brought into effect for the 2019 Royal Ascot race meeting subject to there being no objections during the required consultation (see 2,14, below)</p> <p>It will mean a 50% increase in price for passengers going to a location within RBWM</p> <p>This could be trialled for the 2019 race meeting to see what effect it has both for drivers and passengers</p>   |
| <p>3. Examine other potential options for amending the Hackney Carriage Tariff for RBWM licenced hackney carriages picking up at the official rank during the Royal Ascot race meeting</p>   | <p>Other options may include</p> <ul style="list-style-type: none"> <li>• A separate, third tariff for use at Royal Ascot and potentially at other major events</li> <li>• Set fares to set locations, such as to Windsor, Bracknell, London Heathrow</li> </ul> <p>The introduction of a third tariff may complicate matters for both drivers and passengers</p> <p>Using set fares to set locations means that someone has to decide what is a reasonable fare for both the driver and passenger. Is this the role of the licensing authority?</p> <p>It is highly unlikely that any alternative option would be in place for the 2019 Royal Ascot race meeting</p> |

2.14 If members are minded to amend the Hackney Carriage Tariff then a statutory process of advertising would need to take place. A notice must be published in at least one of the local papers specifying a period of 14 days from the date of the first publication for objections. Should there be no objections during this period then the revised table of fares would come into effect the day after the last date for objections.

- 2.15 Members are asked to consider the options in Table 1 and decide whether to amend the RBWM Hackney Carriage Tariff.
- 2.16 Separately, drivers have also asked if the signage setting out the charges that will be imposed on passengers for soiling their vehicle can be made clearer. This is currently included in the Hackney Carriage Tariff (see Appendix A) but it is not overly clear.
- 2.17 Drivers can use internal notices in their vehicles approved by the Council. Officers will work with the drivers to develop a suitable sign to warn passengers of the charges for soiling the vehicle. Members need to take no action, this is for information only.

### **3. KEY IMPLICATIONS**

- 3.1 Amending the Hackney Carriage Tariff may assist RBWM licence hackney carriage drivers to earn higher income at the Borough's largest annual event. It will mean higher fares for their passengers.

### **4. FINANCIAL DETAILS / VALUE FOR MONEY**

- 4.1 Changes to the Hackney Carriage Tariff will not have any impact on RBWM.

### **5. LEGAL IMPLICATIONS**

- 5.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives a local authority the power to fix the rates or fares of Hackney Carriages within its area (as well as all other charges in connection with the hire of the vehicle) by means of a table of fares. RBWM's current table of fares for Hackney Carriages is contained in Appendix A.

- 5.2 The process that must be followed if the current tariff is to be amended is:
- A notice must be published in a local newspaper, stating the proposed fares or variation of the fares
  - This must specify a date, not less than 14 days from the date on which the notice is first published. That date has two functions; it is the date by which any objections must be lodged; and it is the date on which the revised fares will come into effect if no objections are received.
  - Objections can be sent to the Licensing Team by post or email.
  - A copy of the notice must be available at the Council offices for inspection.
  - Once the objection period of 14 days has expired, if there have been no objections then the new fares take effect at the end of the objection period.
  - If objections are made and not withdrawn then they will be considered by the next Licensing Panel.
  - In the light of those objections the Panel can then set a second date when the new fares come into force.

### **6. RISK MANAGEMENT**

- 6.1 Amendments to the Hackney Carriage Tariff is subject to a public consultation (see above) and so any challenges can be considered by the next Licensing Panel

### **7. POTENTIAL IMPACTS**

- 7.1 No EQIA is anticipated at this stage.

## 8. CONSULTATION

8.1 see Legal Implications, above

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 If Members are minded to amend the Hackney Carriage Tariff then a statutory process of advertising would need to take place. If no objections are received within 14 days the changes would come into effect.

## 10. APPENDICES

Appendix A – Hackney Carriage Tariff

Appendix B – The Use of Tariffs at Other Major Events

## 11. BACKGROUND DOCUMENTS

None.

## 12. CONSULTATION (MANDATORY)

| Name of consultee | Post held  | Date sent | Commented & returned |
|-------------------|--|-----------|----------------------|
| Cllr Airey        | Lead Member for Environmental Services (including parking, flooding, housing and performance management) | 18/03/19  |                      |
| Cllr Cox          | Chair of the Licensing Panel   | 18/03/19  |                      |
| Duncan Sharkey    | Managing Director  | 13/03/19  | 19/03/19             |
| Andy Jeffs        | Executive Director Communities Directorate   | 13/03/19  | 16/03/19             |
| David Scott       | Head of Communities, Enforcement and Partnerships  | 13/03/19  | 15/03/19             |

## REPORT HISTORY

|  |                            |
|--|----------------------------|
| <b>Decision type:</b><br>Non-key decision                                      | <b>Urgency item?</b><br>No |
| Report Author: Greg Nelson, Trading Standards & Licensing Lead<br>01628 683561 |                            |

## Appendix A

### Hackney Carriage Tariff

| <b>Royal Borough of Windsor and Maidenhead Hackney Carriage Tariff</b>   |  |
|--|--|
| <b>Tariff One 6am to 11 pm</b>   | <b>Tariff Two 11pm to 6am and Bank Holidays (50% above the normal rate or fare)</b>  |
| <p>For the first 927 yards (847m) or part thereof      <b>£2.80</b></p> <p>For each additional 174 yards (159m), 40 seconds or part thereof      <b>20p</b></p>  | <p>For the first 927 yards (847m) or part therefore      <b>£4.20</b></p> <p>For each additional 174 yards (159m), 40 seconds or part thereof      <b>30p</b></p>  |
| <p><b>WAITING TIME</b></p> <p>For each period of 40 seconds or uncompleted part thereof provided that where a hiring by distance terminates at the place at which it commenced, the rate of fare for which the proprietor or driver shall be entitled to demand and take for the hiring shall be three quarters of the rate or fare prescribed by the foregoing table.</p> | <p><b>Soiling Interior of Vehicle      £80.00</b></p> <p><b>Soiling Exterior of Vehicle      £20.00</b></p>  |
| <p><b>EXTRA CHARGES</b></p> <p><b>Booking Fee</b></p> <p>For each hiring under Section 67 of the Local Government (Miscellaneous Provisions) Act 1976      <b>£1.00</b></p>  | <p><i>None of the stated fares will apply if the hirer at the commencement of the hiring expresses his desire to engage by time.</i></p> <p><i>Where a Hackney Carriage furnished with a taximeter is hired by distance the driver is not entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for extra charges authorised by the above table which may not be recorded on the face of the taximeter.</i></p> |
| <p><b>LUGGAGE</b></p> <p>For each package carried outside the vehicle      <b>20p</b></p>  | <p><b>Any complaints or other communications should be sent to Licensing, Town Hall, St Ives Road, Maidenhead, SL6 1RF</b></p>   |
| <p><b>EXTRA PASSENGERS</b></p> <p>Extra Passengers for Each Person Carried Above the Number of Two for the Whole or Part of the Distance      <b>20p</b></p>   |  |
| <b>NOVEMBER 2016</b>   |  |

**Appendix B**  
**The Use of Tariffs at Other Major Events**

| <b>Event</b>   | <b>Information about Hackney Carriage Tariffs</b>  |
|--|--|
| <b>Cheltenham Gold Cup</b>                                   | <b>No separate/different tariff used for Cheltenham Races / Gold Cup</b>   |
| <b>Reading Festival</b>                                      | <b>No separate/different tariff used for the Reading Festival</b>  |
| <b>Henley Regatta<br/>(covered by two Local Authorities)</b> | <b>LA1 - Tariff not currently set by LA<br/><br/>LA2 - No separate/different tariff used for Henley Regatta</b>  |
| <b>Grand National</b>  | <b>Hackneys carriages use Tariff 2 during the Aintree Grand National meeting when they are using the designated rank (introduced in March 2017)</b>  |
| <b>The Derby</b>   | <b>Hackneys carriages use either the standard tariff or a “Shared Taxi Scheme” for journeys from Epsom Town Centre to Epsom Race Course with set fares and certain conditions to comply with</b> |