

Report Title:	<b>Proposed Changes to the RBWM Hackney Carriage Tariff and Policies</b>
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor D Cannon, Cabinet Member for Anti-Social Behaviour, Crime and Public Protection
Meeting and Date:	Licensing Panel 05 July 2022
Responsible Officer(s):	Tracy Hendren, Head of Housing, Environmental Health & Trading Standards
Wards affected:	All

## REPORT SUMMARY

The tariff that RBWM licenced hackney carriage (taxi) drivers use to calculate the fares that they charge is set by the RBWM Licensing Panel and set out in the Royal Borough of Windsor and Maidenhead Hackney Carriage Tariff (“the tariff”)

A substantial proportion of hackney drivers have requested an increase in the main tariff and other changes to the charges that they can impose. This report sets out the changes requested by the drivers and the reasons for this.

Officers would like to take this opportunity to update the RBWM hackney carriage and private hire driver policies in two other respects. These are changes to checks carried out to ensure drivers have the right to work in the UK and changes to the penalty points system. The agreement of the Licensing Panel for these changes is requested.

## 1. DETAILS OF RECOMMENDATION(S)

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

- i) agrees on the proposed increases to the hackney carriage tariff as set out in Table 1A and once the required consultation process has been completed, the final decision on implementing the changes is delegated to the Head of Housing, Environmental Health & Trading Standards in consultation with the Licensing Panel Chair and the Cabinet Member for Anti-Social Behaviour, Crime and Public Protection
- ii) agrees the changes to policy set out in Table 1B in respect of checks on driver applicants’ right to work in the UK, and
- iii) agrees to the changes to policy in respect of penalty point infringements as set out in Table 1C and agrees
  - a. that a consultation with the trade should be carried out before these changes are formally adopted, and
  - b. that once that consultation process has been completed, the final decision on implementing the changes is delegated to the Head of Housing, Environmental Health & Trading Standards in consultation with the Licensing Panel Chair and the Cabinet Member for Anti-Social Behaviour, Crime and Public Protection

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

### Options

**Table 1A: Options arising from this report – the hackney carriage tariff**

Option	Comments
<p>Agree the changes to the RBWM Hackney Carriage Tariff set out in Table 2, below, and require prominent signage in respect of any minimum fare that is agreed</p> <p><b>This is the recommended option</b></p>	<p>This will help hackney carriage drivers cope with the current cost of living increases, in particular increases in the costs of fuel, and allow them to charge similar fees to comparable transport providers</p>
<p>Make other changes to the RBWM Hackney Carriage Tariff</p>	<p>The Licensing Panel may wish to make changes other than those proposed in Table 2</p>
<p>Make no changes to the RBWM Hackney Carriage Tariff</p>	<p>Hackney carriage drivers will argue that this would mean that they will not be able to cope with increases in the cost of living, in particular increases in the costs of fuel, and therefore cannot make a reasonable living, even if they work very long hours</p>

**Table 1B: Options arising from this report – checks on the right to work in the UK**

Option	Comments
<p>1. replace;</p> <p>i) paragraph (h) of section 2, Application Requirements, of the RBWM Hackney Carriage Driver and Vehicle Policy &amp; Conditions, AND</p> <p>ii) paragraph (h) of section 2, Application Requirements, of the RBWM Private Hire Driver and Vehicle Policy &amp; Conditions, with the following wording;</p> <p>“All applicants must provide proof of the right to work and reside in the UK. This can be done by providing a valid UK passport, the correct Irish or Channel Islands documentation, or, for other passport holders,</p> <p>i) a passport endorsement, or an Immigration Status Document issued by the Home Office, showing that the holder is exempt from immigration control, is allowed to stay indefinitely in</p>	<p>Applicants should not be licenced unless they have the right to live and work in the UK</p> <p>This will ensure current “right to work” requirements for RBWM licenced drivers are fully up to date and that no drivers will be licenced who do not have the right to live and work in the UK</p>

Option	Comments
<p>the UK, has the right of abode in the UK, or has no time limit on their stay in the UK, or</p> <p>ii) other documentation included in the government's "Employers' right to work checklist" which can be found at the "Foreign nationals working in the UK" section on <a href="http://www.gov.uk">www.gov.uk</a>. In this case, licenses will only be issued for the length of time until the applicant's permission to be in the UK expires"</p> <p><b>This is the recommended option</b></p>	
<p>No action is taken in this respect</p>	<p>RBWM policies will not be up to date and RBWM may be subject to civil penalty for failing to ensure that licenced drivers have the right to work in the UK</p>

**Table 1C: Options arising from this report – penalty point infringements**

Option	Comments
<p>The RBWM Licensing Panel agrees the changes to the RBWM Hackney Carriage Driver and Vehicle Policy and Conditions and the RBWM Private Hire Driver and Vehicle Policy and Conditions policy set out in Appendix C and Appendix D in respect of changes to the system of penalty points, subject to consultation with the trade</p> <p><b>This is the recommended option</b></p>	<p>Officers will be able to take substantive action for the infringements listed. These are not serious enough to require the revocation of a driver licence but are unacceptable and should therefore be made subject to formal action in the form of penalty points</p> <p>The use of penalty points is a long established procedure both at RBWM and at other licensing authorities. Points are only issued where there is sufficient evidence to do so, and drivers can appeal if they wish</p>
<p>The RBWM Licensing Panel does not make these changes to RBWM policies</p>	<p>Officers will not be able to take substantive action for the infringements listed</p>

- 2.1 The tariff that RBWM licenced hackney carriage (taxi) drivers use to calculate the fares that they charge is set by the RBWM Licensing Panel and set out in the Royal Borough of Windsor and Maidenhead Hackney Carriage Tariff ("the tariff").

- 2.2 A substantial number of RBWM licenced hackney drivers, approximately 81%, have indicated by means of two petitions (see Appendix A) that they want;
- an increase in the basic tariff, Tariff One and a minimum fare of £6 (with an equivalent increase in Tariff Two), and
  - an increase in certain other charges

- 2.3 The current fares in the Royal Borough of Windsor and Maidenhead Hackney Carriage Tariff and the requested changes, for comparison, are set out in Table 2

**Table 2**

<b>Current Tariff</b>	<b>Proposed Tariff</b>
<p><b>Tariff One</b> For the first 899 yards (822m) of per thereof: £3.00</p> <p>For each additional 157 yards (143m), 36 seconds or part thereof: £0.20</p>	<p><b>Tariff One</b> • Minimum Fare: £6.00 • For the first 899 yards (822m) or part thereof: £3.30 • For each additional 141 yards (129m), 32.4 seconds or part thereof: £0.20</p>
<p><b>Tariff Two</b> (23.00 to 06.00 and Bank Holidays - 50% above the normal rate or fare) For the first 899 yards (822m) of per thereof: £4.50</p> <p>For each additional 157 yards (143m), 36 seconds or part thereof: £0.30</p>	<p><b>Tariff Two</b> (23.00 to 06.00 and Bank Holidays - 50% above the normal rate or fare) • Minimum Fare: £9.00 • For the first 899 yards (822m) or part thereof: £4.95 • For each additional 141 yards (129m), 32.4 seconds or part thereof: £0.30</p>
<p><b>Waiting time</b> • For each period of 36 seconds or uncompleted part thereof: £0.20</p>	<p><b>Waiting time</b> • For each period of 32.4 seconds or uncompleted part thereof: £0.20</p>
<p><b>Extra charges</b> • Luggage: for each package carried outside the vehicle: £0.20</p> <p><b>Extra passengers</b> • Over three passengers: £1.00</p>	<p><b>Extra charges</b> • Luggage: for each package carried outside the vehicle: £0.40</p> <p><b>Extra passengers</b> • When carrying four adult passengers only £1.00 • For people carriers carrying five and above passengers a “b” tariff will apply. The b tariff is a 50% surcharge above the standard rate and is indicated in the Tariff display by the tariff number followed by a b (ie “1b” for Tariff One and “2b” for Tariff Two)</p>

- 2.4 As can be seen, the proposals include a minimum fare of £6 for Tariff One (up from £3.00) and £9 for Tariff Two (up from £4.50). The way that this would work is that the meter would start on £3.30 and at the end of the journey the driver will press a stop button on the meter. If the fare at that time is less than £6 it will automatically revert to £6.00. The drivers are also proposing "minimum fare £6.00" stickers inside the vehicle.

- 2.5 The "minimum fare £6.00" signage would have to be sufficiently prominent to ensure that there is no confusion for passengers and should be approved by the Head of Service for the Licensing team.
- 2.6 Some drivers may need to replace their taximeter to ensure that they can implement the minimum fare and "b" aspects of the proposed tariff. All taximeters must comply with the Measuring Instruments Regulations 2016 as amended by the Product Safety and Metrology etc (Amendment etc) (EU Exit) Regulations 2019. This can be established by ensuring that the taximeter is UKCA marked (or CE marked if complying with the 2016 regulations).
- 2.7 The current tariff was set by the Licensing Panel in February 2020 and provided a 15% increase on the previous tariff.
- 2.8 The preceding tariff increases before this were in October 2016, which provided an increase of 15% in the tariff, and in 2014 which saw an increase of 3% in the tariff.
- 2.9 The hackney drivers set out their reasoning for the proposed increases in the tariff in Appendix A and they are as follows;
- the effects of the rises in the cost of living
  - the current minimum fare (£3) being completely unreasonable
  - drivers sometimes have to wait a long time for a fare and that fare can be very low as journeys usually do not last much longer than a mile
  - a £6 minimum fare will be comparable with fares charged by private hire operators
- 2.10 The average UK cost of diesel in London in February 2020 was 128.6p per litre. In June 2022 average prices reached 190.92, an increase of 48% since February 2020 (source <https://www.rac.co.uk/drive/advice/fuel-watch/13/06/2022>).
- 2.11 The Consumer Prices Index including owner occupiers' housing costs (CPIH) rose by 7.8% in the 12 months to April 2022 (the latest figures available).
- 2.12 A simple comparison of tariffs between RBWM and neighbouring licensing authorities is set out in Appendix B based on the cost of a two mile journey in each area (source; <https://www.phtm.co.uk/newspaper/taxi-fares-league-tables>).
- 2.13 All of the other Berkshire licensing authorities have increased their tariffs in 2021 or 2022 and are now higher than in RBWM. This means that the income of RBWM licenced drivers is less per two mile journey than those drivers licenced by all of the other Berkshire authorities.
- 2.14 To set against the fares that drivers can charge are the costs that they incur to become a RBWM licenced hackney carriage driver, set out in Table 3;

**Table 3**

<b>Annual Charges (£)</b>	
Hackney carriage vehicle licence	315
Hackney carriage drivers' licence	100
<b>Total Basic Annual Charges</b>	<b>415</b>
<b>Other Charges (£)</b>	
RBWM Knowledge test (once when first applying)	30
MOT and Vehicle Compliance Test (once or twice annually – depending on age of vehicle – set externally)	45
Meter installation and calibration (once when first installed – set externally)	250-500
DBS (when first applying then every three years)	44
Application of mandatory livery to vehicle (one-off payment – set externally)	1000
Mandatory safeguarding training	25.00
Mandatory medical five yearly (set externally)	50 to 100

- 2.15 The total basic annual charge (£415) has not been increased since the 2010/2011 financial year.
- 2.16 The number of RBWM licenced hackney carriage drivers has decreased steadily over the last six years, see Table 4

**Table 4**

Year	Number of new HC driver licences issued	Total number of HC driver licences issued
2016	25	181
2017	15	163
2018	16	141
2019	12	163
2020	8	99
2021	7	97
2022 (Jan to May)	1	45

- 2.17 Should the Licensing Panel agree to any changes to the current tariff there is a legal requirement that a notice setting out the new tariff be published in at least one local newspaper covering the borough and be available at the Town Hall (it will also appear on the RBWM website). This will provide a 14 day period during which objections to the new tariff can be made.
- 2.18 Should any objections be made they will need to be considered before the tariff is implemented. It is requested that this be delegated to the Head of Housing, Environmental Health & Trading Standards in consultation with the

Licensing Panel Chair and the Cabinet Member for Anti-Social Behaviour, Crime and Public Protection.

- 2.19 Members of the Licensing Panel are asked to consider the proposals set out in Table 2 relating to changes to the RBWM Hackney Carriage Tariff, and the recommendations in Table 1A.**
- 2.20 Officers would like to take this opportunity to make some amendments to the hackney carriage and private hire policies to bring them into line with changes to the rules on the right to work in the UK, and to update the penalty points provisions.
- 2.21 The EU passport is no longer acceptable for this purpose. In effect the new requirements are a UK passport (or Irish or Channel Islands documentation) or, for other passport holders, an endorsement in their passport or an Immigration Status Document issued by the Home Office showing that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- 2.22 To reflect these changes, Members of the Licensing Panel are asked to agree the changes set out in Table 1B, above.**
- 2.23 Officers would like to take this opportunity to amend and update the RBWM Hackney Carriage Driver and Vehicle Policy & Conditions and the RBWM Private Hire Drivers and Vehicle Policy & Conditions in respect of the penalty point system which each policy includes.
- 2.24 Penalty points can be imposed on a driver by a licensing enforcement officer for lesser infringements which do not breach the Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847 (the relevant legislation covering hackney carriage and private hire licensing), or which do not warrant the suspension or revocation of the licence.
- 2.25 Without the penalty point system these lesser infringements would go unchallenged and there would be no means of taking formal action over them.
- 2.26 The number of points imposed can either be 3, 6 or 12 points, and if 12 unspent points are accumulated (points are spent 12 months from being imposed) the driver is automatically referred to the Licensing Panel to decide, what, if any, further action is required.
- 2.27 For the most serious infringements an immediate referral to the Licensing Panel can be imposed for the Panel to consider the revocation of the licence.
- 2.28 The current list of penalty points infringements and the suggested amendments are listed in Appendix C. These changes are mainly to clarify the infringements in terms of who can commit them, and how notifications should be made.
- 2.29 The additional infringements recommended by officers are listed in Appendix D. These have been recommended because they cover driver incidents or behaviours which have been reported to officers in the past, which do not

currently fall within the penalty points system, but which officers believe should be subject to formal action to demonstrate that unacceptable behaviours or activities have consequences.

2.30 Examples of such incidents or behaviours are disrespect towards council staff; licensees attending meetings or appointments late; being poorly presented; behaving in a disorderly or uncivil manner; vehicles being in poor condition. It must be stressed that the vast majority of drivers act professionally and politely but those that do not, should not be able to go unchallenged.

**2.31 Members of the Licensing Panel are asked to agree the changes set out in Table 1C, above.**

### **3. KEY IMPLICATIONS**

3.1 In agreeing an increase in the RBWM hackney carriage tariff, Licensing Panel members will be recognising that the current tariff does not provide sufficient income for RBWM licenced hackney carriage drivers.

3.2 In agreeing the change to policy in respect of driver applicants' right to work in the UK, Licensing Panel members will ensure that RBWM is complying with the most recent requirements in this respect and RBWM will avoid civil penalties for failing to ensure that licenced drivers have the right to work in the UK.

3.3 In agreeing the changes to policy in respect of penalty point infringements Licensing Panel members will be ensuring that the current system is clearer, and that certain unacceptable activities and behaviours by RBWM licenced drivers that do not currently fall within the penalty point system are now included.

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

4.1 The matters covered by this report are operational and within existing budgets, and so have no financial implications.

### **5. LEGAL IMPLICATIONS**

5.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives a licensing authority the power to fix the rates or fares of hackney carriages within its area by means of a table of fares, or tariff.

5.2 Failure to comply with the Immigration, Asylum and Nationality Act 2006 in respect of conducting right to work checks to confirm an individual's right to live and work in the UK may give rise to a civil penalty against RBWM.

5.3 Conditions, such as the penalty points requirements in driver and vehicle policies, can be attached to hackney carriage and private hire driver licences by virtue of sections 47 & 48 of the Local Government (Miscellaneous Provisions) Act 1976.



## 6. RISK MANAGEMENT

- 6.1 There are no risks in relation to increasing the hackney carriage tariff as the changes would bring RBWM hackney fares into line with comparable licensing authorities and with fares charged by private hire operators.
- 6.2 The risks associated with amending RBWM policies in respect of checks on the right to live and work in the UK are set out in table 5.1, below.
- 6.3 The risks associated with implementing the changes to the RBWM penalty points system are set out in table 5.2, below.

**Table 5.1: Impact of risk and mitigation - the right to work in the UK**

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Civil penalty or criminal prosecution if RBWM fails to comply with its obligations under the Immigration, Asylum and Nationality Act 2006 in respect of checks on a driver's right to live and work in the UK	Medium	The implementation of the checks for the required documentation as set out in Table 1B	Low

**Table 5.2: Impact of risk and mitigation – penalty point infringements**

<b>Risk</b>	<b>Level of uncontrolled risk</b>	<b>Controls</b>	<b>Level of controlled risk</b>
Judicial Review or appeal against the imposition of unfair or unreasonable conditions	Low	The process in determining the policies, via the Licensing Panel and with appropriate consultation with the drivers, is considered fair and reasonable and balances the needs of the drivers with the duty to protect the public	Very low

## 7. POTENTIAL IMPACTS

- 7.1 Equalities. A screening Equality Impact Assessments can be found at Appendix E
- 7.2 Climate change/sustainability. There are no climate change or sustainability impacts.

7.3 Data Protection/GDPR. The processing of personal data required by some aspects of this report which be carried out under existing procedures and controls which comply with the Data Protection Act 2018 and the General Data Protection Regulations.

7.4 There are no Human Rights or any other impacts.

## 8. CONSULTATION

8.1 Standard practice, based on legal advice given previously, is that changes to hackney carriage and private hire driver and vehicle policies should be consulted on with the trade.

8.2 The proposal to increase the tariff came from the drivers so a consultation with them is not strictly necessary if the recommended option is agreed. However, the Panel may decide on alternative changes to the tariff which would need to be consulted on with the trade. As well as this, as explained in paragraph 2.17, there is a legal requirement that a notice setting out a new or amended tariff be published in at least one local newspaper covering the borough and be available at the Town Hall (it will also appear on the RBWM website). This will provide a 14 day period during which objections to the new tariff can be made.

8.3 The changes to policy in respect of driver applicants' right to work in the UK is a legal requirement with which RBWM must comply. Consultation with the drivers is therefore not required but the changes will be clearly notified to applicants by means of the RBWM website and all relevant paperwork.

8.4 The changes to policy in respect of penalty points have been requested by officers. If they are agreed by the Licensing Panel they will be notified to and consulted on with the trade for a four week period. Subject to their response, the final decision on implementing the changes can be delegated to the Head of Housing, Environmental Health & Trading Standards, in consultation with the Licensing Panel Chair and the Cabinet Member for Anti-Social Behaviour, Crime and Public Protection.

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation dates are set out in table 6.

**Table 6: Implementation timetable**

<b>Date</b>	<b>Details</b>
22/07/2022	Changes to the RBWM hackney carriage tariff agreed by the Licensing Panel on 05/07/2022 will come into effect on this date, subject to the results of the 14 day consultation
06/07/2022	Changes to RBWM policies in respect of checks on driver applicants' right to work in the UK agreed by the Licensing Panel on 05/07/2022 will come into effect

03/08/2022	Changes to RBWM policies in respect of changes to the penalty points system agreed by the Licensing Panel on 05/07/2022 will come into effect
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## 10. APPENDICES

- 10.1 This report is supported by five appendices:
- Appendix A – petitions from RBWM licenced hackney carriage drivers
  - Appendix B – a comparison of hackney carriage tariffs
  - Appendix C – list of current penalty points infringements and the suggested amendments
  - Appendix D – proposed new penalty points infringements
  - Appendix E – EQIA screening assessment

## 11. BACKGROUND DOCUMENTS

- 11.1 There are no background documents:

## 12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officers (or deputies)</i>	
Adele Taylor	Executive Director of Resources/S151 Officer	16/06/22	
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	16/06/22	
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	16/06/22	23/06/22
Elaine Browne	Head of Law (Deputy Monitoring Officer)	16/06/22	22/06/22
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	16/06/22	27/06/22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Kevin McDaniel	Executive Director of Children's Services	16/06/22	22/06/22
<i>Heads of Service (where relevant)</i>			
Tracy Hendren	Head of Housing, Environmental Health & Trading Standards	14/06/22	16/06/22
<i>External (where relevant)</i>			
N/A			
Confirmation relevant Cabinet	Councillor D Cannon, Cabinet Member for Anti-Social	Yes (21/06/2022)	

Member(s) consulted	Behaviour, Crime, and Public Protection  Cllr G Bhangra, Chair of the Licensing Panel	Yes (21/06/2022)

#### REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Licensing Panel decision	No	No

<p>Report Author: Greg Nelson, Trading Standards &amp; Licensing Manager, 07970 446 526</p>
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# **Appendix A - Hackney Carriage Tariff Petition**

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## **Petition to Raise the Hackney Carriage Tariff Rates**

We, the Hackney Carriage drivers of RBWM, petition the Licensing Panel to raise the rates of Hackney Carriage fares. We feel that with the rises in the cost of living, that now is an appropriate time to update the current tariff.

The following includes the changes the drivers would like to be made to the tariff:

### **Tariff One**

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#### **06.00 to 23.00**

- Minimum Fare: £6.00
- For the first 899 yards (822m) or part thereof: £3.30.
- For each additional 157 yards (143m), 36 seconds or part thereof: £0.22.

### **Tariff Two**

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#### **23.00 to 06.00 and Bank Holidays (50% above the normal rate or fare)**

- Minimum Fare: £9.00
- For the first 899 yards (822m) or part thereof: £4.95.
- For each additional 157 yards (143m), 36 seconds or part thereof: £0.33.

### **Waiting time**

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- For each period of 36 seconds or uncompleted part thereof: £0.22.

### **Extra charges**

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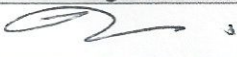

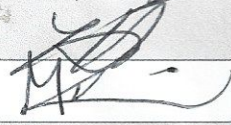

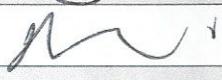
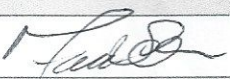

- Luggage: for each package carried outside the vehicle: £0.40.
- Extra passengers: £0.40 per additional passenger

We believe these increases are appropriate and justified. The current minimum fare is £3. We believe this to be completely unreasonable. Firstly, as the majority of customers are commuters from the train station, the taxi journeys usually do not last much longer than a mile. Secondly, drivers wait up to an hour in a queue, before they receive a taxi fare, and to only receive an extremely low fare around the £3 region is very frustrating, which is especially heightened now with the increased cost of living.

We propose that the taxi meter starts at £3.30 (a 10% rise from the current tariff). If the meter doesn't exceed £6 from the journey, the fare will cost a minimum of £6. We believe this is justified, as taxi companies such as Uber and Bolt charge a minimum fare of £6.45. Also, the popular taxi company in Maidenhead, U Want Taxis, have a minimum charge of £7.00. We also believe that a 10% rise to £0.22 is appropriate for each additional 157 yards (143m), 36 seconds or part thereof.

## Hackney Carriage Tariff Petition

Petition to Raise the Hackney Carriage Tariff Rates

<u>Name of Driver</u>	<u>Plate Number</u>	<u>Driver Signature</u>
Mohammad Yasin	838	
RAHEES	833	RAHEES
AMJAD ALI	811	Amjad Ali
SARIB	891	
ABID ALI	815	
Muhammad AZHAR	0948	M. Azhar
YASEEN HUSSAIN	0823	
Muazil Hussain	0839	
A. Hussain	830	A. Hussain
Zahid Ali	846	Zahid
S. AHMED	855	S. Ahmed
AMSIDALI	846	
PERVAIZ MAHMOOD	841	Pervez Mahmood
SUMMAN DAR	HV0826	
SAJID ALI	UD5253	
Tamveer Munir	928	Tamveer
ZAHID	972	Zahid
ASAD RASID	0814	Asad Rasid
Jugal An	820	Jugal An

## Hackney Carriage Tariff Petition

Petition to Raise the Hackney Carriage Tariff Rates

<u>Name of Driver</u>	<u>Plate Number</u>	<u>Driver Signature</u>
Faiz Ali	838	Faiz Ali
WASID-HUSSAIN	852	<del>Wasid Hussain</del>
ARSHAD.MAHMOOD	937	Arshad M
ASHRAQ NAZIR	807	Ashraaq
SAJID AYUB	897	Sajid
Zaman Ali	828	Zaman
M. NAZIR	848	M. Nazir
NASER AHMED	876	Naser
ABDUL SATTAR	991	Sattar
MASOOD AHMED	914	Masood
SHAHID ALI	976	Shahid Ali
M. RAJIB	843	M. Rajib
Umar Hageet	861	Umar
P. AKHTAR	837	P. Akhtar
M. MAJID	883	M. Majid
Z. ALI	860	Z. Ali
A. KHAN	983	A. Khan
M. Rishard	853	Rishard
M. Mushtaq	825	M. Mushtaq
M. Munir	884	M. Munir
MOHAMMAD MUNIR	829	M. Munir
M. HAMMED SULAMAN	809	M. Hammed
Amir Mehmood	881	Amir
M. Ashfaq	088	Ashfaq





We the drivers from Royal Borough Windsor and Maidenhead would like the council to increase the fare price for normal vehicle hire. We would also like to increase the fare of a people carrier rate to time and half tariff.

Driver badge number	Driver name	Signature
CD 7206	ZAHED AHMED	S Ahmed
HD 6948	TIBDE TILL	Tibde
HD 7041	FAYYAZ HUSSAIN	Fayyaz
HD 7055	Khuram	Khuram
HD 0875	S SAFWAL	S Safwal
HD 991	ABDUL SATTAR	Abdul Sattar
HD 882	S NAZIR	S Nazir
HD 0272	M. YOUNIS	M. Younis
HV 0977	A. TAPASLTO	A. Tapaslto
HD 7103	M. F ALoui	M. F Aloui
CD 7141	A Asghar	A Asghar
HD 6879	SYED H. SUICHARG	Syed H. Suicharg
HD 0851	SAJJAD ALI	Sajjad Ali
HD 7049	JILALI AFAILAL	Jilali Afaial
HD 7032	NORBERT CSASAR	Norbert Csasar
HD 6980	ABID HUSSAIN	Abid Hussain
CD 7120	KAMRAN HUSSAIN	Kamran H
CD 7203	AHMED	Ahmed
HD 7007	SYED HA HAMDANI	S. Hamdani
HD 6849	BASHARAT MEHMOOD	Basharat
HD 6999	Shahafat Anu	Shahafat Anu

## Appendix B - Comparison of Hackney Carriage Tariffs

### Fares Comparison Chart – Two Mile Journey – May 2022

Licensing Authority	Fare (2 mile journey)	When Tariff Last Increased
RBWM	6.40	2020
Slough	7.00	2022
Reading	8.00	2021
Wokingham	8.20	2022
West Berkshire	7.40	2021
Bracknell Forest	6.60	2021
Buckinghamshire	6.00	2012
Elmbridge	6.10	2011
Guildford	7.60	2019
Runnymede	6.60	2014
Spelthorne	6.20	2015
Surrey Heath	7.80	2022
London	9.80	2022
London (Heathrow)	13.40	2022

Taken from PHTM HACKNEY TAXI FARE TABLES at <https://www.phtm.co.uk/taxi-fares-league-tables/2022-05>

## Appendix C – Current RBWM Penalty Points and Proposed Changes

Details of misconduct by a RBWM licenced hackney carriage or private hire driver, or private hire operator where applicable	Points
<p>Failing to have a Private Hire Driver or Hackney Carriage Driver badge in his possession</p> <p><b>CHANGE TO</b></p> <p>Failing to wear or clearly display a private hire driver or hackney carriage driver badge whilst working</p>	3 Points
<p>Not having a fire extinguisher and/or first aid kit in the vehicle</p> <p><b>SEPARATE OUT</b></p> <p>Not having a fire extinguisher in a RBWM licenced hackney carriage or private hire vehicle</p> <p>Not having a first aid kit in a RBWM licenced hackney carriage or private hire vehicle</p>	3 Points  3 Points
<p>A vehicle issued with Dispensation and not having the plate in the vehicle or the Dispensation Certificate in the vehicle</p> <p><b>CHANGE TO</b></p> <p>For a vehicle issued with a Dispensation, failing to have the plate or the Dispensation Certificate in the vehicle whilst working</p>	3 Points
<p>Failing to notify the Licensing Officer of any points or convictions being imposed by the Courts within 7 days</p> <p><b>CHANGE TO</b></p> <p>Failure to notify the RBWM Licensing team within 7 days, in writing, of details of any convictions or offences, including DVLA penalty points</p>	6 Points
<p>Failure to notify a change of address within 7 days</p> <p><b>CHANGE TO</b></p> <p>Failure to notify the RBWM Licensing team within 7 days, in writing, of a change of address</p>	3 Points
<p>Driving an unlicensed vehicle</p> <p><b>CHANGE TO</b></p> <p>Using a vehicle as a hackney carriage or private hire vehicle without the appropriate vehicle licence</p>	12 points
<p>Allowing an unlicensed driver to drive a Private Hire Vehicle or Hackney Carriage Vehicle</p> <p><b>CHANGE TO</b></p>	12 Points

Allowing an individual without a RBWM hackney carriage or private hire driver licence to drive a RBWM licenced hackney carriage or private hire vehicle	
Failing to renew a Hackney Carriage or Private Hire driver licence or vehicle licence within the correct time (unless extenuating circumstances apply)	3 points
Unlawfully plying for hire <b>CHANGE TO</b> A RBWM licenced private hire driver unlawfully plying for hire in a RBWM licenced private hire vehicle	Referral to Licensing Panel to consider revocation of licence
Failing to display an identity plate correctly on the vehicle <b>CHANGE TO</b> Failure to correctly display a hackney carriage or private hire vehicle plate on the rear of the vehicle	3 Points
Failing to notify the Licensing Officer of being involved in an accident within 72 hours <b>CHANGE TO</b> Failure to notify the RBWM Licensing team within 72 hours, in writing, of being involved in an accident	6 Points
Private Hire Operators failing to notify the Licensing Officer of any complaints received <b>CHANGE TO</b> A RBWM licenced private hire operator failing to notify the RBWM Licensing team within 7 days, in writing, of any complaints received about any of their drivers or vehicles	3 Points
Private Hire Operators failing to maintain their records in the correct format <b>CHANGE TO</b> A RBWM licenced private hire operator failing to keep and maintain records in accordance with their licence conditions	3 Points
Failing to attend the Town Hall when directed by a Licensing Officer <b>CHANGE TO</b> A RBWM licenced hackney carriage or private hire driver failing to attend Maidenhead Town Hall when directed by a Licensing Enforcement Officer	1-12 points Number of points issued at the discretion of a Licensing Enforcement Officer based on evidence available and seriousness of infringement
Allowing more passengers to be carried in the vehicle than authorised by the private hire or hackney carriage vehicle licence	6 Points

Causing or permitting a private hire or hackney carriage vehicle to wait on double yellow lines, other than to allow passengers to board or alight	3 Points
Causing or permitting a private hire or hackney carriage vehicle to wait on a single yellow line in contravention of the notices displayed, other than to allow passengers to board or alight	3 Points
Causing or permitting a private hire or hackney carriage vehicle to wait in a marked disabled bay	6 Points
Causing or permitting a private hire or hackney carriage vehicle to wait in a bus stop	6 Points
Causing or permitting a private hire or hackney carriage vehicle to wait in any other restricted space	3 Points
Causing or permitting a Private Hire or Hackney Carriage Vehicle to block the driveway or entrance of any residence, business, school or any other public building or space	3 Points
Private Hire or Hackney Carriage Driver driving erratically and / or without due care and attention to pedestrians or other road users <b>CHANGE TO</b> Driving erratically and / or without due care and attention to pedestrians or other road users whilst operating in a RBWM licenced hackney carriage or private hire vehicle	6 Points
Private hire driver, without reasonable cause, charging more for a fare than was quoted at or before the outset of the journey.	12 points (Note: 12 points would trigger an immediate referral to the Licensing Panel)
Hackney carriage driver, without a reasonable excuse, refusing to take a fare for a journey wholly within Royal Borough of Windsor and Maidenhead.	12 points (Note: 12 points would trigger an immediate referral to the Licensing Panel)
Hackney carriage driver not using the taximeter for a journey wholly within the Royal Borough of Windsor & Maidenhead	12 points (Note: 12 points would trigger an immediate referral to the Licensing Panel)
Hackney carriage driver using the incorrect tariff so as to inflate the cost of the journey.	12 points (Note: 12 points would trigger an immediate referral to the Licensing Panel)

All written notifications to the Licensing team should be submitted by e-mail to [Licensing@RBWM.gov.uk](mailto:Licensing@RBWM.gov.uk) or by letter to RBWM Licensing, Town Hall, Maidenhead, SL6 1RF.

## Appendix D – Proposed Penalty Points

Details of misconduct by a RBWM licenced hackney carriage or private hire driver	Points
Uncivil, disorderly or in any way inappropriate conduct or behaviour whilst operating as a RBWM licenced hackney carriage or private hire driver, including whilst waiting at a hackney carriage rank or any other place	1-12 points Number of points issued at the discretion of a Licensing Enforcement Officer based on evidence available and seriousness of infringement
Unsatisfactory condition of the interior or exterior of a RBWM licenced hackney carriage or private hire vehicle	6 points
Smoking or evidence of smoking in a RBWM licenced hackney carriage or private hire vehicle	3 points
Failure to display 'no smoking' signage in accordance with the Health Act 2006 in a RBWM licenced hackney carriage or private hire vehicle	3 points
A RBWM licenced hackney carriage or private hire driver failing to carry an assistance dog without a relevant medical exemption certificate	12 (Note: 12 points would trigger an immediate referral to the Licensing Panel)
A RBWM licenced private hire vehicle with Dispensation failing to display the identity plate whilst completing a non-contract job	6 points
Abusive or disrespectful behaviour towards a council officer, member of the public or other licenced driver	6-12 points Number of points issued at the discretion of a Licensing Enforcement Officer based on evidence available and seriousness of infringement
Failing to provide reasonable assistance to a passenger	1-12 points Number of points issued at the discretion of the Licensing Officer
Failure to attend punctually, a pre-arranged appointment without reasonable cause, including appointments relating to the grant or renewal of a RBWM hackney carriage or private hire driver or vehicle licence	3 points
A RBWM hackney carriage roof sign not connected or functioning correctly	3 points
Failure to comply with road traffic and vehicle excise legislation (for example illegal driving, illegal parking, vehicle defects, vehicle tax)	1-12 points Number of points issued at the discretion of a Licensing Enforcement Officer based on evidence available and seriousness of infringement
Obstructing or failing to provide information and assistance to an authorised RBWM officer	1-12 points Number of points issued at the discretion of a Licensing Enforcement Officer based on evidence available and seriousness of infringement
A RBWM licenced hackney carriage driver not displaying in a RBWM licenced hackney carriage the required "minimum fare" signage, as approved by the Head of Service for the Licensing team.	6 points

All written notifications to the Licensing team should be submitted by e-mail to [Licensing@RBWM.gov.uk](mailto:Licensing@RBWM.gov.uk) or by letter to RBWM Licensing, Town Hall, Maidenhead, SL6 1RF.

## Appendix E - EQUALITY IMPACT ASSESSMENT

### EqIA : Report to Licensing Panel; Changes to the Hackney Carriage Tariff; Amendments to Hackney Carriage and Private Hire Driver & Vehicle Polices relating to Driver Checks and Penalty Points

**Essential information**

Items to be assessed: (please mark 'x')

<b>Strategy</b>		<b>Policy</b>	x	<b>Plan</b>		<b>Project</b>		<b>Service/Procedure</b>	
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<b>Responsible officer</b>	Greg Nelson	<b>Service area</b>	Trading Standards & Licensing	<b>Directorate</b>	Adults, Health and Housing
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<b>Stage 1: EqIA Screening (mandatory)</b>	Date created: 01/06/2022	<b>Stage 2 : Full assessment (if applicable)</b>	n/a
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**Approved by Head of Service / Overseeing group/body / Project Sponsor:**

*"I am satisfied that an equality impact has been undertaken adequately."*

**Signed by (print):** Tracy Hendren

**Dated:** 16/06/2022

## Appendix E - EQUALITY IMPACT ASSESSMENT

### **EqlA : Report to Licensing Panel; Changes to the Hackney Carriage Tariff; Amendments to Hackney Carriage and Private Hire Driver & Vehicle Polices relating to Driver Checks and Penalty Points**

#### **Guidance notes**

##### **What is an EqlA and why do we need to do it?**

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

##### **What are the "protected characteristics" under the law?**

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

##### **What's the process for conducting an EqlA?**

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

##### **Openness and transparency**

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

##### **Enforcement**

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.



## Appendix E - EQUALITY IMPACT ASSESSMENT

### **EqIA : Report to Licensing Panel; Changes to the Hackney Carriage Tariff; Amendments to Hackney Carriage and Private Hire Driver & Vehicle Polices relating to Driver Checks and Penalty Points**

#### **Stage 1 : Screening (Mandatory)**

##### **1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?**

The report to which this screening assessment applies is a report to be presented on 5 July to the RBWM Licensing Panel which has three aims and objectives;

- To decide on whether there should be an increase in the hackney carriage tariff (the tariff is the rate at which the taximeter is set, this determines the fee charged to the customer and is set by RBWM), and if so to agree the increase to be implemented
- To endorse a change to RBWM policies to reflect current legal requirements to check a RBWM licenced hackney carriage or private hire driver's right to live and work in the UK, to bring RBWM into line with statutory requirements
- To endorse changes to RBWM policies in respect of penalty points infringements which can be imposed on drivers for minor breaches, to bring the penalty point system up to date and capable of dealing with issues that are brought to the attention of the Licensing team

**1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as "Not Relevant".**

## Appendix E - EQUALITY IMPACT ASSESSMENT

### EqIA : Report to Licensing Panel; Changes to the Hackney Carriage Tariff; Amendments to Hackney Carriage and Private Hire Driver & Vehicle Polices relating to Driver Checks and Penalty Points

Protected characteristics	Relevance	Level	Positive/negative	Evidence
<b>Age</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics
<b>Disability</b>	Relevant	Medium	Negative/ Positive	<p>The Dept for Transport's Disability and Accessibility Statistics published in 2021 (Transport: Disability and Accessibility Statistics, England 2019/20 (publishing.service.gov.uk)) showed that, on average, people with disabilities take more and shorter taxi rides annually than those without a disability (17 vs. 11 rides, averaging 3.6 miles vs 5.5 miles). Disabled adults are also more likely to use taxis as their main mode of transport (2.2% vs 1.1%). An increase to the hackney carriage tariff would therefore result in a greater proportionate increase in cost for disabled passengers</p> <p>One of the proposed changes to the penalty points system is to introduce an infringement "Failure to carry an assistance dog without a relevant medical exemption certificate". This will have a positive impact as it will increase protection for persons who require assistance dogs such as guide dogs</p>
<b>Gender re-assignment</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics
<b>Marriage/civil partnership</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics
<b>Pregnancy and maternity</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics

## Appendix E - EQUALITY IMPACT ASSESSMENT

### EqIA : Report to Licensing Panel; Changes to the Hackney Carriage Tariff; Amendments to Hackney Carriage and Private Hire Driver & Vehicle Polices relating to Driver Checks and Penalty Points

<b>Race</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics
<b>Religion and belief</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics
<b>Sex</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics
<b>Sexual orientation</b>	Not Relevant			There is no evidence available to suggest that the items included in the report to the Licensing Panel could have an impact on people (including staff and customers) with protected characteristics

#### Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	Not at this stage	Greg Nelson	n/a
Does the strategy, policy, plan etc require amendment to have a positive impact?	No			

## **Appendix E - EQUALITY IMPACT ASSESSMENT**

**EqIA : Report to Licensing Panel; Changes to the Hackney Carriage Tariff; Amendments to Hackney Carriage and Private Hire Driver & Vehicle Polices relating to Driver Checks and Penalty Points**