

Licensing Committee

24 May 2023

Weymouth and Portland Zone Taxi Fares

For Decision

Portfolio Holder: Cllr L Beddow, Culture and Communities

Local Councillor(s): N/A

Executive Director: J Sellgren, Executive Director of Place

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Report Status: Public

Brief Summary: To determine the maximum level of fares that can be charged by Hackney Carriage Proprietors in the Weymouth and Portland zone and to consider the request for a change to the times that different tariffs operate.

Reason for Recommendation: To ensure openness and transparency in the Council's decision making, and to ensure that those persons affected by changes are given the opportunity to have an input into it.

1. Background

1.1 The Dorset Council Taxi Licensing Policy removed the historic zones that have operated in the Dorset Council area, apart from the Weymouth and Portland hackney carriage zone that remains in place due to the restricted number of vehicles that can operate as hackney carriages there, see paragraphs 2.16 - 2.19 of the Policy which is attached in full at Appendix 1.

1.2 Paragraph 2.25 of the Policy states there will be one maximum tariff for the whole area, apart from the Weymouth and Portland zone.

1.3 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 sets out the legislative provisions for setting the tariff. Section 65 requires that any changes to fares need to be advertised to allow the public to comment. The legislation is attached at Appendix 2.

2. **New Fares**

- 2.1 The fares for Weymouth were last changed in April 2022, along with the fare changes for the rest of Dorset Council, when the new Taxi Licensing Policy came into effect. Prior to this they were changed by the various predecessor Councils on an 'ad hoc' basis as and when the trade requested it.
- 2.2 The Weymouth Private Hire and Hackney Carriage Association have requested a further small rise this year, as they believe that smaller annual increases are accepted by the travelling public better than infrequent larger ones.
- 2.3 Every Hackney Carriage Proprietor in Weymouth has been sent a copy of proposed fares as part of a pre-consultation exercise.
- 2.4 The existing tariff and the proposed new tariff can be found at Appendix 3.
- 2.5 There have been comments from ten hackney carriage proprietors on the fares which can be found in full at Appendix 4. Two of the respondents have been against any fare increase, the remainder are in favour.
- 2.6 There has been one request to amend the times that Tariff 1 changes to Tariff 2 to fall in line with the rest of Dorset.
- 2.7 It has also been requested that the Licensing Authority stipulates that all the taximeters have automatic calendar functions activated. Officers do not recommend that this request is approved as there is case law permitting Proprietors to charge lower than the maximum tariff if they choose. The 1983 case of R v Liverpool City Council, ex parte v Curzon Ltd held that it was both lawful to charge less than the fare shown on a taximeter and also that having meters set at a lower tariff was entirely lawful. Any attempt to fix the calendar function of the meters would potentially fall foul of this case law.
- 2.8 If the Licensing Committee agree to set the maximum tariff as requested a public consultation lasting two weeks will happen by way of a newspaper advertisement.
- 2.9 Should any public comments be received the matter would be brought back to a Licensing Committee for consideration before any new tariff came into effect.
- 2.10 If no comments are received it is recommended that the new tariff comes into effect on 1 July 2023.

3. **Financial Implications**

The funding for the public consultation of the fares will come from existing budgets. The Taxi and Private Hire Licensing regime is self-funding, so any advertising costs are met from this. There are no further financial implications arising from the recommendations of this report.

4. **Natural Environment, Climate & Ecology Implications**

There are no negative implications arising from the recommendations contained within this report in terms of meeting the Council's climate change obligations.

5. **Well-being and Health Implications**

There could potentially be an impact on the health and wellbeing of the public if the hackney carriage fares are set too high, which could make this form of transport inaccessible to some. The same could however be said if the fares are set too low resulting in a reduction of vehicles as they become uneconomical to run.

6. **Other Implications**

There are no other implications arising from the recommendations contained within this report in terms of impacts on other service areas within the Council.

7. **Risk Assessment**

HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

8. **Equalities Impact Assessment**

An EqIA was prepared as part of the wider Dorset Council Taxi Licensing Policy consultation.

9. **Appendices**

Appendix 1 Dorset Council Taxi Licensing Policy

Appendix 2 Legislation

Appendix 3 Existing and Proposed Tariff

Appendix 4 Consultation Responses

10. **Background Papers**

Local Government (Miscellaneous Provisions) Act 1976