

Regulatory Committee Agenda

14 July 2022 at 7pm

Marconi Room, Civic Centre, Chelmsford

Membership

Councillor L.A. Mascot (Chair)
Councillor D.G. Jones (Vice-Chair)

and Councillors

R.H. Ambor, L. Ashley, D.J.R. Clark, A.E. Davidson, J.A. Frascogna,
, A.M. John, R.J. Lee, L.A. Millane, I.C. Roberts, T.E. Roper and
S.J. Scott

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please email daniel.bird@chelmsford.gov.uk or telephone (01245) 606523

Regulatory Committee

14 July 2022

AGENDA

1. Apologies for Absence

2. Minutes

To consider the minutes of the meeting held on 9 June 2022.

3. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk at least 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

5. Consultation for Increase in Taxi (Hackney Carriage) Fares - Tariff
6. Taxi and Private Hire Vehicles (Disabled Persons) Act 2022
7. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

MINUTES OF THE
REGULATORY COMMITTEE

held on 9 June 2022 at 7pm

Present:

Councillor L. Mascot (Chair)

Councillors R.H. Ambor, L. Ashley, D.J.R. Clark, A.E. Davidson, D.G. Jones, J.A. Frasca, R.J. Lee, I.C. Roberts and T.E. Roper

1. Apologies for Absence

Apologies for absence were received from Councillor S. J. Scott.

Election of Vice Chair

The Committee considered an additional item at this point in the meeting, to elect a Vice Chair for 2022/23. Councillor David Jones was re elected as Vice Chair.

2. Minutes

The minutes of the meeting held on 17 March 2022 were agreed as a correct record and signed by the Chair.

3. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Public Question Time

Two members of the taxi trade attended the meeting to present the petition for Item 5 and spoke at that point in the meeting. No other questions or statements were received within the 24 hour notice period ahead of the meeting.

5. Application for an increase in fares (Tariff) charged by Hackney Carriages

The Committee were asked to consider a request submitted for an increase in the Hackney Carriage Fares. They were asked to determine whether or not to approve the proposed fares and tariffs in Appendix F for wider consultation. It was noted that if any objections were received that these would be considered at the next meeting of the Committee.

The Committee were informed that the last review was in September 2020 but since then inflation and fuel prices had continued to increase leading to the request being

made. The Committee noted that the initial petition had been joined by a second one relating to a separate tariff for the number of passengers using a taxi. It was noted that this would essentially add a surcharge to a tariff when a vehicle is used by five or more persons, it was noted that this approach was already taken elsewhere in Essex. This had been petitioned for, because larger vehicles were more costly to purchase and operate.

Members were informed that if the increase was approved, the proposals would be published in a local newspaper and online for a minimum period of 14 days to allow objections to be received.

The Committee heard from two members of the taxi trade who had put forward the petition for an increase in fares, the petition had included the supporting information that had led to the request. This supporting information was detailed in the appendices to the report and included data around fuel increase costs and comparisons with other authorities. The following points were made to the Committee;

- The increase had been requested due to the significant rise in fuel costs and the general cost of living crisis.
- Multi seater vehicles were half of the fleet but due to the higher costs the number of vehicles had been lowering in recent years and without a change to the tariffs this would only become worse. It was important that these vehicles were still cost viable to run as they provided important access to the public.
- The nationwide fares included in the report were from February so it was likely that many other authorities had already increased their fares in the meantime

In response to points raised by members of the Committee, officers clarified that if approved, during the consultation period a higher increase could be requested by members of the taxi trade if it was felt necessary.

The Committee agreed to approve the proposals and for the 14-day consultation period to start on the 16th June.

RESOLVED that the fares and tariff in Appendix F be approved, with the Director of Public Places being authorised to take the necessary steps to commence the consultation period.

(7.02pm to 7.18pm)

6. Taxi Criminal Conviction Policy Amendment

The Committee received a report asking them to amend the current Convictions Policy to include reference to convictions in respect of the use of handheld devices. The Committee heard that this had been directed by the Department for Transport Statutory Standards issued in July 2020. It was noted that Annex C on page 36 of the DfT document required a conviction policy to include as follows:

Using a hand-held device whilst driving

Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.'

Officers informed the Committee that same already applied in respect of convictions for other serious offences such as drink driving. Officers also clarified that this would only affect new applications or late renewal applications.

RESOLVED that the existing convictions policy be updated to include the below section from the Department for Transport's Statutory Standards with emphasis that the policy initially relates to a 'new grant' application and that any disciplinary matters are each assessed on their own merit.

'Using a hand-held device whilst driving

Where a new applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.'

(7.19pm to 7.25pm)

7. Urgent Business

There were no matters of urgent business.

The meeting closed at 7.26pm

Chair



Chelmsford City Council Regulatory Committee

DATE: 14th July 2022

CONSULTATION RE INCREASE IN TAXI (HACKNEY CARRIAGE) FARES – TARIFF.

Report by: Lead Licensing Officer - Nigel Dermott

Officer Contact: nigel.dermott@chelmsford.gov.uk
01245 606341

Purpose

To consider the proposed new Tariff and feedback following consultation.

Recommendations

Members are requested to further consider the petitions to increase the taxi tariff (as amended) following consultation and determine whether to recommend and changes and approve a revised implementation date.

1. Introduction

- 1.1 Section 16 of 'The District of Chelmsford Bye-laws' approved on 22nd January 1975 - adopted the imposition of tariff charges in respect of fares levied by Hackney Carriages. Tariffs may be periodically be reviewed, which is generally following application by a licence holder on behalf of others and where previously this has been in the form of a petition

- 1.2 Since the last review of 2020 - during the Covid 19 pandemic - inflation and fuel prices have increased to a point where the Council has been petitioned, by licensed operator Mr Terry Michel, for the tariff to be further increased.
- 1.3 The petition of Mr Michel was joined by Mr Ian Vernon who further petitions, suggesting a 'levelling up' of fares across the multi-seater vehicles (typically the wheelchair accessible vehicles (WAV's)). The levelling up is intended to address the higher running and purchase costs of WAV's and would only apply where occupied by 5 persons.
- 1.4 Both petitions were heard together by the Regulatory Committee on 9th June 2022 as one agenda item (see minutes) and were both approved for consultation with a view to implementation on 12th July.
- 1.5 The proposed new tariff presents a Tariff A and a Tariff B where A is applied only to saloon vehicles A and B are both available to multi-seater vehicles (on a manual switch operation) dependent upon the number of passengers, with Tariff B only applicable in respect of 5 or more persons being carried.
- 1.6 Prior to public consultation a number of typing errors were found on Tariff B and corrected. Tariff B was also subsequently found to incorrectly refer to waiting times, which were also corrected. The proposed tariff A had no errors. The amended tariff cards can be found at **Appendix A**.

Consultation

- 1.7 The proposed tariff was advertised in the local paper, on the Council's website and in the public foyer of the civic offices. Each licence holder was also emailed with details of the consultation.
- 1.8 The Council have received four submissions during consultation in respect of the proposals, these are collectively attached at **Appendix B** and are only in respect of tariff B. The third submission is accompanied by their own appendices providing supporting calculations for the information of members.
- 1.9 In summary the feedback offers the following observations:
 - Tariff B Complicated
 - The option to switch between Tariffs A & B may be open to misuse where a taxi is used by 4 persons or less
 - Difficulties previously experienced by taxi drivers in accepting units of 5p (change etc)
 - Tariff B is calculated as a compound of tariff A i.e. 50% of the requested fare increased by inflation
 - Concerns that Tariff B may lead to conflict, violence, threats and racial abuse.
 - Tariff B – two public concerns in respect of a 50% increase

2. Options

2.1 Following consultation Members may consider:

- a) to not make any changes to the current tariff
- b) to approve and implement the Tariff A and B increase as consulted on
- c) to approve and implement only Tariff A as consulted on
- d) to approve and implement only Tariff B as consulted on
- e) make a recommendation for the petitioner(s) to revise their tariff proposal(s) for further consideration by the Regulatory Committee before considering any approval.

Committee members should be aware that if approved the new implementation date must be set within 2 months of the original date (12th July 2022)

Appendices:

Appendix A – Revised tariff A & tariff B

Appendix B – Three consultation submissions

Background reading:

Minutes of the meeting on 9th June 2022

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None other than resourcing the implementation of meter recalibration

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: Existing IT systems are adequate

Other: None

Consultees: The petitioners

Relevant Policies and Strategies: None

Chelmsford Hackney Carriage Fares Tariff (A) 2022**Hackney Carriage Fares (YARDS) – UP TO 4 PASSENGERS****Tariff 1a:***06:00 to 23:00 Monday to Saturday (excluding public holiday)*

First 625 yards or 2 minutes and 34 seconds (pull off)	£3.60
Each subsequent 71.0 yards. (Equates to £2.479 per mile after 625 yards)	£0.10
Waiting time per 17.5 seconds	£0.10

Tariff 2a:*23:00 to 06:00 daily and anytime on public holidays (all day) 18:00 to 22:00 Christmas Eve and New Year's Eve*

First 700 yards or 3 minutes and 15 seconds (pull off)	£4.80
Each subsequent 50.7 yards (Equates to £3.471 per mile after 700 yards)	£0.10
Waiting time per 14.10 seconds	£0.10

Tariff 3a:*06:00 to 23:00 Sundays*

First 410 yards or 1 minute and 17 seconds. (pull off)	£4.70
Each subsequent 71.6 yards (Equates to £2.458 per mile after 410 yards)	£0.10
Waiting time per 11.60seconds	£0.10

Tariff 4a:*For hiring's begun between 22:00 24th December and 06:00 27th December and between 22:00 on 31st December and midnight on 1st January (no extras)*

First 495 yards or 1 minutes and 56 seconds. (pull off)	£5.60
Each subsequent 84.7 yards (Equates to £4.156per mile after 495 yards)	£0.20
Waiting time per 19.8 seconds	£0.20

Miscellaneous extras:

For each additional passenger above one per journey	£0.30
For items carried outside the passenger compartment	£0.20
Each bicycle, push chair or perambulator	£0.20
Each other parcel or item of luggage	£0.20
Spoilage charge-a reasonable charge may be levied to a maximum of:	£65.00

Chelmsford Hackney Carriage Fares Tariff (B) 2022**Hackney Carriage Fares (YARDS) – 5/6 PASSENGERS (NOT APPLICABLE TO WHEELCHAIR USERS AND CARERS)****Tariff 1b:***6:00 to 23:00 Monday to Saturday (excluding public holiday)*

Time and yardage as above (pull off)	£5.40
Each subsequent 71.0 yards ((Equates to £3.718 per mile after 625 yards)	£0.15
Waiting time per 17.5 seconds	£0.15

Tariff 2b:*23:00 to 06:00 daily and anytime on public holidays (all day) 18:00 to 22:00 Christmas Eve and New Year's Eve*

Time and yardage as above (pull off)	£7.20
Each subsequent 50.70 yards (Equates to £5.207 per mile after 700 yards)	£0.15
Waiting time per 14.10 seconds	£0.15

Tariff 3b:*06:00 to 23:00 Sundays*

Time and yardage as above (pull off)	£7.05
Each subsequent 71.6 yards (Equates to £3.687 per mile after 410 yards)	£0.15
Waiting time per 11.60 seconds	£0.15

Tariff 4b:*For hiring's begun between 22:00 24th December and 06:00 27th December and between 22:00 on 31st December and midnight on 1st January (no extras)*

Time and yardage as above (pull off)	£8.40
Each subsequent 84.7 yards (Equates to £6.234 per mile after 495 yards)	£0.30
Waiting time per 19.8 seconds	£0.30

Miscellaneous extras:

For each additional passenger above one per journey	£0.30
For items carried outside the passenger compartment	£0.20
Each bicycle, push chair or perambulator	£0.20
Each other parcel or item of luggage	£0.20
Spoilage charge-a reasonable charge may be levied to a maximum of:	£65.00

Harry Paffett (Licence Holder)

I'm looking at the proposed tariff increases and it looks like a more complicated tariff system for 5/6 seater vehicles. As a proprietor of a six seater HC and an eight seater P/H I strongly oppose any difference for 5/6 passengers except the current 4 tariff schedule.

I understand the argument that the initial outlay for a six seater wheel chair accessible vehicle is more than a standard car, but this is floored as the standard 4 seater vehicle is unable to take wheel chairs unless the client can transfer, so are we now saying that 4 seater vehicles can claim that they need their plate costs reduced as they are unable to carry wheel chair passengers?

Over the last ten years that I have been driving my taxi, I have had to explain to several passengers, where there is only 1-2 persons that the tariff is the same as a car!

Please keep to the current standard 4 tariffs with the increase proposed by Mr Terry Michel.

There is unfortunately an element with the trade that would take advantage of the extra tariffs and charge 5/6 tariff when they only have 1-4 passengers. It's sad but very true that the tariffs will be abused like this.

Kind Regards

Harry Paffett

P & P 8 Seater and taxi service

Liam Ellwood (Member of Public)

From: Web Team <noreply@chelmsford.gov.uk>

Sent: 20 June 2022 20:21

To: Licensing <Licensing.Email@chelmsford.gov.uk>

Subject: Consultation on hackney carriage fares form submitted - ref LCCF 6523857

Submitted On: 20/06/2022

Submitted From: <https://www.chelmsford.gov.uk/business/licensing/taxis/hackney-carriage-fares-consultation/consultation-hackney-carriage-fares/>

Submitted By:

First name: Liam

Last name: Ellwood

Building number or name: [REDACTED]

Town or city: [REDACTED]

Postcode: [REDACTED]

Phone number: [REDACTED]

Email address: [REDACTED]

Your comments: I have just read the Essex Chronicle and apparently Taxi drivers will be allowed to charge 50% more if the council agrees in the coming days Have we not just come out of a world wide pandemic and are now suffering crazy rises in fuel and inflation? Surely this cannot be justified at this time Im a frequent Taxi user along with my friends all of us are shocked to hear of a 50% hike in Fares, especially as we regularly Travel in multi seaters that I feel already cost enough. (Sometimes £50 to Pleshey.) This could increase to £80 or more. I understand prices need to increase especially due to the current rise in Fuel etc but currently feel 50% is way too high, perhaps 10% or 20% would be fairer all round to accommodate recent changes. I trust this will reach the site of the councilors who make these decisions, hopefully coming to a more sensible solution that is not 50%.

Date of enquiry: 20/06/2022

Emma Howick (Member of Public)

Submitted On: 21/06/2022

Submitted From: <https://www.chelmsford.gov.uk/business/licensing/taxis/hackney-carriage-fares-consultation/consultation-hackney-carriage-fares/>

Submitted By:

First name: [REDACTED]

Last name: [REDACTED]

Building number or name: [REDACTED]

Town or city: [REDACTED]

Postcode: [REDACTED]

Phone number: [REDACTED]

Email address: [REDACTED]

Your comments: Just seen the proposed plan for 5/6 passengers. Firstly, I believe that the proposal having 8 tariffs is complicated and open to abuse, particularly if you are unsure about the tariff structure. I also think that this will discourage use of licensed taxis and increase reliance on ubers and dodgy minicabs etc. lastly i feel the increase in price for 5/6 passengers is disproportionate to that of 1-4 passengers.

Date of enquiry: 21/06/2022

Andy Ashton (Meter Calibration Services)

Hi Nigel.

An independent and knowledgeable feedback I am sure would help any consultation and yes you do have my permission to use a redacted version.

To be clear:

I do support both an increase and the introduction of a multi rate should the council choose to support it.

Multi seater rates could be introduced with the caveat that they will be withdrawn if abuse is detected.

You have already put measures in place to limit abuse of the meters by going calendar controlled. Other areas successfully allow multi rates to be selected either before hiring or during the hiring if persons carried exceed 4. The penalty for abusing the use of this facility should be made clear. Other drivers will be looking for signs of abuse and passengers have the right to make complaints.

Regards

Andy

From: Nigel DERMOTT <Nigel.DERMOTT@chelmsford.gov.uk>
Sent: 22 June 2022 07:57
To: 'andyashton@ntlworld.com' <[REDACTED]>
Cc: Daniel WINTER <Daniel.WINTER@chelmsford.gov.uk>
Subject: [REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 21 June 2022 23:36
To: Nigel DERMOTT <Nigel.DERMOTT@chelmsford.gov.uk>
Subject: My thoughts on that email this morning.

Hi Nigel,

[REDACTED]

[REDACTED]

5p's. I believe years ago, way before I came on the scene, that the Chelmsford rate had the meters literally going up in 5p drops. The psychological effect it must have had on passengers would have been intimidating, hence the probable reason for charging in the current 10p drops. Even 10p drops are now outdated I feel. Its quite normal in many areas for the meter to charge the relevant rate per mile in 20p's . Once a rate per mile has been set, any number of drops can be calculated in any unit you like, 10,15,20,25,30 etc by adjusting the yardage of the drops. The metered price will always end up around the same figure.

[REDACTED]

At the end of the journey it wont matter what the drop unit price is, it's the end fare that matters.

Percentages

I drove a London Taxi in Harlow for 14 years. Jobs requiring a pickup in excess of 4 people are not as regular as Terry implies. In my experience, the majority of fares were solo or couples, accounting for probably more than two thirds of all journeys. 5 people or more were fares mostly seen by the night driver , thus multi seater vehicles will not be 'having it off' [REDACTED]

If its displayed, people accept that's what it is.

A simple sign clearly displayed in the passenger compartment of multi seaters/WAV's stating something along the lines of: "This vehicle charges 50% more when carrying in excess of 4 people" will remind passengers of what rate should be displayed on the meter, especially if they are numbered 1- 4. A challenging question to the driver "why is the meter displaying rate 2b when there are only 3 of us?". There is due diligence to be played by the passenger in light of reading such a sign. A driver knowing this, would not risk attracting attention by ripping people off. Everyone carries a camera phone nowadays, there is little chance of regularly getting away with abusive use of manual control of the meter. A lot of towns have multi seater rates in a format similar to proposal B. Basildon have just introduced a multi seater rate AND a second night tariff in one go. Massive re-structure of fares, but the feedback I am getting from my customers are that passengers are accepting the rises and are paying.

[REDACTED] It is sad that some of the 'bought-in' brigade still resent the 'WAV=free plate crew' and begrudge any benefit that they would achieve from this increase for multi seater vehicles. Most of the WAV's can carry up to 8 passengers. Why shouldn't they get

rewarded for carrying more than 4 people in a vehicle that is thirstier than the average saloon and likely also incur higher running costs. Knowing they will not be using 'B' rates most of the time, the reward will be less often than wished for but welcome when appropriate. It could be argued that this devalues the plate values for saloons if multi seater had this advantage.

Moving on.

In the last 12 months I have seen many councils increase their fares by as much as 50% across the board. Breckland Norfolk, £3.20 min now £5.00. Rate per mile on day rate from £2 per mile to £3 per mile. Uttlesford increased their fares by 41% in 2021, £3.20 to £4.80 min and £2.10 per mile to £2.50.

In my position of seeing first hand what is going on between councils on this issue tells me that a 9% rise so soon after the 2020 rise is the least that should be given, but otherwise fair.

The implementation of a multi rate (5-8 people) at 50% more should have been done years ago.



Regards
Andy Ashton

Terry Michel (Licence holder and Petitioner for tariff A)

In March 2022 I was asked to submit a Tariff increase for the Taxi trade in Chelmsford. I have personally been involved with this for many years and have a standard set of formulas to allow a new Tariff to be generated. This format which then displays all 4 Tariffs on 1 piece of paper with information regarding Cost Rise and Actual Percentage clearly displayed for all to see. This was done in conjunction with a Previous Councillor who was I believe an Accountant. This rise looks after every Hackney Carriage Licensed by Chelmsford City Council.

This rise was duly submitted to Nigel Dermott for review and submission (Tariff A). [redacted] [redacted] also submitted a Tariff increase solely focussed on Multi Seater Vehicles (Tariff B). This has taken many months to design and create although not in the usual proven method.

This second submission (Tariff B) equates to an increase of between 56% and 63% across the existing 4 Tariffs, not the 50% as stated in its submission. This new set of rates also uses 15 pence increments which causes much annoyance with change

etc rather than 10 pence increments. It also means the driver will be have to select which Tariff to charge, something we got rid of two years ago to stop over charging inadvertently. I also have major issues with how this new rate will be applied, for example if 4 people start the journey, pick up two friends along the way but quickly lose 5 leaving 1 passenger, what rate will be charged and for how far?. Will or should the Tariff be changed as the journey progresses, many unanswered questions. Many Multi Seater Vehicles do not want this higher rate and feel what they are charging is enough already, what has changed so much to justify such a missive rise and differential to Saloon Cars?

Bringing in such a high increase overnight will cause outrage when fares increase so sharply overnight.

The cost of buying and operating Saloon Cars against Multi Seater are not the same but definitely not 50% higher. Modern vehicles both Saloon and Vans are far more economical thankfully. Saloon Cars are not designed to be Taxis whereas Tailor Made Taxis as we have in Chelmsford are designed and made for the job. I urgently implore the Committee to allow the Tariff A to be passed and put into practice as fast as reasonably practicable as we are all every single Taxi Owner suffering with the ever increasing cost of Fuel etc. Much more work, analysis and justification need's to be carried out by the Trade and the Council before instigating the Tariff B request.

Terry Michel

3 x Enclosures:

- Showing proposed % increases for tariff A
- Showing proposed % increases for tariff B
- Showing calculations in respect of % increases for tariff B

Proposed Hackney Carriage Fare Increase March 2022

Tariff 1

06:00 to 23:00 Monday to Saturday (excluding public holidays)

Miles	2020	2022 Proposed	Actual Increase	% Increase
Start	£3.30	£3.60	£0.30	9.09%
Actual Cost Per Mile	£2.289	£2.479	£0.190	8.31%
1	£4.80	£5.20	£0.40	8.33%
2	£7.10	£7.70	£0.60	8.45%
5	£14.00	£15.20	£1.20	8.57%
10	£25.40	£27.60	£2.20	8.66%
20	£48.30	£52.30	£4.00	8.28%
Waiting Cost Per Minute	£0.316	£0.343	£0.027	8.57%

Tariff 2

23:00 to 06:00 daily and anytime on public holidays (all day). 6.00pm to 10pm on Christmas and New Years Eve.

Miles	2020	2022 Proposed	Actual Increase	% Increase
Start	£4.50	£4.80	£0.30	6.67%
Actual Cost Per Mile	£3.277	£3.471	£0.19	5.92%
1	£6.40	£6.90	£0.50	7.81%
2	£9.70	£10.40	£0.70	7.22%
5	£19.60	£20.80	£1.20	6.12%
10	£35.90	£38.20	£2.30	6.41%
20	£68.70	£72.90	£4.20	6.11%
Waiting Cost Per Minute	£0.401	£0.426	£0.024	6.03%

Tariff 3

06:00 to 23:00 Sundays

Miles	2020	2022 Proposed	Actual Increase	% Increase
Start	£4.40	£4.70	£0.30	6.82%
Actual Cost Per Mile	£2.274	£2.458	£0.184	8.10%
1	£6.10	£6.60	£0.50	8.20%
2	£8.40	£9.10	£0.70	8.33%
5	£15.20	£16.50	£1.30	8.55%
10	£26.60	£28.80	£2.20	8.27%
20	£49.30	£53.30	£4.00	8.11%
Waiting Cost Per Minute	£0.476	£0.517	£0.041	8.62%

Tariff 4

For hiring's begun between 22:00 24th December and 06:00 27th December and between 22:00 on 31st December and midnight on 1st January (no extras)

Miles	2020	2022 Proposed	Actual Increase	% Increase
Start	£5.40	£5.60	£0.20	3.70%
Actual Cost Per Mile	£3.964	£4.156	£0.192	4.84%
1	£8.20	£8.60	£0.40	4.88%
2	£12.20	£12.80	£0.60	4.92%
5	£24.20	£25.40	£1.20	4.96%
10	£44.00	£46.00	£2.00	4.55%
20	£83.60	£87.60	£4.00	4.78%
Waiting Cost Per Minute	£0.580	£0.606	£0.026	4.55%

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Proposed Hackney Carriage Fare Increase Raised March 2022

Tariff 5

06:00 to 23:00 Monday to Saturday (excluding public holidays)

Miles	Existing 2020	Vernon Proposed	Actual Increase	% Increase
Start	£3.30	£5.40	£2.10	63.64%
Actual Cost Per Mile	£2.289	£3.718	£1.430	62.46%
1	£4.80	£7.80	£3.00	62.50%
2	£7.10	£11.55	£4.45	62.68%
5	£14.00	£22.80	£8.80	62.86%
10	£25.40	£41.40	£16.00	62.99%
20	£48.30	£78.45	£30.15	62.42%
Waiting Cost Per Minute	£0.316	£0.514	£0.198	62.86%

Tariff 6

23:00 to 06:00 daily and anytime on public holidays (all day). 6.00pm to 10pm on Christmas and New Years Eve.

Miles	Existing 2020	Vernon Proposed	Actual Increase	% Increase
Start	£4.50	£7.20	£2.70	60.00%
Actual Cost Per Mile	£3.277	£5.207	£1.93	58.88%
1	£6.40	£10.35	£3.95	61.72%
2	£9.70	£15.60	£5.90	60.82%
5	£19.60	£31.20	£11.60	59.18%
10	£35.90	£57.30	£21.40	59.61%
20	£68.70	£109.35	£40.65	59.17%
Waiting Cost Per Minute	£0.401	£0.638	£0.237	59.04%

Tariff 7

06:00 to 23:00 Sundays

Miles	Existing 2020	Vernon Proposed	Actual Increase	% Increase
Start	£4.40	£7.05	£2.65	60.23%
Actual Cost Per Mile	£2.274	£3.687	£1.413	62.15%
1	£6.10	£9.90	£3.80	62.30%
2	£8.40	£13.65	£5.25	62.50%
5	£15.20	£24.75	£9.55	62.83%
10	£26.60	£43.20	£16.60	62.41%
20	£49.30	£79.95	£30.65	62.17%
Waiting Cost Per Minute	£0.476	£0.776	£0.300	62.93%

Tariff 8

For hiring's begun between 22:00 24th December and 06:00 27th December and between 22:00 on 31st December and midnight on 1st January (no extras)

Miles	Existing 2020	Vernon Proposed	Actual Increase	% Increase
Start	£5.40	£8.40	£3.00	55.56%
Actual Cost Per Mile	£3.964	£6.234	£2.270	57.26%
1	£8.20	£12.90	£4.70	57.32%
2	£12.20	£19.20	£7.00	57.38%
5	£24.20	£38.10	£13.90	57.44%
10	£44.00	£69.00	£25.00	56.82%
20	£83.60	£131.40	£47.80	57.18%
Waiting Cost Per Minute	£0.580	£0.909	£0.329	56.82%

If this proposal is approved, the New Tariffs 5,6,7 and 8 in relation to existing Fares will increase as per the above information. (Increased from 57% to 63%) Many multi seater vehicles do not want such an increase. There is genuine concern that this increase will lose fares, cause civil unrest when charges change so much and may endanger drivers.

		2020 Existing		Proposed 2022	Clicks/Cost Per Mile	% Rise Per Mile	
Tariff 5	Initial Distance	610		625			
	Pull Off	£3.30		£5.40			
	Click Distance	76.9	22.89	71	24.79		
	Click Amount	£0.10	£2.289	£0.15	£3.718	62.46%	
	Waiting time	19.00		17.50			
	Time Per	£0.10		£0.15			
Tariff 6	Initial Distance	740		700			
	Pull Off	£4.50		£7.20			
	Click Distance	53.7	32.77	50.7	34.71		T2 - T1
	Click Amount	£0.10	£3.277	£0.15	£5.207	58.88%	40.04%
	Waiting time	14.95		14.10			Increase
	Time Per	£0.10		£0.15			
Tariff 7	Initial Distance	485		410			
	Pull Off	£4.40		£7.05			
	Click Distance	77.4	22.74	71.6	24.58		
	Click Amount	£0.10	£2.274	£0.15	£3.687	62.15%	
	Waiting time	12.60		11.60			
	Time Per	£0.10		£0.15			
Tariff 8	Initial Distance	540		495			
	Pull Off	£5.40		£8.40			
	Click Distance	88.8	19.82	84.7	20.78		T4 - T1
	Click Amount	£0.20	£3.964	£0.30	£6.234	57.26%	67.65%
	Waiting time	20.70		19.80			Increase
	Time Per	£0.20		£0.30			



Chelmsford City Council Regulatory Committee

DATE: 14th July 2022

TAXI AND PRIVATE HIRE VEHICLES (DISABLED PERSONS) ACT 2022

Report by: Lead Licensing Officer - Nigel Dermott

Officer Contact: nigel.dermott@chelmsford.gov.uk
01245 606341

Purpose

The purpose of this report is to inform members of the Regulatory Committee of new legislation which amends The Equality Act 2010 so as to reinforce responsibilities of licensed drivers of vehicles 'Designated' under the Act and extend responsibilities to amend the Act to include drivers of non 'Designated Vehicles'.

Recommendations

Members are asked to note the amended legislation which will be reflected by suitable amendment to the existing taxi licensing policy.

1. Background and Information

Designated vehicles under the Equality Act 2010 (EA2010) – Taxi Licensing Policy

- 1.1 The current taxi policy (Para. 2.15.4 & 3.1.2) designates all Hackney Carriages HC077 and onwards as vehicles Designated for the carriage of wheelchairs under the EA2010. No Private Hire Vehicles are so Designated, although some

are equipped to provide similar services. Designated vehicles are known as wheelchair accessible vehicles (WAVs)

Taxi and Private Hire Vehicles (Disabled Persons) Act 2022 - (The 2022 Act)

- 1.2 The 2022 Act makes the provision of having a list of Designated Vehicles being made publicly available. This is now a mandatory requirement (previously there was the choice for a local authority to publish or not). Our website has now been updated, as required immediately by the Department for Transport (DfT) ahead of the commencement of the 2022 Act (being: 28/6/22).
- 1.3 In accordance with DfT guidance to the 2022 Act officers have already invited licence holders to apply for exemptions (from their duties under the Equality Act) where they feel there is justification to do so. Other than minor word changes at para. 2.15.2.1, the Council's taxi policy therefore remains largely unaffected.
- 1.4 The 2022 Act extends duties to the drivers of both Designated **and** Non-Designated vehicles. This has also been incorporated through minor policy changes at Paras. 2.15.1 and 2.15.2.1 and officers have invited **all** drivers the opportunity to apply for exemptions where they feel they meet the criteria. This may be a permanent exemption or time limited to generally not more than 3 months.

2. Options

Equality Act 2010 as amended by the Taxi and Private Hire Vehicles (Disabled Persons) Act 2022

- 2.1 Members are asked to note the change in legislation and the consequential amendments (changes or additions highlighted in yellow) to the existing taxi policy, as well as adding a further policy supporting document that has been agreed with legal services.
 - 2.15.1 *S.165 of the Equality Act 2010 (as amended by the Taxi and Private Hire (disabled Persons) Act 2022) places duties on drivers of designated wheelchair accessible Hackney Carriages and Private Hire Vehicles.*
 - 2.15.2.1 *The above duties remain the case under s.165, and S.164 (A) introduces a duty on drivers of **all** Taxis and Private Hire Vehicles which have been hired by a disabled person or by another person who wishes to be accompanied by a disabled person:*
 - *To carry the passenger;*
 - *If the passenger is in or has with them a wheelchair, to carry the wheelchair;*
 - *If the passenger has with them any mobility aids, to carry the mobility aids;*

- *To take such steps as are reasonable to ensure that the passenger is carried in safety and in reasonable comfort;*
- *To give such mobility assistance as is reasonably required*
- *Not to make and additional charges to comply with the Act*

2.15.5 **S.164A** of the Equality Act 2010 allows the Authority to exempt drivers from the duties under to assist passengers in wheelchairs, but only if they are satisfied that it is appropriate on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties.

2.15.6 **Licensed drivers of Hackney Carriages or Private Hire Vehicles** may apply to the Authority for exemption to assist passengers in wheelchairs on either a temporary or permanent basis. In summary, an application will require a supporting letter from the applicant's own general practitioner and a Temporary Exemption Notice may be issued for up to a maximum period of 3 months. Where a longer period of exemption is requested, the applicant must obtain a detailed report from their GP and make an appointment with the Authority's appointed medical advisor. All costs of the medical report and consultations are to be borne by the applicant. If approved, the Authority will provide the driver with an Exemption Certificate and Exemption Notice. The Notice must be displayed in the vehicle. The form and manner of the Notice must be in accordance with relevant regulations. If an application for exemption is refused, the applicant has the right of appeal to the Magistrates' Court. A similar exemption can be applied for on medical grounds for the driver to refuse the acceptance of guide and assistance dogs to travel in their vehicle.

Appendices:

None

Background reading:

Taxi Licensing Policy

[DfT Guidance \(2022\) of duties under the Equality Act 2010](#)

Corporate Implications

Legal/Constitutional: Taxi and Private Hire Vehicles (Disabled Persons) Act 2022

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None.

Risk Management: None

Equality and Diversity: Extends responsibilities of all licensed drivers to provide assistance to all disabled persons regardless of the style of vehicle used.

Health and Safety: None

Digital: None

Other: Addresses the licensing authority being unnecessarily involved in civil disputes between existing licence holders.