



LICENSING COMMITTEE

Monday, 11 April 2022

Subject	FUEL SURCHARGE FOR HACKNEY CARRIAGE VEHICLES IN THE EAST SUFFOLK DISTRICT
Report by	Councillor Mary Rudd – Cabinet Member with responsibility for Community Health
Supporting Officer	Martin Clarke Licensing Manager and Housing Lead Lawyer 01502 523226 Martin.clarke@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

For the Licensing Committee to consider:

- 1) a proposal received from a group of licensed hackney carriage drivers for a fuel surcharge of 60p per journey for a temporary period of 12 months.
- 2) Delegating the matter of introducing any future fuel surcharges and/or reviewing a fuel surcharge to the Licensing Committee Chairman, in consultation with the Vice-Chairman, and the Cabinet member for Licensing.

Options:

- 1) To approve the proposal for a fuel surcharge of 60p per journey for a temporary period of 12 months.
- 2) Not to approve the proposal for a fuel surcharge for a temporary period.
- 3) To approve the proposal to delegate authority to introduce, review and amend a fuel surcharge to the Licensing Committee Chairman in consultation with the Vice-Chairman, and the Cabinet member for Licensing.
- 4) Not to approve the proposal to delegate authority to introduce, review and amend a fuel surcharge to the Licensing Committee Chairman in consultation with the Vice-Chairman, and the Cabinet member for Licensing.

Recommendation/s:

That the Committee:

- 1) Considers and approves the proposed fuel surcharge of 60p per journey for a temporary period of 12 months
AND
- 2) Considers and approves the delegation of introducing any future fuel surcharge and reviewing any fuel surcharge to the Licensing Committee Chairman in consultation with the Vice-Chairman, and the Cabinet member for Licensing.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Hackney carriage and private hire licensing policy

Environmental:

No impact

Equalities and Diversity:

No impact

Financial: No impact
Human Resources: No impact
ICT: No impact
Legal: No impact
Risk: No impact

External Consultees:	Licensed Hackney Carriage Drivers within East Suffolk. Members of the public.
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>

P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
<p>How does this proposal support the priorities selected?</p> <p>Licensing plays an important role in the themes in the Council’s Strategic Plan of growing our economy and enabling our community’s Hackney carriage (and private hire vehicles) are a key part of the public transport system, enabling people without their own private transport or without easy access to other means of public transport to travel for education, employment, and entertainment, to shop and to attend medical appointments or deliver/receive care.</p>			

Background and Justification for Recommendation

1	Background facts
1.1	<p>The Council is responsible for licensing hackney carriage and private hire drivers and vehicles, and private hire operators. It has the power to set and vary fares for hackney carriages under section 65 of the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>Section 55 of the Town Police Clauses Act 1847 prohibits the driver of a hackney carriage from charging more than the set fare.</p>
1.2	<p>A fuel surcharge is an extra charge added to the fare according to the fluctuation of fuel costs outside the existing fare adjustment mechanism meaning that a driver can add the additional charge at the start of the journey without the need to have the vehicle meter recalibrated and tested. There is currently no fuel surcharge in place in East Suffolk.</p>
1.3	<p>Due to the rapid and significant increase in fuel prices in recent weeks, a proposal has been received from several drivers, via Mr Mike Stokell of Felixstowe Cabs, Felixstowe, Suffolk for a temporary fuel surcharge – Appendix A.</p>
1.4	<p>Private hire operators are able to set and amend their own fare prices so any fuel surcharge agreed will not apply to private hire vehicles.</p>
1.5	<p>If a fuel surcharge is approved by the Committee, a notice must be published in a local newspaper setting out the proposed variation. The notice must</p>

	specify a date (not less than 14 days from publication), and manner by which any objections should be made and if no objections are received then the new fares will come into force on the date specified. The Council must consider any objections that have been made and have not been withdrawn.
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2 Current position

2.1	The Council does not currently have any surcharge in place.
2.2	The Licensing Committee is responsible for setting fares for Hackney Carriage's, including the introduction of any fuel surcharge. There is no delegated power to introduce a fuel surcharge meaning that drivers have to wait until the next convened Licensing Committee meeting for any proposal to be considered. This is not ideal as recent fuel prices have increased very quickly and drivers would wish to see a surcharge introduced as soon as possible.

3 How to address current situation

3.1	To assist drivers with the cost of fuel for their licensed vehicles, a temporary fuel surcharge be introduced.
3.2	Since a fuel surcharge is always likely to be a temporary measure and may need to be reviewed on regular basis and at short notice, delegated authority be given to the Licensing Committee Chairman in consultation with the Vice-Chairman, and the Cabinet member for Licensing to introduce, and carry out, a review of any fuel surcharge.

4 Reason/s for recommendation

4.1	To support and assist drivers of hackney carriage vehicles during a period when fuels prices have increased significantly.
4.2	To make the process of reviewing any fuel surcharge easier and quicker when the point of a surcharge is usually to assist in a timely manner.

Appendices

Appendices:

Appendix A	Request for fuel surcharge from Mr M Stokell

Background reference papers:

Date	Type	Available From
	None	