

ABERDEEN CITY COUNCIL

COMMITTEE: Licensing

DATE: 17 April 2012

DIRECTOR: Stewart Carruth

TITLE OF REPORT: Multi Seater Taxis- Surcharges

REPORT NUMBER: CG-12-10

1. PURPOSE OF REPORT

The purpose of this report is to advise the Committee of the various factors to be considered regarding the Taxi Consultation Group request to affix an additional display notice of the multi seater tariff surcharge in all multi seater vehicles.

2. RECOMMENDATION(S)

That the Committee:

- a) notes the terms of the request from the Taxi Representatives;
- b) considers the information provided by the Taxi Inspector; and
- c) instructs officers to prepare a multi seater surcharge display notice for publication on the Aberdeen City Council website.

3. FINANCIAL IMPLICATIONS

The costs of producing laminated signs and any enforcement by the Taxi Inspector would require to be covered by the licensing budget. However, it would be less expensive to publish a multi seater surcharge display notice on the Council's website, albeit officers would require to spend time creating the notice.

4. OTHER IMPLICATIONS

None.

5. BACKGROUND/MAIN ISSUES

General Background

At its meeting on 24 October 2011 the Taxi Consultation Group ("TCG") had before it a submission from Unite the Union relating to multi seater taxi tariff rates, as follows:

“Multi Seater Tariff Rates - there appears to be still a problem of some taxis overcharging passengers when the tariff should not apply in the multi seater taxis as there are 4 or less passengers (sic- see appendix 2- Taxi Tariff Surcharge 10)

that the TCG recommend:-

a suitable permanent display inside the taxi with the appropriate ACC logo and that this be inserted in all multi seater taxis by ACC.”

Drivers of multi seater vehicles are permitted to add a 50% surcharge only when carrying 5 or more passengers. However, Unite alleged that some taxi drivers who operate multi seater vehicles are overcharging fares by applying a surcharge when carrying 4 or fewer passengers.

Unite concluded that the current licence condition, which requires the taxi tariff card (see appendix 1) to be displayed in all licensed taxi vehicles, was not sufficient. They were of the view that in order that passengers are given the best opportunity to understand the correct fare for multi seater vehicles a display notice (A4 sized) of the multi seater surcharge requires to be displayed in all multi seater taxis, detailing what the surcharge is and when it is applicable.

Although Unite could not provide any specific evidence that overcharging had taken place, the matter was placed on the agenda of the Committee meeting of 23 November 2011. The Committee decided that officers should carry out further work and report back on the various factors to be considered, as follows.

Evidence of Existing Problem and Extent

There is no evidence that there has been overcharging of the multi seater surcharge.

The taxi representatives on the TCG were therefore consulted again by email during the preparation of this report and requested to provide evidence of the alleged problem. No responses were received.

The Taxi Inspector was also consulted on the alleged overcharging. He advised that he has received no complaints from members of the public. He had only received informal observations from taxi drivers to the effect that whilst waiting in a taxi queue they had seen drivers of multi seater vehicles add the multi seater surcharge when carrying four or less passengers, but these vehicles were not identified.

As a result of this lack of evidence the Taxi Inspector cannot investigate the allegations properly.

There are multiple surcharges potentially applicable and all are displayed on the current tariff card. In the absence of evidence supporting a sound reason for doing so, it is difficult to justify highlighting one surcharge over others.

The item was later discussed at the TCG meeting on 7 March 2012. The Unite representative advised that, while the original allegation was that there was a problem of overcharging (see above agenda item) he was not aware of a problem of overcharging in multi seater taxis and the problem was rather that passengers complained when drivers of multi seater taxis added their 50% multi seater surcharge legitimately, i.e. when carrying more than four passengers (see appendix 1).

In those circumstances drivers would refer their passengers to the taxi tariff surcharge. However, it is difficult for passengers to read the card particularly at night time as the tariff card is complicated due to the multiple surcharges, which require small type to be used.

Unite was therefore of the view that it would assist drivers and passengers if a laminated display notice (A4) was produced by the Council and sent to all multi seater taxi licence holders for display on a voluntary basis.

Practical Implications and Benefit Assessment of Additional Notice

The taxi representatives' original suggestion was that the alleged overcharging could be solved by an additional mandatory display notice in multi seater taxis explaining the details of their surcharge.

Members may now wish to consider the proposal in light of Unite's revised submission. Unite also suggested the provision of an additional display notice, to be designed, laminated and sent to all multi seater taxi licence holders by the Council. It would be voluntary for drivers to display the notice.

The current Condition 13 (appendix 2) states that the licensing authority can provide "a notice or notices" for display in a taxi. Consequently, in theory it appears that the licensing authority can require the display of an additional notice in multi seater taxis.

There is no evidence either of overcharging or of passenger confusion to support a requirement for an additional notice to be displayed. On a voluntary basis a notice could be made available for drivers to use if they wished. If such a notice is displayed correctly it may draw passengers' attention to the circumstances where this particular surcharge applies.

The introduction of an additional display notice may assist with passenger information. Although, if overcharging is taking place then it appears that the introduction of the extra notice will not fully address

that issue and enforcement is difficult. A potential disadvantage is that vehicles would not then be displaying consistent information and this may not assist passenger information. On balance it is probably preferable to permit the introduction of the additional notice on a voluntary basis.

6. IMPACT

Corporate – None.

Public - The allegation of overcharging may be of interest to members of the public who use taxi services.

The provision of additional passenger information may also be of interest to members of the public who use taxi services.

Equality and Human Rights Impact Assessment - People with the protected characteristics of Age and Disability use taxis proportionately more than people who do not share those characteristics. Therefore, these groups may be disproportionately affected by the alleged overcharging.

Wheelchair users could be disproportionately affected by the alleged overcharging compared to persons who do not share their protected characteristic as multi seater taxis are ordinarily wheelchair accessible vehicles and are therefore a type of taxi vehicle which is more likely to be hired by a wheelchair user.

7. BACKGROUND PAPERS

- Taxi Tariff Card (Appendix 1)
- Excerpt of Tariff Card, Surcharge 10, (Appendix 2)
- Condition 13 of Conditions Applicable to Taxi Licences (City and Airport Zones) (Appendix 3)

8. REPORT AUTHOR DETAILS

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Appendix 1

NOTICE TO BE PROMINENTLY DISPLAYED IN VEHICLE



ABERDEEN CITY COUNCIL

CITY OF ABERDEEN LICENSING OF TAXIS AND PRIVATE HIRE CARS **MAXIMUM CHARGES APPLICABLE TO HIRE OF TAXIS AND PRIVATE HIRE CARS FITTED WITH TAXI METERS – WITH EFFECT FROM 19 DECEMBER 2011**

Basic Tariff

(A)	For the FIRST 950 yards	£2.40
(B)	For every additional 180.5 yards (Time Locked in Meter)	£0.20

Extras

(A) **Waiting**

A sum calculated at the rate of £23.00 per hour.

(B) **Surcharges**

(NB: Surcharges 1 to 6 and 8 to 11 apply to all taxis and private hire cars fitted with a meter. Surcharge 7 applies only to hires commencing at the airport for taxis zoned to operate there).

- | | | |
|------|--|---|
| (1) | For each hiring between 10pm on Mondays to Thursdays inclusive and 8am the following day. (Time Locked in Meter) | £1.00 |
| (2) | For each hiring between 10pm on Friday and 8am on the following Monday. (Time Locked in Meter) | £1.00 |
| (3) | For each hiring between 2am and 5am on Saturday and Sunday mornings. (Time Locked in Meter) | £2.00 |
| (4) | For each hiring pre-booked. | £1.00 |
| (5) | For each hiring on the Spring, May Day, Midsummer and Autumn holidays as follows:-

2012 – 16 April, 07 May, 09 July and 24 September
2013 – 22 April, 06 May, 08 July and 23 September | £1.00 |
| (6) | For each hiring between 10pm on 24 December and 5am on 27 December and between 10pm on 31 December and 5am on 3 January. (Time Locked in Meter) | Add 50% to basic tariff |
| (7) | For each hiring commencing at the Airport. | £1.00 |
| (8) | For each hiring commencing at Aberdeen Railway Station. | £0.50 |
| (9) | A charge of £50 per incident of fouling a taxi. | |
| (10) | Where more than four passengers carried. | Add 50% to basic tariff plus surcharges (excluding surcharges 4,7 and 8) |
| (11) | Payment by debit or credit card. | Add 10% to fare |

Jane G MacEachran
Head of Legal and Democratic Services

EXPLANATORY NOTES.

1. The Council is required to set a maximum amount that can be charged for journeys in Taxis and Private Hire Cars fitted with Taximeters which it licences. Fares are reviewed at regular intervals to take into account of the operational costs of the vehicle and the driver's time, to allow the operator to make a reasonable return and to encourage the operation of taxis. Comparisons are made with taxi fares in other areas of the UK. There is opportunity for the public and trade to participate in the setting on the levels of fares proposed and taxi operators have the right to appeal against the Tariff set down by the Council before it comes into operation.
2. Please note that a taxi driver is not required to take you on a journey ending outside the city boundary. Typical Destinations in the City – Aberdeen Airport, Bridge of Don, Cove, Dyce, Kingswells and Peterculter. Outwith the City – Banchory, Blackburn, Ellon, Kemnay, Kintore, Inverurie, Oldmeldrum, Portlethen, Stonehaven and Westhill. If the driver does agree to take you outwith the city, these maximum fares do not apply and it is up to you to reach agreement with the driver as to the fare. You should do this before you start.
3. If you have booked a taxi to arrive at a particular time and keep it waiting, the driver can start the meter running once he has made his presence known to you and you can be charged at the maximum Waiting Time Rate shown on the Tariff.
4. The taximeter contains an electronic clock and calendar and calculates the correct fare based on the date, time of day and distance travelled. If the vehicle's speed falls below a predetermined speed, the taximeter will automatically switch over from calculating the fare based on the distance travelled to a calculation based on the time spent in the vehicle. You will be able to see the fare mounting up on the taxi meter as the vehicle goes along.
5. The driver is required to take you to your destination by the shortest practicable route.
6. The maximum fare you are required to pay is the sum calculated in accordance with the Tariff overleaf.
7. Please note that - (1) The fare payable may differ for the same journey on different days if the taxi has been held up in traffic and (2) a very short journey may be relatively expensive, due to the way the meter works. The fare will also vary depending on whether the trip was during the evening, early Saturday or Sunday morning or during certain public holidays.
8. If you are asked to pay VAT on the fare, please ask for a proper VAT receipt.
9. It is up to you to decide whether you wish to give the driver a Tip.
10. It is a criminal offence for you to take a taxi journey without having the money to pay for it.

Website: For explanatory notes about the tariff & other taxi/private hire car information see aberdeencity.gov.uk.

Complaints: Any complaints should be made to the Taxi Inspector by telephoning **01224 489300** or any police station. The licence number of the vehicle or its driver and the name of the company should be quoted.

Appendix 2

City of Aberdeen- Taxi Tariff Card- Surcharge 10

Where more than four passengers carried. Add 50% to basic tariff plus surcharges (excluding surcharges 4, 7 and 8)*

* 4 is £1 for pre booking; 7 is £1 for each hire from the airport; and 8 is 50p for each hire from the railway station.

Appendix 3

Condition 13 of Conditions Applicable to Taxi Licences (City and Airport Zones)

13. The holder of this licence shall obtain from the licensing authority a notice or notices detailing the approved maximum taxi fares and charges appropriate to exclusive or to shared hire of the taxi and shall display the notice or notices as appropriate in the passenger compartment of the taxi in such a position that it or they will be readily visible to the passengers being carried which notice or notices shall incorporate a provision to the effect that the taxi may be operated on shared hire only with the consent of the first hirer or passenger; and (subject to condition 24 below*) no other notice or notices of fares and charges shall be displayed.

* Condition 24 relates to taxi-buses and is no longer relevant as there are no taxi-buses in the city.