

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

7 MARCH 2017

REPORT OF THE CORPORATE DIRECTOR OPERATIONAL AND PARTNERSHIP SERVICES

HACKNEY CARRIAGE METER & EQUIPMENT SPECIFICATION

1. Purpose of Report.

- 1.1 To consult on a proposal to introduce a condition into the hackney carriage meter and equipment specification requiring the annual testing of the fitted taximeter.
- 1.2 To obtain Committee approval to invite and establish an approved list of taximeter testers in order to facilitate annual testing of the taximeter.
- 1.3 To approve a condition to be inserted into the current vehicle conditions with effect from 8 March 2017 to state that GPS taxi management & dispatch systems cannot be used as taximeters.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 The proposals are necessary to enable the Council to discharge its functions as a taxi licensing authority.

3. Background.

- 3.1 The Council is the licensing authority for hackney carriage vehicles by virtue of the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The authority sets licence conditions that must be complied with for a vehicle licence to be granted.
- 3.2 The Bridgend County Borough Council hackney carriage byelaws require all hackney carriages to be fitted with a taximeter.
- 3.2 Taximeters are devices for registering the fare of a journey based on a combination of the distance travelled and waiting time. Taximeters are predominately electronic computing devices which measure distance using a transponder to convert vehicle movement to distance travelled and displays a constantly updated fare for the journey showing how much the hiring is costing. The licensing authority is responsible for setting the maximum fare that a hackney carriage driver can charge for any journey within Bridgend County Borough and the taximeter must be set accordingly. As required by the Hackney Carriage Byelaws for Bridgend, hackney carriage vehicles must be equipped with a taximeter which must be used when a passenger hires the vehicle.

- 3.3 The use of a taximeter has advantages for both the driver and passenger. The display of the fare clearly indicates to the passenger what the fare will be and the driver does not have to manually calculate the fare. The fare charged is therefore transparent and clear and assists in minimising disputes. Members of the public rely on licensed vehicles to transport them throughout the County Borough and it is important that they can rely on the accuracy of the fitted taximeter.
- 3.4 Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 gives power to any authorised officer of the Council or any constable to inspect and test, for the purpose of ascertaining its fitness, any taximeter fitted to a hackney carriage.
- 3.5 The Measuring Instruments (Taximeters) Regulations 2006 came into effect on 30th October 2006. These regulations implement the EU Measuring Instruments Directive (MID) in relation to taximeters. All taximeters must comply with these regulations and be approved by a notified body designated by the Secretary of State. It is an offence under Regulation 4(2) to place on the market, and put into use, a taximeter that does not comply with the regulations and which has not been Authorised by a notified body; (notified bodies are those designated by the Secretary of State as persons /organisations that meet the notified body criteria).
- 3.6 In recent years there has been a rise in the use of Global Positioning Systems (GPS) to measure fares in licensed vehicles. This system comprises of an office based central dispatch system linked to a mobile data terminal in the vehicle using GPS. The mobile data terminal is similar to a satellite navigation terminal, but also includes a taximeter function.
- 3.7 GPS systems are used by operators to manage and dispatch vehicles to customers and can also be used to calculate the fare for the journey. However, whilst new technology is welcomed, no GPS system complies with the requirements of the Measuring Instruments (Taximeters) Regulations 2006 and therefore cannot be used as a taximeter.

4. Current situation / proposal.

- 4.1 Hackney carriages in Bridgend are not currently required to have their taximeter periodically tested.
- 4.2 It is proposed that the following condition be inserted into the meter and equipment specification section of the hackney carriage conditions.

“All hackney carriages must be fitted with a taximeter of approved design, properly sealed and tested and all such taximeters must be kept in good repair and proper working order clearly visible to all passengers without affecting passenger comfort or infringing construction and use regulations.

The fitted meter shall be calibrated to include only Bridgend County Borough Council tariffs applicable to the number of passengers permitted in that vehicle.

The proprietor shall produce annually to the Licensing Authority a certificate issued by a taximeter installer/tester approved by the Licensing Authority stating that the meter is accurate and contains only the current Bridgend County Borough Council hackney carriage tariff.”

- 4.3 This proposed new condition will provide a robust process for ensuring taximeters are set to the correct Bridgend tariff, helping to maintain public trust that the fare charged on the meter is correct.
- 4.4 As stated in paragraph 4.2, it proposed that vehicle proprietors will produce a certificate annually to show that the taximeter is accurate and only contains the Bridgend County Borough Council hackney carriage tariff. It is therefore proposed that the licensing section invite and establish a list of approved taximeter testers.
- 4.5 As stated in paragraph 3.5 all taximeters must comply with the requirements outlined in The Measuring Instruments (Taximeters) Regulations 2006. There are currently no GPS systems on the market that comply with these regulations.
- 4.6 It is proposed that a condition is added to the hackney carriage vehicle licence conditions clarifying the current legal status of GPS taxi management and dispatch systems. Below is the proposed condition

“A GPS taxi management & dispatch system consisting of a mobile data head and a central dispatch system may be fitted in accordance with the manufacturer’s instructions. The GPS system is not a taximeter. It can be used alongside the vehicle’s approved taximeter but must not replace it.”

- 4.7 The proposal will require consultation with the trade, and as this matter is trade specific, the consultation will be by letter to all existing proprietors.

5. Effect upon Policy Framework & Procedure Rules.

- 5.1 None

6. Equality Impact Assessment

- 6.1 There are no equality implications arising from this report.

7. Financial Implications.

- 7.1 It is not envisaged that there will be any financial implications for the authority.

8. Recommendation.

- 8.1 It is recommended that Committee:

- (i) Approve a consultation with the trade on the proposed amendments to the conditions relating to the hackney carriage meters and equipment by way of letter to proprietors.
- (ii) Approve the request to invite contractors to be considered for the approved list of taximeter testers
- (iii) To approve that the following condition be inserted into the current vehicle conditions with effect from 8 March 2017.

“A GPS taxi management & dispatch system consisting of a mobile data head and a central dispatch system may be fitted in accordance with the manufacturer’s instructions. The GPS system is not a taximeter. It can be used alongside the vehicle’s approved taximeter but must not replace it.”

- (iv) Note that a further report will be presented to deal with any consultation responses and to set an approved list of taximeter testers, together with an implementation date for the new requirements for meter calibration.

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Background documents

Bridgend County Borough Council hackney carriage byelaws