

Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Cllr Maggie Filipova-Rivers
Key decision?	No
Date of decision (same as date form signed)	20 June 2022
Name and job title of officer requesting the decision	Laura Driscoll Licensing Team Leader
Officer contact details	Tel: 07917 088346 Email: laura.driscoll@southandvale.gov.uk
Decision	To introduce the proposed taxi tariff in South Oxfordshire from 4 August 2022 should no objections be received to the statutory consultation on the proposal. If any objections are received these will be formally considered by Cabinet at the end of September, who may modify the proposed tariff in light of these objections.
Reasons for decision	<p>Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 ('the Act'), the council can fix fares for hackney carriages for journeys that both start and finish within its district and to fix all other charges in connection with the hire of the vehicles.</p> <p>The tariff does not apply to private hire vehicles, and if a licensed hackney carriage is used for a private hire booking the fare must be calculated from the point in the district at which the hirer commences their journey.</p> <p>The Act prescribes the process for setting the fare tariff. This requires the council to publish a notice setting out the proposed fares and members of the public can make objections. A consultation exercise to seek views from members of the public and the local taxi trade will also be undertaken. If there are no objections, the tariff will take effect on the date specified on the notice.</p> <p>The General Licensing Committee agreed to consider the implementation of a taxi tariff as part of the adoption of the council's taxi licensing policy in June 2021.</p> <p>There are three levels of tariff depending on the time of day and special occasions such as bank holidays. Each level includes a set price for 'flag fall' or hiring charge, a waiting charge, and a charge per mile travelled.</p>

	Appendix A sets out the proposed tariff. The proposed figures have been determined following a review of tariffs set in neighbouring districts which have a comparative cost of living. CPI has been applied to allow for increases to the cost of living from when these were last calculated to the most recent figures available as at 19 May 2022 (March 2022 CPI data).			
Alternative options rejected	The council is not obliged to set a tariff, however doing so ensures that members of the public are charged a fair rate when using hackney carriages within South Oxfordshire.			
Climate and ecological implications	There are no climate and ecological implications arising from the actions in this report.			
Legal implications	Any legal implications are set out in the body of the report			
Financial implications	None			
Other implications	None			
Background papers considered	Joint Taxi Licensing Policy			
Declarations/ conflict of interest? Declaration of other councillor/ officer consulted by the Cabinet member?				
List consultees		Name	Outcome	Date
	Legal legal@southandvale.gov.uk	Nigel Shepherd	Amendments made to wording as a result of comment above.	30 May 2022
	Finance Finance@southandvale.gov.uk	Maggie Xu	Support decision	10 June 2022
	Climate and biodiversity climateaction@southandvale.gov.uk	Heather Saunders	Comment added above	30 May 2022
	Diversity and equality equalities@southandvale.gov.uk	Lynne Mitchell	I support this as proposed tariff increase without a set tariff, drivers could charge unrealistic prices to their customers.	26 May 2022
	Communications communications@southandvale.gov.uk	Gavin Walton	No comments	26 May 2022

	Senior Management Team ExecutiveSupportS@southandvale.gov.uk	Megan Phelps	Not required to be seen at this stage.	26 May 2022
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	Not applicable			
Has this been discussed by Cabinet members?	No			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature ___ Councillor Maggie Filipova-Rivers_____			
	Date _____ 20 June 2022_____			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY

For Democratic Services office use only		
Form received	Date: 21 June 2022	Time: 14:10
Date published to all councillors	Date: 21 June 2022	
Call-in deadline	Not applicable as this is not a key decision.	

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must hand-sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.
Tel. 01235 422520 or extension 2520.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

Key decisions: assessing whether a decision should be classified as ‘key’

The South Oxfordshire and Vale of White Horse District Councils’ Constitutions now have the same definition of a key decision:

A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**
- (b) to award a revenue or capital grant of over £25,000; or**
- (c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as ‘key’, you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
 - Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
 - Changes to the household waste collection policy (affects all households in the district)
 - Reviewing a housing strategy (could have a significant impact on residents in many wards)
 - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
 - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

The overriding principle is that before ‘key’ decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.