

ADMINISTRATION COMMITTEE

Monday 25 November 2013

PROPOSED POLICY FOR THE INSTALLATION OF CLOCK/CALENDAR CONTROLLED METERS IN HACKNEY CARRIAGES

Report of the Head of Legal & Democratic Services

RECOMMENDATION

It is recommended that the Administration Committee approve the proposed installation meter policy.

Summary

This report provides details of the proposed policy for the installation of clock/calendar controlled meters in hackney carriages that are licensed by Eastleigh Borough Council.

Statutory Powers

Local Government (Miscellaneous Provisions) Act 1976

Background

1. Almost all hackney carriages have a taximeter fitted, but this is not a statutory requirement. There is nothing in either the Town Police Clauses Act 1847 (TPCA 1847) or the Local Government (Miscellaneous Provisions) Act 1976 (LG(MP)A 1976) which requires hackney carriages to have meters, but most Local Authorities do make it a requirement, either by means of bylaws made under TPCA 1847, s68 or as a condition attached to the hackney carriage proprietor's licence under LG(MP)A 1976, s47(1). In each case, those provisions whether bylaws or conditions, will require the meter to be calibrated and sealed. LG(MP)A 1976, s68 allows inspection of the meter and subsequent suspension of the proprietor's licence if the accuracy of the taximeter is unsatisfactory.
2. It has been a longstanding policy of the Council to require that any taximeter to be used is approved by the Public Carriage Office (PCO). This is because, in the absence of any one clear technical statute or guidelines on meter suitability, there are no other instructions available to Local Authorities as to what is (and more importantly what is not) a competent and suitable meter.

3. Accordingly, taximeter manufacturers have to submit “test” meters to the PCO and also to the British Standards Institute (BSI) for testing. The BSI carry out heat dissipation, accuracy, general working procedures and inherent security tests on taximeters submitted for approval.
4. Once BSI approval is granted for a particular taximeter – it is then used in a London taxi for at least 2,000 miles before the PCO approval is finally given. Local Authorities neither have the resources, structure or competence to engage in such lengthy product testing and this is why the use of the policy directive requiring PCO approved meters has been used by this Council.
5. Most local authorities have a number of different types of meter which are acceptable to them and hackney carriage proprietors can use any from the approved list. The EU Measuring Instrument Directive (MID) (2004/22/EC – OJ No. L135 30.4.04) has been carried into national regulations in the Measuring Instruments (Taximeters) Regulations 2006. These govern the overall approval of taximeters and are not of a direct concern to local authorities, who will only approve taximeters which have already been shown to comply with the regulations.
6. With the progress of the on-board computer, the taximeter has been able to deal with more complex tariffs. A progressive tariff which is now used in some areas changes its rate per mile at different distances (even now some new meters cannot do this) but the major advance with the ‘calendar tariff’ means the meter tariff alters at the correct time and day. This means the meter not only has to have the tariff charges, it also has to have an on board calendar containing public and bank holidays as well as a real time clock.
7. The Council has a 3 tariff system (0700-2300, 2300-0700 and Bank Holidays & New Year Eve from 0001-0700) which is relatively simply but is open to mistakes and/or misinterpretation. This is because the tariff changes are completely controlled by the driver, resulting in the passenger, on some occasions, being overcharged.
8. With clock calendar meters the driver does not select the tariffs making this popular with licensing authorities that try to protect the public from drivers that accidentally select the wrong tariff.
9. A meter will calculate a fare payable on the basis of distance travelled and the duration of the hiring. In simple terms, a meter either counts distance or counts time using the in-built clock. When the speed of the car drops below a certain level the meter automatically recognises this (say in slow moving, road works or stationary traffic) and accordingly calculates the fare in time units. This change is known as change-over speed.
10. The use of the clock/calendar controlled meter will lead to absolute public protection, universal charging and will ensure no pre-loading of fares. The driver will have to do little more than either switch on or switch off the meter.
11. The Council should ensure that there are not any additional buttons fitted to the meter that allow the driver to alter/override any of the settings or tariff

rates on the taximeter. The clock/calendar control function must be locked into the taximeter and the automation of the fares in this way leaves no room for interpretation of the fare charge by the driver, and be a positive step forward.

12. Should this Committee be minded to approve the introduction of clock/calendar control meters, it is recommended that fares be reviewed on a regular basis to ensure that any up to date calendar information can be programmed into the meter for future bank and public holidays.
13. Informal discussion with the trade has identified a willingness to accept the imposition of clock/calendar control meters. The majority of taxis have the new style fitted and this policy will only affect a small number of vehicles that have old style meters.

Financial Implications

14. There are no financial implications to the Council if the clock/calendar control meter is adopted, however there will be a financial implication to the trade where the current meter is not clock/calendar controlled.
15. To have a new approved clock/calendar meter fitted and calibrated by a Council authorised meter installer the current price is in the region of £246.

Risk Assessment

16. There are no risk implications arising from this report. It will, once implemented, provide fairness for the travelling public

Equality and Diversity Implications

17. The policy will ensure equality for all.

Conclusion

18. It is recommended that the Administration Committee adopts the policy for the installation of clock/calendar control meters in hackney carriages from 1 January 2014 with all meters that require changing to be fitted and tested by 1 April 2014.

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Appendices Attached: 1

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report: This list does not include any published works or documents which would disclose exempt or confidential information.