

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 25

Brighton & Hove City Council

Subject: Blue Book Amendment – Cashless Payment Facilities

Date of Meeting: 17 February 2022

Report of: Director of Housing, Neighbourhoods and Communities

Contact Officer: Name: *Martin Seymour* Tel: 01273 296 655

E-mail: martin.seymour@brighton-hove.gov.uk

Wards Affected: All

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Members are asked to consider as a condition of licence that all Hackney Carriage Vehicles must have a functioning cashless payment facility available for passengers.

2. RECOMMENDATIONS:

- 2.1 Hackney Carriage Hire Vehicles as a condition of licence must have a functioning cashless payment facility available for passengers to pay any fare due from the 1st May 2022. This facility must be connected and working at all times to ensure customers are able to pay by card.

Proprietors may also have a receipt printing facility should they wish to do so.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Following a recent request by the Brighton & Hove Cab Trade Association (BHCTA) at a Taxi Forum meeting, the Hackney Carriage Office re-consulted the Trade on a proposal to make all Hackney Carriage and Private Hire Vehicles have a functioning cashless payment facility available for passengers as a condition of licence.
- 3.2 It has been reported to Officers that it is common for passengers to be turned away from ranks for wishing to pay by card and having to try several vehicles before being able to find a driver willing to take a card payment. This could be seen as a Public Safety issue especially for vulnerable passengers unable to obtain taxis ride home and putting them at risk especially at night. It is also alleged that by refusing a payment card is a way to 'cherry pick' by refusing short journeys.
- 3.3 Covid-19 has accelerated the use of Card payments during the pandemic as a protection measure against the disease and even fewer passengers now carry cash since this matter was last considered by members.

- 3.4 This does not appear to be an issue with Private Hire who use payment apps or are linked to operators that can take card payments. Therefore, a Hackney Carriage Vehicle licence condition and will be incorporated into Hackney Carriage Vehicle Licence conditions contained in the Blue Handbook for Hackney Carriage and Private Hire, Drivers, Vehicles and Operators and the code of conduct for drivers will be updated.
- 3.5 Officers are aware that there are occasions when for technical reasons a payment machine may not work or there are insufficient funds at the end of the journey etc. In these occasions the driver can make an alternative arrangement as happens now when a passenger does not have enough cash or lost/forgotten their wallet.
- 3.6 The taxi forum and drivers were consulted regarding this proposed change of policy. A copy of the consultation can be found at Appendix 1
- 3.7 32 responses were received from the trade. 23 responses were supportive and 9 against the proposal. These responses can be found at Appendix 2 including the request from the Brighton & Hove Cab Trade Association (BHCTA) Appendix 3.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1. This matter was discussed at the Brighton & Hove Hackney Carriage & Private Hire Consultation Forum and a formal consultation was undertaken with the trade following a proposal from the Brighton & Hove Cab Trade Association (BHCTA) Appendix 3.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1. The cost of amending licence conditions is negligible and will be met from within existing budgets. The cost of providing the cashless payment facility will be borne by the trade. There will be no related costs to be borne by Brighton & Hove City Council as a result of this change.

Finance Officer Consulted: Michael Bentley Date: 05/01/2022

Legal Implications:

5.2. The power to attach conditions to a hackney carriage vehicle licence comes from section 47 Local Government (Misc Provisions) Act 1976. Conditions can be those such as the council may consider reasonably necessary. The basis for the condition is explained in the body of the report.

Lawyer Consulted: Date: 04/02/2022

Equalities Implications:

5.3 Licensing authorities must ensure that a safe hackney carriage and private hire vehicle service is freely available to meet the demand across all sectors of the public, especially

those vulnerable groups to whom a taxi or private hire vehicle is often the only means of completing a journey

Sustainability Implications:

5.4 None.

Crime & Disorder Implications:

5.5 Contained in the body of the report.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1. Option 1

Keep existing Policy.

6.2. Option 2

Consider that all Hackney Carriage and Private Hire Vehicles have a functioning cashless payment facility available for passengers

7. REASONS FOR REPORT RECOMMENDATIONS

7.1. To ensure all Hackney Carriage and Private Hire Vehicles have a functioning cashless payment facility available for passengers as a Condition of Licence

SUPPORTING DOCUMENTATION

Appendices:

1. Consultation Document

2. Trade Responses

3. Request from Brighton & Hove Cab Trade Association (BHCTA)

