



Communities Directorate

27 October 2016

Licensing Committee

Date:	7 November 2016
Time:	7:00pm
Venue:	Queen Elizabeth II Room, The Shoreham Centre, Pond Road

Committee Membership: Brian Coomber (Chairman), David Simmons (Vice Chair), James Butcher, Stephen Chipp, Emma Evans, David Lambourne, Peter Metcalfe, Robin Monk, Lyn Phillips, Ben Stride

Agenda

Part A

1. Declarations of Interest / Substitute Members

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

2. Confirmation of Minutes

To approve the minutes of the Licensing Committee meeting of held on 19 July, copies of which have been previously circulated

3. Public Question Time

To receive any questions from Members of the public in accordance with Standing Order 11.2

(Note: Public Question Time will operate for a maximum of 30 minutes.)

4. Items Raised Under Urgency Provisions

To consider any items the Chairman of the meeting considers to be urgent

5. Local Government (Miscellaneous Provisions) Act 1976 - Proposed Increase in the Taxi Tariff

To consider a report by the Director for Communities, copy attached as item 5

Part B - Licensing Act 2003 and Gambling Act 2005 Applications

Part C - Not for publication - Exempt Information Reports

None

Recording of this meeting: The Council will be voice recording the meeting including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Chris Cadman-Dando Democratic Services Officer 01903 221364 chris.cadman-dando@adur-worthing.gov.uk	Richard Burraston Senior Lawyer and Deputy Monitoring Officer 01903 221110 richard.burraston@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

**Local Government (Miscellaneous Provisions) Act 1976
Proposed Increase in the Taxi Tariff**

Report by the Director for Communities

1.0 Summary

- 1.1 Members are requested to consider an application received from an Adur Taxi proprietor and Chairman of the Adur Hackney Licensed Drivers for an increase in the Hackney Carriage Tariff.

2.0 Background

- 2.1 Adur District Council has powers under Section 65, of the Local Government (Miscellaneous Provisions) Act 1976 to set a tariff for Hackney Carriages, (Taxis).
- 2.2 The last such increase was authorised in September 2008. A copy of the current Adur Taxi tariff structure is attached marked Appendix A
- 2.3 On two occasions; 15 March 2011 and the 25 February 2013 a tariff increase was requested and was put before this Licensing Committee. The increases were refused by Members.
- 2.4 On the two previous tariff requests they have been rejected on the basis of an unjustifiable increase.

3.0 Proposal

- 3.1 On the 21 September 2016 an Adur Hackney Carriage driver and Chairman of the Adur Hackney Licensed Drivers presented a request to the licensing office for an increase to the current Hackney Carriage Tariff. Appendix B
- 3.3 The proposed tariff has been checked and Officers can confirm that the tariff is mathematically consistent and can be programmed into taximeters.

4.0 Legal

- 4.1** The Council has powers under Section 65, Local Government (Miscellaneous Provisions) Act 1976 (“the Act”) to set a tariff for Hackney Carriages, (Taxis). It is important that the tariff set is consistent and unambiguous.
- 4.2** The suggested tariff must be advertised in a local paper giving the proposed variation in fares, a copy of the notice must be lodged at the Council offices, available for inspection by the public “at all reasonable hours”, and at least 14 days must be allowed after such publication for any objections.
- 4.3** If there are no objections, or any objections made are withdrawn, the new tariff may come into effect on a date which is not less than 14 days after the date of publication, or the date of withdrawal of the last objection, whichever is later.
- 4.4** If there are objections, the Council must consider them unless previously withdrawn. The new tariff, if imposed by members after such consideration, will then come into effect on a date set by the Committee, which is not more than two months after the first specified day.

5.0 Financial implications

- 5.1** There are no direct financial implications for the Council.
- 5.2** Members should bear in mind that the vast majority of taxi drivers are small sole trader businesses, whose income is indirectly regulated by the Council.
- 5.3** The tariff set is a maximum tariff, and drivers are not obliged to charge the full amount shown on the meter, in every case.

6.0 Recommendation

- 6.1** **Members are requested to determine the request from the Adur licensed proprietor and driver for a new Tariff Scheme.**

Tina Favier
Head of Wellbeing

Principal Author & Contact Officer:

Teresa Bowley

Licensing Officer

Tel: 01273 63146 or Email: teresa.bowley@adur-worthing.gov.uk

Local Government Act 1972**Background Papers:**

Appendix A – Current Taxi Tariff

Appendix B – covering letter and Tariff proposal

Schedule of other Matters

1.0 Council Priority

1.1 Taxi licensing is directly related to public safety issues.

2.0 Specific Action Plans

2.1 Matter considered and no issues identified.

3.0 Sustainability Issues

3.1 Matter considered and no issues identified.

4.0 Equality Issues

4.1 Dealt with in the body of the report.

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 Applicants have the right to expect applications to be properly and fairly considered.

7.0 Reputation

7.1 Matter considered and no issues identified.

8.0 Consultations

8.1 Matter considered and no issues identified.

9.0 Risk Assessment

9.1 Matter considered and no issues identified.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

Tariff (1)

Mileage

For the first 549 meters (600 yards) or 2 minutes 44 seconds or

Uncompleted part thereof.....£2.80p

For each subsequent 146 meters (160 yards) or 44 seconds or

Uncompleted part thereof.....20p

Tariff (3) For hirings begun between 2200Hrs on 24th December to 0600Hrs
on 27th December + 100% Extra of Tariff 1

For hirings begun between 2200Hrs on 31st December to 1000Hrs
on 1st January..... + 100% Extra of Tariff 1

**The Licensing Officer
Adur District Council
Unit 9 Commerce Way
Lancing
West Sussex
BN15 8TA
Telephone 01273-263144 (Noting the Licence Number of taxi and driver)**

**ADUR DISTRICT COUNCIL
HACKNEY CARRIAGE FARES**

The table of fares made by the Council under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, provides that the proprietor or driver of a Hackney Carriage shall be entitled to demand for the hire of the carriage the rate or fare prescribed by the following table. The fare payable shall be by way of a combination of time and distance automatically calculated and displayed by the taximeter fitted to the carriage. The taximeter must be switched on at the start of each journey.

Tariff (1) Mileage

For the first 549 meters (600 yards) or 2 minutes 44 seconds or
Uncompleted part thereof.....£2.80p

For each subsequent 146 meters (160 yards) or 44 seconds or
Uncompleted part thereof.....20p

Authorised Surcharges

Tariff (2) For hirings begun between 2200Hrs and 0600Hrs on any day, all day Sunday and Bank
Holidays including Good Friday (except where Tariff 3
applies)....., + £1.00 p

Tariff (3) For hirings begun between 2200Hrs on 24th December to 0600Hrs
on 27th December + 100% Extra of Tariff 1

For hirings begun between 2200Hrs on 31st December to 1000Hrs
on 1st January + 100% Extra of Tariff 1

Extra Charges

More than four passengers carried in vehicles.....Relevant Tariff
licensed to carry 5-8 passengers + 50% of Tariff 1

SOILING OR FOULING CHARGE.....£60.00

Where a Hackney Carriage is hired and the taximeter is used to automatically calculate the fare payable for the hiring, the proprietor or driver shall not be entitled to demand or take a fare greater than that recorded on the face of the taximeter.

Dated this 15th Day of September 2008

Any complaints regarding the taxi or taxi driver should be reported to:-

The Licensing Officer
Adur District Council
Unit 9 Commerce Way
Lancing

West Sussex
BN15 8TA

Telephone 01273-263144 (Noting the Licence Number of taxi and driver)



Appendix B



20th September 2016

Mrs Teresa Bowley
Licensing Officer
Adur and Worthing Councils
Commerce Way
Lancing
West Sussex
BN15 8TA

Dear Teresa

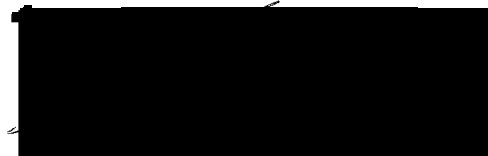
Re: Tariff Proposal

After much discussion Adur Hackney Licensed Drivers Trade including Mr Sean Ridley, have decided to adopt the Brighton Tariff as it would make sense to have a Tariff for the three districts along the coast. We are in contact with Wortax regarding this and discussions are on-going.

This would be a lower increase than previously submitted, therefore should satisfy the Licensing Committee.

Please find enclosed proposed new Tariff for Adur district.

Kind regards



Mr Jonathan Campfield
Chairman Adur Hackney Licensed Drivers

Encs. New Tariff for Adur District

RECEIVED

21 SEP 2016



ADUR DISTRICT COUNCIL



MAXIMUM HACKNEY CARRIAGE FARES

The table of fares made by the Council under

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, provides that the proprietor or driver of a Hackney Carriage shall be entitled to demand for the hire of the carriage the rate or fare prescribed by the following table. The fare payable shall be by way of a combination of time and distance automatically calculated and displayed by the taximeter fitted to the carriage.

The taximeter must be switched on at the start of each journey.

CHARGES	TARIFF 1	TARIFF 2	TARIFF 3	TARIFF 4	TARIFF 5
FOR JOURNEYS WITH 1 TO 4 PASSENGERS THE FOLLOWING TARIFFS MAY APPLY	Normal Fare - Applies to all hirings except those mentioned in tariffs 2, 3, 4, 5, 6, 7, 8, 9 & 10	Late Night each day between the hours of 9pm and 6am, other than under tariff 3. Sundays - between the hours of 6am and 9pm. Bank Holiday or Public Holiday - excluding the times covered by Christmas and new year extra charge.	Late Night - each Friday night and Saturday night only between the hours of 12 midnight and 6am the following day.	Boxing Day - between 6am 26 December and 6am 27 December New Year - between 6am and 10am 1st January.	Christmas Day - between 9pm 24 December and 6am 26 December New Year - between 9pm 31 December and 6am 1 January.
	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £2.80	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £3.80	Initial distance not exceeding 640 yards (approximately 585 metres) or 2 minutes 24 seconds or a combination of distance and time. £4.40	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £4.20	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £5.60
For all or part of each subsequent 160 yards (approximately 146 metres) or 36 seconds or a combination of distance and time.					
	20p	20p	20p	30p	40p
CHARGES	TARIFF 6	TARIFF 7	TARIFF 8	TARIFF 9	TARIFF 10
FOR JOURNEYS WITH 5 TO 8 PASSENGERS THE FOLLOWING TARIFFS MAY APPLY	Normal Fare - Applies to all hirings except those mentioned in tariffs 1, 2, 3, 4, 5, 7, 8, 9 & 10	Late Night each day between the hours of 9pm and 6am, other than under tariff 8. Sundays - between the hours of 6am and 9pm. Bank Holiday or Public Holiday - excluding the times covered by Christmas and new year extra charge.	Late Night - each Friday night and Saturday night only between the hours of 12 midnight and 6am the following day.	Boxing Day - between 6am 26 December and 6am 27 December New Year - between 6am and 10am 1st January.	Christmas Day - between 9pm 24 December and 6am 26 December New Year - between 9pm 31 December and 6am 1 January.
	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £4.20	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £5.70	Initial distance not exceeding 640 yards (approximately 585 metres) or 2 minutes 24 seconds or a combination of distance and time. £6.60	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £6.30	Initial distance not exceeding 320 yards (approximately 293 metres) or 1 minute 12 seconds or a combination of distance and time. £8.40
For all or part of each subsequent 160 yards (approximately 146 metres) or 36 seconds or a combination of distance and time.					
	30p	30p	30p	45p	60p
SOILING OR FOULING CHARGE				£100.00	
The driver may charge any road charges or tolls where applicable (this must be agreed with the customer before hire commences)					
Where a Hackney Carriage is hired and the taximeter is used to automatically calculate the fare payable for the hiring, the proprietor or driver shall not be entitled to demand or take a fare greater than that recorded on the face of the taximeter. Any complaints regarding the taxi or taxi driver should be reported to:-					
The Licensing Officer Adur District Council Commerce Way Lancing West Sussex BN15 8TA Telephone 01273-263144 Email: taxi.licensing@adur-worthing.gov.uk (Noting the Licence Number of taxi and driver)					