



**Local Government (Miscellaneous Provisions) Act 1976
Proposed Increase to the Worthing Hackney Carriage Tariff**

Report by the Director for Sustainability & Resources

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Executive Summary

1. Purpose

1.1 The report requests that Worthing Borough Council's Licensing & Control Committee, as the licensing authority, considers exercising its powers under Section 65, of the Local Government (Miscellaneous Provisions) Act 1976 to set a new tariff for Hackney Carriages (Taxis).

2. Recommendation

2.1 Consider an application received from a representative of the Worthing Hackney Carriage trade for an increase to the Hackney Carriage Tariff.

2.2 Decide whether or not to approve and implement the change to the Hackney Carriage Tariff.

2.3 Should a new tariff be provisionally approved, instruct the Public Health & Regulation Manager, in consultation with the Chair of the Licensing & Control Committee, to consider any relevant representations that may be received following the statutory consultation.

3. Context

- 3.1 Worthing Borough Council's Licensing & Control Committee is responsible for setting the tariff for Hackney Carriages in the borough (Taxis).
- 3.2 The last increase to the tariff was authorised by this Committee in July 2022. A copy of the current Worthing Hackney Carriage tariff structure is attached marked **Appendix A**
- 3.3 The A&W Licensing Unit received a request for a proposed new tariff, supported by 37 Hackney Carriage licence holders, on 14 January 2025.

4. Consideration

Outcomes to be Achieved

- 4.1 The council to comply with its statutory duties to administer and enforce the various requirements contained within the Local Government (Miscellaneous Provisions) Act 1976.
- 4.2 To ensure that the provision of Hackney Carriages in the borough is undertaken in a safe, controlled, and consistent manner.
- 4.3 That the Hackney Carriage tariff is set at an appropriate level.

- 4.4 A Worthing Hackney Carriage proprietor has presented a request to the A&W Licensing Unit for an increase to the current Worthing Hackney Carriage Tariff. The proposal includes a new tariff scale and has been signed by 37 members of the Hackney Carriage trade and they have provided some reasoning behind their request. **Appendix B**
- 4.5 There are currently 53 Hackney Carriage Vehicles licensed by Worthing Borough Council.
- 4.6 The proposed tariff has been checked and Officers can confirm that the tariff is mathematically consistent and can be programmed into taximeters. **Appendix C**

- 4.7 The national league position table shows Worthing is 58 out of 341 authorities and in Sussex 3 authorities are positioned in the league table above us, Arun is at 32, Brighton & Hove City 22 and Mid Sussex at 15. You can view the complete league table at **Appendix D**
- 4.8 When considering this application for a new Hackney Carriage tariff the following options are available to the Committee:
- a. Approve the proposed new tariff, as requested and publish the tariff for public consultation
 - b. Reject the tariff proposal.

5. Engagement and Communication

- 5.1 If the Committee provisionally approves the increase the suggested tariff will be advertised by public notice in a local newspaper, a copy displayed at the Council offices and on the council's website allowing 14 days for any objections in accordance with the legislation.

6. Legal

- 6.1 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.
- 6.2 If members are of a mind to provisionally approve the increase the suggested tariff must be advertised in a local newspaper 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.
- 6.3 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.
- 6.4 If there are objections, the Council must consider them unless previously withdrawn. The new tariff, if imposed 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.

- 6.5 In determining this matter the principles of the Human Rights Act 1998 must be taken into consideration and the convention rights of both individuals and businesses given due weight.
- 6.6 Members must consider each licensing matter on its own merits, and in accordance with the principles of natural justice, as well as the provisions of the Local Government (Miscellaneous Provisions) Act 1976. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.
- 6.7 All licensing matters, before a Licensing Committee, must be considered against the backdrop of anti-discriminatory legislation, such as the Equality Act 2010 and also in accordance with the Council's stated policy on Equal Opportunities.
- 6.8 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent crime and disorder in its areas.

7. Financial implications

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

8. Other Implications

- 8.1 There are no significant crime & disorder, equal opportunities, race relations or financial implications arising from this report. Crime & disorder, and environmental implications have been considered.

Members are requested to determine the application from a Hackney Carriage proprietor, supported by 37 members of the Worthing Hackney Carriage trade, for a new Hackney Carriage Fare Tariff Scheme.

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Local Government Act 1972

Local Government (Miscellaneous Provisions) Act 1976

Background Papers:

Appendix A – Current Tariff

Appendix B – Support & reasoning for new Tariff

Appendix C - New Tariff proposal

Appendix D - National Hackney Carriage Fare Tariff Table

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 Matter considered and no issues identified.

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.