

31 January 2022

NOTE: In response to the continuing public health restrictions, there will be limited public access to observe the meeting. Admission is by ticket only, bookable by 4pm the day prior to the meeting via: committees@midsussex.gov.uk. Access is also available via a live stream through the [Mid Sussex District Council's YouTube channel](#).

Dear Councillor,

A meeting of **LICENSING COMMITTEE** will be held in the **COUNCIL CHAMBER** at these offices on **TUESDAY, 8TH FEBRUARY, 2022 at 5.00 pm** when your attendance is requested.

Yours sincerely,
KATHRYN HALL
Chief Executive

A G E N D A

Pages

- | | | |
|----|--|----------------|
| 1. | To receive apologies for absence. | |
| 2. | To receive Declarations of Interest from Members in respect of any matter on the Agenda. | |
| 3. | To confirm the Minutes of the previous meetings held on 2 February and 28 April 2021. | 3 - 8 |
| 4. | To consider any items that the Chairman agrees to take as urgent business. | |
| 5. | Request for Increase in Hackney Carriage Fares 2022. | 9 - 22 |
| 6. | Report Informing Licensing Committee of Introduction of Mandatory Tax Conditionality Checks. | 23 - 28 |
| 7. | Report to Licensing Committee Regarding Introduction of Licensed Vehicle Door Signs. | 29 - 36 |
| 8. | Questions pursuant to Council Procedure Rule 10.2 due notice of which has been given. | |

To: **Members of Licensing Committee:** Councillors J Dabell (Chairman), S Smith (Vice-Chair), G Allen, M Cornish, R Cromie, L Gibbs, J Henwood, J Knight, C Laband, Anthea Lea, G Marsh, J Mockford, N Walker, R Webb and N Webster

**Minutes of a meeting of Licensing Committee
held on Tuesday, 2nd February, 2021
from 4.00 pm - 4.52 pm**

Present: J Knight (Chair)
Anthea Lea (Vice-Chair)

P Chapman
R Cromie
J Dabell
L Gibbs

I Gibson
J Henwood
C Laband
S Smith

R Webb
N Webster

Absent: Councillors G Allen, G Marsh and N Walker

1. ROLL CALL AND VIRTUAL MEETINGS EXPLANATION.

The Chairman introduced the meeting and the Vice-Chairman took a roll call of Members in attendance.

The Licensing Solicitor explained the virtual meeting procedure.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Allen, Marsh and Walker.

3. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

None.

4. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 22 SEPTEMBER 2020.

The minutes of the meeting of the committee held on 22 September 2020 were confirmed as a correct record, and signed by the Chairman.

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

6. CONSIDERATION OF THE RESPONSES TO THE PUBLIC CONSULTATION REGARDING AMENDMENTS TO THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AS A RESULT OF THE DFT STATUTORY GUIDANCE.

Jon Bryant, Senior Licensing Officer introduced the report which seeks the

Committee's consideration of the responses received during the public consultation of the draft policy changes to the Hackney Carriage and Private Hire Licensing Policy. It was proposed that following this consideration the revised policy would be approved by the Cabinet Member for Community for implementation on the 1st May 2021.

The Senior Licensing Officer also requested a steer from the Committee on how the Council would consider the phasing out of fossil fuelled cars from the taxi and private hire fleet in line with current government proposals to stop the sale of these vehicles in 2030 and to establish a timeline for these vehicles to be totally removed from the licensed fleet.

The Senior Licensing Officer noted that a total of 20 responses were received from various parties, with further details in Appendices 2 and 3.

The Chairman noted that several options were put forward in the recommendations and agreed to take separate votes on each section as the meeting progressed.

The Vice-chairman welcomed the report and was impressed by the number of responses in such challenging times and requested that Members consider extending the deadline for licensed diesel vehicles to comply with Euro 6 emissions standards in relation to recommendation 2.1 in the report.

A Member acknowledged the economic impact on taxi drivers but emphasised that the Council had a strong obligation to public health, referencing recent news reports of the death of a girl in London due to air pollution. The Member supported the suggestion to change it from 2022 to the year 2023, which she believed would provide more leeway for taxi drivers but maintain the Council's obligation to public health. This proposal was seconded by another Member.

Another Member cited the impact of pollution, as even a top floor window left open could result in pollution gaining access to a property. Whilst he did not wish to penalise drivers, he believed the Council has an obligation to the public to maintain high standards.

The Chairman asked if figures concerning the scale of loss of income for taxi drivers in the area were available. The Senior Licensing Officer replied that there was anecdotal evidence of a significant loss in income for drivers, in addition to the evident reduction in traffic and taxi usage.

Several Members agreed that the deadline should go to 2025, citing the ongoing unpredictability of the Covid-19 pandemic.

The Senior Licensing Officer noted that many drivers were preparing for the introduction of white livery and had already purchased cars. He added that all newly licensed vehicles would have to agree with the standard.

A Member concurred that the extension would provide time for drivers to recover revenue, but not reduce the Council's commitment to the environment.

Another Member was pleased with the number of responses from taxi companies and unions, as well as the report on guide dogs, as they protect the interest of disabled passengers. It was also noted that Mid Sussex generally has better air quality than other places and environmental impact since the lockdown needed to be considered, given the reduction in vehicles on the road.

The Chairman moved to a series of votes on recommendations 2.1 and 2.2 to determine the date by when all new licensed diesel vehicles would need to comply with the Euro 6 emissions standard. No Members voted to extend to 2022. Three Members voted to extend to 2025. A further proposal to extend to 2023 was made by Councillor Henwood and seconded by Councillor Dabell and 9 Members voted in favour of this. Therefore, the proposed amendment to 2023 was carried.

Members discussed the remainder of the policy regarding recommendation 2.3.

The Vice-chairman queried the response from West Sussex County Council regarding safeguarding training and if it would include county lines and modern slavery. The Senior Licencing Officer replied that proposed training will include counting lines and modern slavery and added that the Safeguarding Team at West Sussex County Council was currently considering a bespoke training package for drivers. He confirmed that when the package is completed, he would put it to the Members for consideration.

A Member asked about regulations on reporting damage to vehicles, including the period in which any issues should be reported to the Council. The Senior Licensing Officer replied that legislation requires damage to be reported within 3 days of occurrence, noting the Local Government (Miscellaneous Provisions) Act 1976.

The Chairman took Members to a vote on recommendation 2.3, which was agreed unanimously.

Members discussed the impact of phasing out fossil fuelled cars from the taxi and private hire fleet in line with current government proposals to stop the sale of these vehicles in 2030 and considered an ambition to introduce a deadline for these vehicles to be completely removed from the licensed fleet.

A Member believed that the Council needed to be ambitious to be in line with central government policy.

The Cabinet Member for Community noted that it was important to remember that 2030 is the prescribed date by the government. He added that he would prefer they be banned sooner, but that it also depends on national policy.

The Solicitor stated that while setting targets can be beneficial, they must be regularly reviewed and any issues resulting can be brought back for Members' consideration and new target dates set.

A Member agreed with the Cabinet Member, citing the frustration of drivers with changing goalposts and that setting expectations early on would help planning. The Member also noted that if new vehicles needed to be purchased to meet requirements, there should be a period of adjustment to accommodate what is manageable and what the government expects.

The Chairman took Members to a vote on recommendation 2.4 to agree an aim to introduce a deadline to remove such vehicles from the fleet. Members voted of a deadline of 2030 and 4 voted for a date beyond 2030. Therefore, the deadline of 2030 was carried. The Chairman also took Members to a vote on recommendation 3 which was agreed unanimously.

RESOLVED

The Committee:

I. considered the responses that had been received as a result of the public consultation and discussed the following options to be incorporated into the policy to reflect those comments:

II. Revise the deadline for the introduction of Euro 6 compliance to 1st October 2023 instead of the 1st October 2022 to provide vehicle proprietors an opportunity to recover from the economic impact of the Covid 19 pandemic and allow them to plan for changing their vehicles.

III. Keep all other proposals within the draft policy as is as they are considered statutory guidance.

IV. Discussed the impact of the phasing out of fossil fuelled cars from the taxi and private hire fleet in line with current government proposals to stop the sale of these vehicles in 2030 and considered a deadline for these vehicles to be totally removed from the licensed fleet. The Committee agreed to aim for a deadline of 2030.

Recommended to the Cabinet Member for Community to approve the revised policy with the agreed amendments in point 2 above for adoption and implementation on the 1st May 2021.

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 4.52 pm

Chairman

**Minutes of a meeting of Licensing Committee
held on Wednesday, 28th April, 2021
from 6.37 pm - 6.40 pm**

Present:

G Allen
R Cromie
J Dabell
L Gibbs
I Gibson

J Henwood
J Knight
C Laband
Anthea Lea
G Marsh

S Smith
N Walker
R Webb
N Webster

1. CONFIRMATION OF MEMBERS ON THE COMMITTEE.

The Solicitor to the Council confirmed the names of the Members sitting on this committee for the 2021/22 Council year.

2. ELECTION OF CHAIRMAN.

Councillor Smith nominated Councillor Dabell as Chairman of the Committee for the 2021/22 Council year. This was seconded by Councillor Marsh and with no further nominations put forward, this was agreed.

RESOLVED

That Councillor Dabell be elected Chairman of the Committee for the 2021/22 Council year.

3. APPOINTMENT OF VICE CHAIRMAN.

Councillor Dabell nominated Councillor Smith as Vice-Chairman of the Committee for the 2021/22 Council year. This was seconded by Councillor Anthea Lea and with no further nominations put forward, this was agreed.

RESOLVED

That Councillor Smith be appointed Vice-Chairman of the Committee for the 2021/22 Council year.

4. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

The meeting finished at 6.40 pm

Chairman

REQUEST FOR INCREASE IN HACKNEY CARRIAGE FARES 2022

REPORT OF: Tom Clark, Head of Regulatory Services
Contact Officer: Jon Bryant, Senior Licensing Officer
Email: jon.bryant@midsussex.gov.uk Tel: 01444 477428
Wards Affected: All
Key Decision: No

Purpose of Report

- 1 The purpose of the report is for the Licensing Committee to consider an application from a section of the Taxi trade requesting an increase in the Hackney Carriage fares.

Recommendations

- 2 **Members are recommended to consider the request to either:**
 - (a) **Agree with the submitted proposal and amend and increase the tariff by the requested amounts**
 - (b) **Consider an alternative increase to the existing three tariffs**
 - (c) **Consider no increase to the tariff**
 - (d) **Review the request in 6 months**
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Background

- 3 The fares charged by Hackney Carriages are set and regulated by the Council. There is a set tariff for journeys and drivers are not permitted to charge more than the metered fare, although they could charge less if they wished. The Council does not have any ability to regulate the fare in respect of Private Hire vehicles.
- 4 Station Taxis of Burgess Hill, a Private Hire Company which has a mix of licensed Private Hire and Hackney vehicles, have approached the Council to request an increase in the Hackney Carriage fares (Letter Appendix 1) on behalf of a section of the Hackney trade.
- 5 It is noted that Station Taxis have already adopted the proposed new tariff system for their Private Hire vehicles. The Taxis working on their circuit use the existing tariff.
- 6 Ordinarily the Mid Sussex Taxi Association (MSTA) are the recognised channel of communication for such fare increases. MSTA has not been an active Association since 2018.
- 7 Station Taxis conducted an initial petition of interested parties within the Taxi and Private Hire trade and then made representations for a fare increase direct to the Licensing Department. This was on the grounds that there had only been one rise in the previous seven years (in 2018), and there has been a general increase in the cost of living, fuel, and car maintenance costs over the past 3 years.

- 8 There have been additional costs to the Hackney trade due to the introduction of the Statutory Standards, the roll out of mandatory training and the planned introduction of CCTV in vehicles. There has also been a loss of income due to the effects of the pandemic.
- 9 Following the submission by Station Taxis the Licensing Department wrote to all Hackney Carriage Vehicle licence holders to canvas their views regarding this fare increase. A total of 134 vehicle licence holders were contacted. Individuals holding more than one vehicle licence received one letter. A total of 67 vehicle owners responded. Of these responses 37 (55%) were in favour of a fare increase and 30 (45%) against a fare increase.
- 10 During this process a number of drivers submitted comments with their response both for and against the proposal. These have been collated and anonymised and are attached within the appendices.
- 11 Currently there are 3 tariffs in use. The current proposal is for two additional tariffs for drivers working unsocial hours at the weekend. There is also the proposal to increase the waiting time periods and waiting time charge.
- 12 Attached to the report is an explanation as to how these changes are likely to affect fares during the day and evening time.
- 13 The current tariff is shown as Appendix 1, and the proposed tariff is shown as Appendix 2

Policy Context

- 14 By virtue of the Town Police Clauses Act 1847, The Local Government (Miscellaneous Provisions) Act 1976 and the Transport Act 1985 the Council is required to administer and enforce the activities of Hackney Carriages throughout the district.
- 15 Local Government (Miscellaneous Provisions) Act 1976 provides the power and mechanism for the local authority to set fares for Hackney Carriages.

Section 65 Fixing of fares for hackney carriages.

(1) A district council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a "table of fares") made or varied in accordance with the provisions of this section.

Financial Implications

- 16 Amendments to the Hackney Carriage tariffs cost the Council approximately £900 for advertising the changes in the local newspapers. This cost is met within the existing budget.

Risk Management Implications

- 17 In accordance with the Councils Risk Management Strategy, consideration had been given to the potential risks associated with the recommendations

set out in this report. The proposed changes will be advertised in the local newspapers and on the Council website so that members of the public will be given ample opportunity to submit representations. These will be considered prior to implementation.

Sustainability Implications

18 None identified.

Other Material Implications

19 None identified.

Background Papers

Appendix 1 - Letter and email from Station Taxis

Appendix 2 - Comments submitted by drivers

Appendix 3 - Current Fare Tariff

Appendix 4 - Proposed Fare Tariff

Appendix 5 - Comparison between current and proposed tariff

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Hackney Fare Rise 2021

This proposal has been submitted by Mark Humphrey from Station Taxis on behalf of and with the agreement of 61 named Hackney Carriage Drivers canvassed from Haywards Heath and Burgess Hill.

1. The new tariff to take over from tariff 1 at the moment
2. The new tariff to take over from the current tariff 2.
3. This is a new proposal to give drivers an enhancement for working unsociable hours from Friday 1800 and all the weekend. (Tariff 3)
4. This is the after midnight rate for drivers working after midnight on Friday and Saturday night. (Tariff 4)
5. Tariff 5 will be the Christmas day rate, which will be double Tariff 1. This will also be for multi seat bookings after midnight at the weekend.

We wish for the after midnight rates for tariffs 2 and 4 to go from 12 o'clock midnight to 6 o'clock in the morning.

There is not a lot of change, the only thing that we have done is to put in 2 new tariffs for working unsociable hours at the weekend. (3 and 4)

The reason for this is we have had one rise in the last seven years and that was three years ago as stated in my last email when fuel was 120 per litre. The fuel is now on average around 150p per litre with average driver using around 800 litres of fuel a month. Some a lot more, some a lot less. That driver is now £240 per month worse off than 3 years ago. (Personally I use 500 litres a week which works out as a lot of money).

We believe that some drivers have a pressure exerted on them to not sign.

Everything has gone up and we believe that we should get a rise to reflect on how much everything has gone up, it's the cost of everything associated with being a driver and basic cost of living rises.

1 raise on the metered fare in 7 years just isn't enough and with the lack of an association I'm more or less doing this by myself although after many years in the trade I would like to think I know the market. Hopefully you'll agree.

The petition with the signatures of 61 drivers, it also doesn't carry the names of the 10 staff members in my office, so it has to be said it is not only taxi drivers who make their living from the taxi trade.

The fare on the meter is the maximum a Hackney driver can charge, if a driver isn't comfortable with charging an enhanced rate they can choose to charge less, these drivers should not be able to influence how much another driver earns.

If they don't want to charge it they don't have to but there is no way they should be able to stop forward thinking drivers from earning a decent living and enjoying a well deserved pay increase.

From:
To:
Subject: Rise
Date: 15 October 2021 12:28:42

Good afternoon

Please find enclosed list of drivers who have signed a petition to ask the council to increase the fares for Hackney carriages.

All drivers are aware that Station Taxis have put their fares up and most drivers agree with this. However when we were collecting signatures there were certain drivers working the rank ensuring others didn't sign. We think some drivers have had pressure put on them not to sign the petition. All of us signed up think we need a pay rise as we have had 1 raise in the last 7 years and even in the last three weeks fuel has risen by 15p a litre. The last rise we had was in November 2018 and at that time fuel was 120p per litre. As we feel that some drivers have had pressure put on them not to sign we believe the council should petition all Hackney carriage license holders as we are now working for a lot less money than we were three years ago.

As we've said we are aware that Station Taxis have put up their fares and we would like the same done for us including the new weekend tariff.

The higher rate at weekends is exactly the same as many councils all round the country charge and we believe that drivers should be rewarded for working unsociable hours as one of my drivers told me why would he works Friday and Saturday night for the same rate as he gets Tuesday during the day.

All rates have gone up at garages and all car costs associated with owning a taxi have also gone up. To all those drivers who have to renew their car for 2022 we are all aware that secondhand car prices are also up by around 25%.

Personally I've just filled my car up and it cost me £100.

Cheers
Mark

Additional comments received from Drivers in Favour of Proposal

1. I am in favour of a fare increase due to the inflated cost of living and rising taxi running costs
2. Considering the current situation of fuel prices I am in favour for a fare increase. But the 5 different Tariff in the new proposal is not business friendly. I only agree to have tariff 1,2 and 5 from new proposal. To keep things simple I don't agree with Tariff 3 and 4. Personally I don't think it's necessary to have those separate tariffs only for weekend.
3. I am in favour of a meter increase. But I don't agree with the change of tariff during the weekends. Personally, I think it is ripping off the Public. Who we rely on for our livelihood.
4. Cost of living up, Taxi running costs up, Diesel costs up

Additional comments received from Drivers opposed to the Proposal

1. No - I am NOT in favour of his increase! This has been pushed forward by one particular company who, I understand, have already changed the meters in their private Hire vehicles to reflect these rates, purely to compensate the Drivers for a huge increase in the dues they charge the drivers.
I hope that any signatories to the petition that are Private Hire Drivers will be ignored, since the legislation applicable to fares solely affects Hackney Carriages. This is NOT the time to force an increase on the travelling public, many of whom are struggling financially and Taxis are their lifeline! The result can only be fewer people able to afford taxis, especially the elderly, people with young families, or those with disabilities who may well end up unable to afford to leave their homes!
2. In response to your request for views on the proposed Taxi Fare Increase, I am registering a firm NOT IN FAVOUR. It is overly complex and designed (by use of unjustified vindications) to extract the maximum from the average client. The MSDC current Tariff is one of the highest in the UK, excluding areas around Airports, probably the highest local council rate. Consequently, any increase would lead to a further drop in Taxi usage and be detrimental to the trade and local taxi users alike. Your letter informs that the request had not come from either the MSTA (now defunct) or the council. I am reliably informed by members of the trade that the originator of the request is Station Taxis. When the MSTA existed Station Taxis tried to use the number of plate holders they had working for them to propose and vote through detrimental changes that had no benefit except to the directors of Station Taxis. I think this tactic may in use here. I am also told that the proposed Tariff increase have already been put into effect on Station's PHV meters. Is this legal to have varying meter rates. Should the public not be informed that displayed fare is not an official MSDC sanctioned rate. My feeling is that the council should not put itself in a position to condone the lining of a few individuals' pockets at the expense of others i.e. The Trade as well as the public. Another worry is that, without a functioning trade representative body, many plate holders will not fully understand the consequence of voting in favour. Unfortunately, there is an element of reasoning that says "we are losing revenue, let's put the fares up to compensate". The better alternative would be to consider how to increase trade without increasing prices. Maybe a Tariff reduction??

3. Now is not the right time to be seeking a new increase in view of the last 2 years and the economic hardship many families have had to endure. To put the fares up will just force what little trade there is into the likes of Uber.
4. I would like to strongly vote NO to the proposed tariff increase
5. Fare price do not need to go up happy with same price.
6. I think that the Tariff of Midsussex hackney carriage should NOT increase due to various factors Notably due to Covid19 and Our business is slowly picking up by increasing fair it will Not help
7. I'm not in favour of the increase but the 5 tariffs are very confusing. Also we are just coming out of a pandemic when money is already tight for a lot of people. Fuel prices are high at the moment but will probably drop in the near future.
8. The meters should go up annually.



Maximum Hackney Carriage Fares from 19th November 2018

Local Government (Miscellaneous Provisions) Act 1976 Section 65

Tariff 1- Applies to all hirings except those mentioned in Tariffs 2 and 3

Initial distance not more than 302 metres (330 yards) or a combination of distance and time, or part thereof.	£3.20p
For the next 140 metres (153 yards, or part thereof)	20p
Waiting time for each period of 40 seconds	20p

Tariff 2- Applies to all hirings begun between 12 midnight and 6am on weekdays and 12 midnight and 8.30am on Sundays, after 8pm on 24 and 31 December, all day 26 December, Good Friday, Easter Sunday and public and bank holidays, and all Sundays which are followed by a bank holiday in lieu.

Initial distance not more than 302 metres (330 yards) or a combination of distance and time, or part thereof.	£4.80p
For the next 140 metres (153 yards, or part thereof)	30p
Waiting time for each period of 40 seconds	30p

Tariff 3 - Applies to hirings from 00.01 hours on December 25 until midnight December 25

Initial distance not more than 302 metres (330 yards) or a combination of distance and time, or part thereof.	£6.40p
For the next 140 metres (153 yards, or part thereof)	40p
Waiting time for each period of 40 seconds	40p

Additional Charges

Subject to the licensed capacity of the vehicle, the driver, when carrying **five passengers or more** is allowed to charge **Tariff 2 when Tariff 1 charges apply, and Tariff 3 charges at times when Tariff 2 charges apply.**

Soiling charge	£40
Booking Fee (Optional / only when advance booking made)	50p
Emergency Fuel Surcharge	

To be applied to each £5 of indicated metered fare, or part thereof, **during periods** when pump prices reach

A	£1.90 - £2.24p per litre	20p
B	£2.25 - £2.49p per litre	40p
C	£2.50 per litre	60p

Any enquiries, please contact:

Mid Sussex District Council
 Oaklands Road
 Haywards Heath
 West Sussex
 RH16 1SS

01444 458166

<https://www.midsussex.gov.uk/licensing-business/taxis/>

Tariff 1- Applies to all hirings except those mentioned in Tariffs 2 and 3

Initial distance not more than 302 metres (330 yards) or a combination of distance and time, or part thereof.	£3.20p
For the next 140 metres (153 yards, or part thereof)	20p
Waiting time for each period of 40 seconds	20p

Tariff 2- Applies to all hirings begun between 12 midnight and 6am on weekdays and 12 midnight and 8.30am on Sundays, after 8pm on 24 and 31 December, all day 26 December, Good Friday, Easter Sunday and public and bank holidays, and all Sundays which are followed by a bank holiday in lieu.

Initial distance not more than 302 metres (330 yards) or a combination of distance and time, or part thereof.	£4.80p
For the next 140 metres (153 yards, or part thereof)	30p
Waiting time for each period of 40 seconds	30p

Tariff 3 - Applies to hirings from 00.01 hours on December 25 until midnight December 25

Initial distance not more than 302 metres (330 yards) or a combination of distance and time, or part thereof.	£6.40p
For the next 140 metres (153 yards, or part thereof)	40p
Waiting time for each period of 40 seconds	40p

Additional Charges

Subject to the licensed capacity of the vehicle, the driver, when carrying **five passengers or more** is allowed to charge **Tariff 2 when Tariff 1 charges apply, and Tariff 3 charges at times when Tariff 2 charges apply.**

Soiling charge	£40
Booking Fee (Optional / only when advance booking made)	50p
Emergency Fuel Surcharge	

To be applied to each £5 of indicated metered fare, or part thereof, **during periods** when pump prices reach

A	£1.90 - £2.24p per litre	20p
B	£2.25 - £2.49p per litre	40p
C	£2.50 per litre	60p

Any enquiries, please contact:

Mid Sussex District Council
Oaklands Road
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West Sussex
RH16 1SS

01444 458166

<https://www.midsussex.gov.uk/licensing-business/taxis/>

**Maximum Hackney Carriage Fares from
Local Government (Miscellaneous Provisions) Act 1976 Section 65**

Tariff 1- Applies to all hirings except those mentioned in Tariffs 2, 3, 4 and 5

Initial distance not more than 272 metres (297 yards) or a combination of distance and time, or part thereof.	£3.60p
For the next 128 metres (141 yards, or part thereof)	20p
Waiting time for each period of 15 minutes	£5.00

Tariff 2- Applies to all hirings begun between 12 midnight and 6am on Monday, Tuesday, Wednesday, Thursday and Friday. Hirings after 8 pm on 24 and 31 December all day 26 December, Good Friday, Easter Sunday and public and bank holidays and all Sundays which are followed by a bank holiday day in lieu

Initial distance not more than 272 metres (297 yards) or a combination of distance and time, or part thereof.	£5.40p
For the next 128 metres (141 yards, or part thereof)	30p
Waiting time for each period of 15 minutes	£7.50p

Tariff 3 - Applies to hirings from 1800 Friday until 23.59 Sunday except when Tariff 4 applies

Initial distance not more than 272 metres (297 yards) or a combination of distance and time, or part thereof.	£4.40p
For the next 110 metres (120 yards, or part thereof)	20p
Waiting time for each period of 15 minutes	£5.00p

Tariff 4 - Applies to all hirings from 12am to 6 am Saturday and Sunday

Initial distance not more than 272 metres (297 yards) or a combination of distance and time, or part thereof.	£6.60p
For the next 110 metres (120 yards, or part thereof)	30p
Waiting time for each period of 15 minutes	£7.50p

Tariff 5 - Applies to hirings from 00.01 hours on December 25 until midnight December 25

Initial distance not more than 272 metres (297 yards) or a combination of distance and time, or part thereof.	£7.20p
For the next 128 metres (141 yards, or part thereof)	40p
Waiting time for each period of 15 minutes	£10.00

Additional Charges

Subject to the licensed capacity of the vehicle, the driver, when carrying **five passengers or more** is allowed to charge **Tariff 5 all journeys after midnight when carrying five passengers or more**

Soiling charge	£40
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Booking Fee (Optional / only when advance booking made)	50p
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Emergency Fuel Surcharge

To be applied to each £5 of indicated metered fare, or part thereof, **during periods** when pump prices reach

A	£1.90 - £2.24p per litre	20p
B	£2.25 - £2.49p per litre	40p
C	£2.50 per litre	60p

Any enquiries, please contact:

Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Tel: 01444 458166

<https://www.midsussex.gov.uk/licensing-business/taxis/>



	Monday-Thursday		Friday		Saturday		Sunday	
Times	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed
0000-0100	Tariff 2	New Tariff 2	Tariff 2	New Tariff 2	Tariff 2	New Tariff 4	Tariff 2	New Tariff 4
0100-0200	Tariff 2	New Tariff 2	Tariff 2	New Tariff 2	Tariff 2	New Tariff 4	Tariff 2	New Tariff 4
0200-0300	Tariff 2	New Tariff 2	Tariff 2	New Tariff 2	Tariff 2	New Tariff 4	Tariff 2	New Tariff 4
0300-0400	Tariff 2	New Tariff 2	Tariff 2	New Tariff 2	Tariff 2	New Tariff 4	Tariff 2	New Tariff 4
0400-0500	Tariff 2	New Tariff 2	Tariff 2	New Tariff 2	Tariff 2	New Tariff 4	Tariff 2	New Tariff 4
0500-0600	Tariff 2	New Tariff 2	Tariff 2	New Tariff 2	Tariff 2	New Tariff 4	Tariff 2	New Tariff 4
0600-0700	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 2	New Tariff 3
0700-0800	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 2	New Tariff 3
0800-0900	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 2 to 0830 then Tariff 1	New Tariff 3
0900-1000	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1000-1100	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1100-1200	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1200-1300	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1300-1400	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1400-1500	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1500-1600	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1600-1700	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1700-1800	Tariff 1	New Tariff 1	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1800-1900	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
1900-2000	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
2000-2100	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
2100-2200	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
2200-2300	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3
2300-0000	Tariff 1	New Tariff 1	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3	Tariff 1	New Tariff 3

Comparison of fare changes

	Tariff 1	New Tariff 1	Change
Meter Start	£3.20	£3.60	12.50%
1 mile	£5.20	£5.80	11.54%
2 miles	£7.40	£8.20	10.81%
3 miles	£9.80	£10.80	10.20%
4 miles	£12.00	£13.20	10.00%
5 miles	£14.40	£15.80	9.72%

	Tariff 1	New Tariff 3	Change
Meter Start	£3.20	£4.40	37.50%
1 mile	£5.20	£7.00	34.62%
2 miles	£7.40	£9.80	32.43%
3 miles	£9.80	£12.80	30.61%
4 miles	£12.00	£15.80	31.67%
5 miles	£14.40	£18.60	29.17%

	Tariff 2	New Tariff 2	Change
Meter Start	£4.80	£5.40	12.50%
1 mile	£7.80	£8.70	11.54%
2 miles	£11.10	£12.30	10.81%
3 miles	£14.70	£16.20	10.20%
4 miles	£18.00	£19.80	10.00%
5 miles	£21.60	£23.70	9.72%

	Tariff 2	New Tariff 4	Change
Meter Start	£4.80	£6.60	37.50%
1 mile	£7.80	£10.50	34.62%
2 miles	£11.10	£14.70	32.43%
3 miles	£14.70	£19.20	30.61%
4 miles	£18.00	£23.70	31.67%
5 miles	£21.60	£32.40	50.00%

Comparison of fare changes when 5 passengers or more

	Tariff 3	New Tariff 5	Change
Meter Start	£6.40	£7.20	12.50%
1 mile	£10.40	£11.20	7.69%
2 miles	£14.80	£16.00	8.11%
3 miles	£19.60	£21.20	8.16%
4 miles	£24.00	£26.00	8.33%
5 miles	£28.80	£31.20	8.33%

Currently, subject to the licensed capacity of the vehicle, the driver, when carrying 5 passengers or more is allowed to charge Tariff 2 when Tariff 1 charges apply and Tariff 3 charges at times when Tariff 2 charges apply.

On the proposed Tariff, subject to the licensed capacity of the vehicle, the driver, when carrying five passengers or more will be allowed to charge Tariff 2 when Tariff 1 charges apply, and Tariff 3 charges at times when Tariff 2 charges apply and Tariff 5 on all journeys after midnight when carrying five passengers or more.

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REPORT INFORMING LICENSING COMMITTEE OF INTRODUCTION OF MANDATORY TAX CONDITIONALITY CHECKS

REPORT OF: Tom Clark, Head of Regulatory Services

Contact Officer: Jon Bryant, Senior Licensing Officer
Email: jon.bryant@midsussex.gov.uk Tel: 01444 477076

Wards Affected: All

Key Decision No

Purpose of Report

- 1 To advise and update the Licensing Committee with details of additional Tax Conditionality checks on certain licence applications and renewals that will be introduced from April 2022.

Summary

- 2 The Finance Act 2021 introduced additional checks as part of applications to renew licences for taxi and private hire drivers, private hire vehicle (PHV) operators and scrap metal dealers in England and Wales. From 4 April 2022, these licence applicants must complete a 'tax check' and licensing bodies must confirm that an applicant has completed the check.

Recommendations

- 3 **This report is for information purposes only.**
-

- 4 The hidden economy consists of individuals and businesses with sources of taxable income that are entirely hidden from HMRC. This deprives the government of funding for vital public services. The hidden economy tax gap (the difference between the amount of tax that should, in theory, be paid, and what is actually paid is estimated to be £2.6 billion for 2018 to 2019.
- 5 Many people operating in the hidden economy do so because they are unaware of or confused about their tax obligations. If they have been hiding their income for a long period, they are also likely to find it harder to come forward and tell HMRC that they are, or should have been, chargeable to tax
- 6 Conditionality aims to address part of the hidden economy by helping applicants for certain public sector licences better understand their tax obligations and by making access to the licences they need to trade conditional on completing a tax check.
- 7 This measure will have an effect on all applications, new or to renew a licence made from 4 April 2022.
- 8 The licences that will be subject to conditionality are issued under
 - Section 46 of the Town Police Clauses Act 1847

- Sections 51 and 55 of the Local Government (Miscellaneous Provisions) Act 1976
 - Section 2 of the Scrap Metal Dealers Act 2013
- 9 Conditionality will apply to applications made by individuals, companies and partnerships, including LLPs for licences to drive taxis and/or PHVs, operate a PHV business or deal in scrap metal.
 - 10 Licensing bodies will be required to signpost first-time applicants to HMRC guidance about their potential tax obligations and obtain confirmation that the applicant is aware of the guidance before considering the application. Where the application is not a first-time application (a renewed application) the licensing body must, before considering the application, obtain confirmation from HMRC that the applicant has completed a tax check.
 - 11 An applicant will carry out a tax check by providing information to enable HMRC to satisfy itself that the applicant has complied with an obligation to notify their chargeability to tax, where such an obligation applied. The check will include a question about whether income from the licensed activity has been declared to HMRC, where the applicant was chargeable to tax. The check will be completed when HMRC is satisfied the applicant has provided all information requested.
 - 12 The licence holder will be able to complete this tax check on GOV.UK, through their Government Gateway account. They will only need to answer a few questions to tell HMRC how they pay any tax that may be due on income earned from the licensed trade.

The licence holder will have to set up a Government Gateway account if they do not already have one and there will be guidance on GOV.UK. The tax check will also be able to be conducted by phone through HMRC's customer helpline. Once the licence holder has completed the tax check, they will get a code. This code is passed to the Licensing Authority. We cannot proceed with the licence application or renewal until the tax check is completed and we have received the code.

The check will be completed by the Licensing Authority through an online portal. The Licensing Authority will only receive confirmation from HMRC that the applicant has completed the tax check, we will not have access to information about the applicant's tax affairs.
 - 13 In cases where the licensing body has been unable to obtain confirmation of completion of the tax check for 28 days other than because of an HMRC failure, for example, where an applicant refuses to complete a tax check and therefore HMRC cannot provide confirmation that they have completed one, the licence will not be renewed and will expire.
 - 14 Where an HMRC failure prevents the applicant from carrying out their tax check or the licensing body from meeting its requirement to obtain confirmation of the completion of the tax check, the requirement on the licensing body to obtain that confirmation will cease to apply.
 - 15 HMRC have provided draft information relating to the new requirement which the Licensing Team have circulated to affected licence holders to advise them

of the forthcoming additional check that will be required for their renewal application.

Financial Implications

- 16 There will be a cost to the Council to administer these additional checks, respond to any questions from applicants and to signpost them to the HMRC.

The Council keeps the fees and charges under review annually and aims to recover as much of the cost of regulating taxi and private hire licensing services as we are legally able, through fees and charges paid by applicants and licence holders. Any additional costs arising from implementing and enforcing this change will, where possible, be met through changes to taxi and private hire licence fees and charges.

Risk Management Implications

- 17 The implementation of these regulations imposes a mandatory requirement on the Council to conduct Conditionality checks prior to issuing any of the specified licence types.

Equality and customer service implications

- 18 None have been identified.

Sustainability Implications

- 19 None for the purposes of this report.

Backing Papers

Appendix 1 – Tax Check Factsheet for Licence Holders

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HM Revenue
& Customs

Tax Check Factsheet

What's changing

From 4 April 2022, there will be a small addition to the checks licensing bodies already have in place. You'll need to complete a tax check with HM Revenue and Customs (HMRC) when you renew your licence to:

- drive taxis or private hire vehicles
- operate private hire vehicle businesses
- deal in scrap metal.

The changes will only apply in England and Wales.

How changes may affect you

What you need to do will depend on whether you're applying for a licence for the first time or whether you're making a subsequent application, such as renewing a licence.

Getting a new licence: If you are applying for a licence for the first time, you will not need to complete the tax check. However, licensing bodies will ask you to read HMRC guidance on what you need to do to be properly registered for tax in the future and you'll need to confirm you have done this.

Renewing a licence: From 4 April 2022, if you renew or apply for a subsequent licence under a different licensing body, you'll have to do a tax check. You'll be able to do this online through a digital service.

About the tax check

You will be able to complete this tax check on GOV.UK, through your Government Gateway account. You will only need to answer a few questions to tell HMRC how you pay any tax that may be due on income you earn from your licensed trade. If you do not already have a Government Gateway account, you can sign up on GOV.UK.

The tax check should only take a few minutes. There'll be guidance on GOV.UK and anyone who needs extra support will be able to complete the tax check by phone through HMRC's customer helpline.

When you've completed the tax check, you'll get a code. You must give this code to your licensing body. The licensing body cannot proceed with your licence application or renewal until the tax check is completed and they've received the code.

Your licensing body will only receive confirmation from HMRC that you've completed the tax check, they will not have access to information about your tax affairs.

What you need to do

If you've not registered to pay tax on earnings from your licensed trade, please go to GOV.UK to check if you need to register as soon as possible.

- If you're an employee, find information on PAYE at:
www.gov.uk/income-tax/how-you-pay-income-tax
- If you're self-employed, find information on registering for Self Assessment at:
www.gov.uk/register-for-self-assessment
- If you operate through a company, find information on Corporation Tax at:
www.gov.uk/corporation-tax

If you should have been registered to pay tax and have not been, HMRC will work with you promptly and professionally to get you back on the right track. It's your responsibility to get your tax right, but HMRC are here to help.

You can get help from HMRC if you need extra support, for example if you need information in a different format or need help filling in forms. Visit GOV.UK and search 'Get help from HMRC if you need extra support'.

For further guidance on the tax check, please visit:

www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022

REPORT TO LICENSING COMMITTEE REGARDING INTRODUCTION OF LICENSED VEHICLE DOOR SIGNS

REPORT OF: Tom Clark, Head of Regulatory Services

Contact Officer: Jon Bryant, Senior Licensing Officer
Email: jon.bryant@midsussex.gov.uk Tel: 01444 477076

Wards Affected: All

Key Decision No

Purpose of Report

- 1 To provide the Licensing Committee with details of draft door sign samples for a decision to be made on the preferred format in preparation of their introduction on 1st October 2022.

Summary

- 2 The Mid Sussex District Council Taxi and Private Hire Policy introduced the requirement for licensed vehicles to display the Mid Sussex logo identifying the vehicles as being licensed in Mid Sussex. Draft signs have been prepared for the Committees consideration

Recommendations

- 3 **That the Committee identify the type of door sign to be adopted and whether the signs are solely adhesive or if vehicle proprietors can mount them magnetically.**
-
- 4 The Taxi and Private Hire Policy adopted by the Council mandates that from 1st October 2022 all licensed Hackney Carriage vehicles will be white in colour and will be marked with the Mid Sussex logo and the licence number on the rear passenger doors.
 - 5 From the same date Private Hire Vehicles will also be required to display signs with the Mid Sussex Logo, their licence number and the words "Private Hire Vehicle, Advanced Booking Only"
 - 6 The purpose of these licence conditions is to help protect the public. It will clearly identify Mid Sussex Licensed vehicles to provide reassurance to the travelling public that the vehicle and driver are locally licensed. The measure will assist the public in distinguishing between the two types of licensed vehicles.
 - 7 In preparation of the introduction of this vehicle condition the Licensing Team have obtained a selection of sample door signs that are available.
 - 8 The Licensing Committee are invited to assess the samples and advise the Licensing Team which signage they wish to adopt.

- 9 It is anticipated that the signs that are supplied will be adhesive and designed to be permanently fixed to the vehicles rather than have a magnetic backing so they are only temporarily fixed.
- 10 Currently the Authority permits door signs displayed on Private Hire Vehicles to be either permanently fixed or temporarily fixed with a magnetic backing.
- 11 There are issues surrounding magnetic signs. The ease of removal of magnetic signs leaves them vulnerable to theft and loss, and potentially their use on unlicensed vehicles. There have been several occasions where the currently permitted magnetic door signs on Private Hire Vehicles have become detached due to incorrect fitting, fixing them to the vehicle when it is dirty or not being stored properly when not in use. On roads with the national speed limit, they can become detached due to the speed of the vehicle. This poses a clear public safety risk if magnetic door signs were to be placed onto unlicensed vehicles.
- 12 For some vehicle proprietors, their licensed vehicle is the only family vehicle and when the vehicle is not being used for licensed purposes is utilised for family use by themselves. They prefer that the vehicle is not identified as a licensed vehicle when it is being used for this purpose. They take advantage of the ability to remove the signage when not working.
- 13 Magnetic signs are claimed to damage the vehicle paintwork less than adhesive ones, which can leave a discoloured mark on removal if they are attached for a long time. However, the ease of removal of magnetic signs leaves them vulnerable to theft and loss and also to use on unlicensed vehicles. As a licensed vehicle is always a licensed vehicle, no matter what it's use at the relevant time, there appears to be a compelling argument in favour of permanently attached adhesive signs.
- 14 As licensed vehicles, both Hackney and Private Hire, are working vehicles, the costs associated with their use, including depreciation must be considered and when balanced against the problems and risks associated with magnetic signs. The Committee may consider that this would be sufficient reason to require the use of adhesive signs only.
- 15 If magnetic signage is permitted then it will be the vehicle proprietors responsibility to provide the necessary magnetic backing sheet for both signs at their expense and they would be required to notify the Licensing Team immediately of the loss of any signage and to arrange the provision of replacement signs prior to returning to work.
- 16 There are two sample signs for each vehicle type for consideration.

Policy Context

- 17 Local Government (Miscellaneous Provisions) Act 1976

47 Licensing of Hackney Carriages.

(1) A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.

(2) Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

Section 48 Licensing of Private Hire Vehicles

(2) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.

- 18 The Licensing Policy is produced pursuant to powers conferred by the Local Government (Miscellaneous Provisions) Act 1976 as amended, which places a duty on the Council to carry out its licensing functions in respect of hackney carriage and private hire vehicles

Conditions relating to the issue of a Hackney Carriage Vehicle Licence state:

From 1 October 2022 they shall be white in colour and rear door panels must display the MSDC logo, with the words "Licensed Taxi" and licence number.

Conditions relating to the issue of a Private Hire Vehicle Licence state.

From 1 October 2022 they may not be white in colour and rear door panels must display the MSDC logo, with the words "Private Hire Vehicle, Advanced Booking Only" and the licence number.

Financial Implications

- 19 The Council keeps the fees and charges under review annually and aims to recover as much of the cost of regulating taxi and private hire licensing services as we are legally able, through fees and charges paid by applicants and licence holders. Any additional costs arising from implementing and enforcing the display of vehicle signs will be met where necessary through changes to taxi and private hire licence fees and charges.

Risk Management Implications

- 20 None

Equality and customer service implications

- 21 The policy is intended to protect the public, including those who are vulnerable owing to their age or disability.

Sustainability Implications

- 22 None for the purposes of this report.

Backing Papers

Appendix 1 – Example door signs

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1 x Legal Oval 355 x 215mm

Mid Sussex HCV Legal Oval Style 1_1



1 x Legal Panel 355 x 215mm

Mid Sussex District Council



4567

LICENSED HACKNEY CARRIAGE

Mid Sussex HCV Legal Panel Style 1_1

1 x Legal Oval 355 x 215mm

Mid Sussex PHV Legal Oval Style 1_1



Mid Sussex District Council



4567

LICENSED PRIVATE HIRE

1 x Legal Panel 355 x 215mm

Mid Sussex PHV Legal Panel Style 1_1