

Taxis Committee – 16th April 2009

Report of the Interim Director of Law and Property and the Interim Director of Finance

Revision of Licence Fees

Purpose of Report

1. To consider objections to the revision of fees for private hire and hackney carriage licences administered by the Committee.

Background

2. The fees for private hire and hackney carriage licences administered by the Committee were last revised with effect from April 2008.
3. Fees received in respect of private hire and hackney carriage licences are not refunded if the application is withdrawn or refused.
4. In considering the revision of licence fees, the Committee may wish to compare the fees charged by the Council with those of neighbouring Councils. A table showing these comparisons is attached as Appendix 1.
5. Column (1) in Table A below represents the fees currently charged.

Column (2) to (5) show the effect of fees of various increases between 2% and 5%; the budget for 2009-10 has been set based on 4% (ie. Column (4))

TABLE A

	Fees currently charged	Increase @ 2%	Increase @ 3%	Increase @ 4%	Increase @ 5%
Hackney Carriage Vehicle	193.43	197.30	199.23	201.17	203.10
Plate	36.05	36.77	37.13	37.49	37.85
Bracket	13.50	13.77	13.91	14.04	14.18
Vehicle Retest	41.61	42.44	42.86	43.27	43.69
4/6 months test	128.54	131.11	132.40	133.68	134.97
Private Hire Vehicle	193.43	197.30	199.23	201.17	203.10
Plate	36.05	36.77	37.13	37.49	37.85
Bracket	13.50	13.77	13.91	14.04	14.18
Vehicle Re-test	41.61	42.44	42.86	43.27	43.69
4/6 months test	128.54	131.11	132.40	133.68	134.97
Mid term vehicle licence production of insurance	29.87	30.47	30.77	31.06	31.36
Admin fee if application not made 48 hrs before enquiry	41.20	42.02	42.44	42.85	43.26
Cancelled Lister Road	80.13	81.73	82.53	83.34	84.14
Admin Fee	30.90	31.52	31.83	32.14	32.45
CRB	49.44	50.43	50.92	51.42	51.91
Private Hire Driver Grant	166.27	169.60	171.26	172.92	174.58
Badge Deposit	9.27	9.46	9.55	9.64	9.73
Renewal	100.35	102.36	103.36	104.36	105.37
Hackney Carriage Driver Grant	166.27	169.60	171.26	172.92	174.58
Badge Deposit	9.27	9.46	9.55	9.64	9.73
Renewal	100.35	102.36	103.36	104.36	105.37
Hackney Carriage/Private Hire driver applied together	209.53	213.72	215.82	217.91	220.01
Renewal	138.46	141.23	142.61	144.00	145.38
Badge Deposits	21.63	22.06	22.28	22.50	22.71
Private Hire Operator	351.23	358.25	361.77	365.28	368.79
Renewal	351.23	358.25	361.77	365.28	368.79
Repeat Knowledge/Driving Test	64.89	66.19	66.84	67.49	68.13
Disabled Training Course Fee	22.66	23.11	23.34	23.57	23.79
Disabled Training Course Admin	5.15	5.25	5.30	5.36	5.41
Disabled Course – Non- attendance fee	7.72	7.87	7.95	8.03	8.11
Special Events Vehicle	270.48	275.88	278.58	281.29	283.99
Retest	64.17	65.44	66.08	66.73	67.37
Plate	36.05	36.77	37.13	37.49	37.85

6. The Council is only permitted to set licensing fees for taxis and hackney carriages up to the amount that can be ascertained as being the cost of administering the licensing function. This includes enforcement, administration and ancillary costs relating to members meeting to determine certain licensing applications.
7. The cost of licence and administration stated in this report includes the enforcement and administrative costs of processing all licences including gaming and liquor but does not include any costs relating to Members.
8. The Committee considered this matter on the 11th of February 2009. Present at that meeting were representatives of both the Private Hire and Hackney Carriage Trade and Mr Anthony Humphreys Group Accountant – Support Services. Several taxi/private hire drivers including Mr S Saleem and Mr M Ali made representations to the Committee in respect of the proposed revision fees. Mr Humphreys also responded to questions from the trade in relation to the licensing budget.
9. In conclusion the trade representatives asked that the Committee consider making no increase to the fees in respect of hackney carriage and private hire.
10. After giving careful consideration to all the representations made, the committee resolved that approval be given to an increase in respect of the fees for private hire and hackney carriage licences, as set out in Table A of the submitted report of 5% indicated in the report submitted as Option 4.
11. In pursuance of the Local Government (Miscellaneous Provisions) Act 1976 Section 70, a notice was posted in the Express and Star on the 27th February setting out the proposed variation of fees in respect of the:-
 1. Grant of Hackney Carriage Vehicle Licence.
 2. Grant of Private Hire Vehicle Licence.
 3. Grant of Private Hire Operator's Licence.

And inviting anyone who has objections to the variations of the above fees to make them in writing to the Interim Director of Law and Property within 28 days of the published notice.

A copy of this notice is attached to this report as Appendix 2.

12. On the 23rd February 2009 a letter was received from Mr Saleem and Mr Ali requesting a substantial amount of information in relation to the Licensing function and budget. This letter was responded to by the Licensing Officer on the 9th of March 2009. Copies of both these letters are attached to this report as Appendix 3.
13. On the 12th March 2009 a letter was received from Mr Saleem and Mr Ali lodging objections to the fee variations in respect of the proposed fee variations set out in paragraph 10 of this report. A copy of this letter is attached to this report as Appendix 4.

14. The Licensing Officer replied to the letter of objections informing Mr Ali and Mr Saleem of the date and time of the Taxis Committee Meeting when their objections would be considered and requesting that they submit their detailed objections by the 5th April 2009. A copy of this letter is attached to this report as Appendix 5.
15. At the time of writing this report, 6th April 2009, no detailed objections have been received from Mr Ali and Mr Saleem.

Finance

16. The financial implications in respect of the fees for private hire and hackney carriage licensing (set out in Table A) are outlined below. For information, the budget strategy 2009/10 assumes an increase of 4%.

17. Option 1:

Present fee level increased by 2%

	£'000s	£'000s
Cost of Licence Administration		610
Less:		
Income:		
Hackney Carriage Licences	351	
Street Trading	3	
Betting and Gaming	53	
Liquor	221	
		628
Net (surplus) of Licensing Administration		(18)

18. Option 2:

Present fee level increased by 3%

	£'000s	£'000s
Cost of Licence Administration		610
Less:		
Income:		
Hackney Carriage Licences	355	
Street Trading	3	
Betting and Gaming	53	
Liquor	221	
		632
Net (surplus) of Licensing Administration		(22)

19. Option 3:

Present fee level increased by 4%

	£'000s	£'000s
Cost of Licence Administration		610
Less:	Income:	
	Hackney Carriage Licences	358
	Street Trading	3
	Betting and Gaming	53
	Liquor	221
		635
Net (surplus) of Licensing Administration		(25)

20. Option 4:

Present fee level increased by 5%

	£'000s	£'000s
Cost of Licence Administration		610
Less:	Income:	
	Hackney Carriage Licences	362
	Street Trading	3
	Betting and Gaming	53
	Liquor	221
		639
Net (surplus) of Licensing Administration		(29)

21. The cost of licence administration is included in the Law and Property Services budget.

Law

22. Part II of the Local Government (Miscellaneous Provisions) Act 1976 regulates the grant of Private Hire and Hackney Carriage Licences.

23. In pursuance of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976:

- (1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part-

- (a) the reasonable cost of carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;
 - (b) the reasonable cost of providing hackney carriage stands; and
 - (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.
- (2) The fees chargeable under this section shall not exceed-
 - (a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;
 - (b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and
 - (c) for the grant of an operator's licence, twenty-five pounds per annum;

or in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.
- (3)
 - (a) If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.
 - (b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.
- (4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.
- (5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections.

- (6) A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so.

Equality Impact

24. The proposals take into account the Council's policy in relation to equal opportunities.
25. There has been no consultation or involvement of children and young people in developing these proposals.

Recommendation

26. That the Committee consider the objections raised to the increase of licence fees.



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INTERIM DIRECTOR OF LAW AND PROPERTY



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FINANCE

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List of Background Papers