

WAVERLEY BOROUGH COUNCIL

LICENSING AND REGULATORY COMMITTEE

24 NOVEMBER 2016

Title:

**FINANCIAL STRATEGY
TAXI AND PRIVATE HIRE LICENSING FEES AND CHARGES 2017/2018**

[Wards Affected: All]

[Portfolio Holder: Cllr Ged Hall]

Summary and purpose:

The purpose of this report is to seek the Committee's approval for the schedule of Taxi and Private Hire Licensing Fees and Charges for 2017/18 as part of the Budget process. There is a requirement for the fees and charges for taxi licensing to be advertised in the press and therefore this report is coming to you earlier than usual to enable this to be completed in advance of the budget process and to allow the fees to be implemented with effect from 1 April 2017. A full report on the proposed budget for 2017/18 will be presented to your next meeting in January 2017.

How this report relates to the Council's Corporate Priorities:

A robust budget setting process is required to deliver the Council's Corporate Priorities.

Resource/Value for Money implications:

All decisions made with regard to the Budget will impact on Waverley's resources.

Legal implications:

Reg 18(4) Provision of Services Regulations 2009 provides that charges under an authorisation scheme must be reasonable and proportionate to, and not exceed, the cost of the procedures and formalities under the scheme.

The Westminster case refers to the wording of the above regulation, and is very clear on what the cost of procedures under the scheme includes. The fee charged cannot exceed the cost of the procedures, i.e. the steps which an applicant for a licence has to take if he wishes his application to be granted or his licence to be renewed. What a fee can include is the administrative costs involved, and the costs of vetting the applicants (in the case of applications) and the cost of investigating compliance with licence terms (in the case of renewals). Recent advice is that a fee can now also include the costs of enforcement, which was not permissible previously.

The Regulations apply to "Service activities," which means any self-employed economic activity normally provided for remuneration. So, if a service activity requires authorisation, the fee charged by an authority for authorising the activity must be reasonable and proportionate to the cost of the procedures and formalities under the scheme, and cannot include enforcement costs.

Introduction

1. This report sets out the proposed fees and charges for the taxi licensing service for 2017/2018.
2. In most years the proposed increases to taxi licences are less than the guideline of 3.5% but for this year, there is no clear percentage increase. A comprehensive review has been carried out to ensure that every fee can be broken down and justified as a true reflection of the time and processes required to administer each of the licences.
3. The purpose of bringing this report to you a cycle earlier than usual is due to the requirement for the taxi and private hire licensing fees to be advertised in the local press and enable representations to be submitted. It is anticipated that by seeking agreement from the Committee at this meeting to the proposed fees, the process of advertising can get underway and any representations received brought back to your next meeting. This then fits in more neatly with the complete budget process for 2017/18.

Proposed Increases in Fees and Charges

4. A schedule of the proposed Licensing fees and charges from 1 April 2017 is shown at Annexe 1. There are a number of new fees that have been introduced which cover areas where there has not previously been a charge but where there is quite a demand for the service, such as change of address and reissuing of licences.
5. In addition, it is proposed that the charging structure for Operator licences should be more fairly applied depending on the size of the business and the number of vehicles they operate. You will therefore see a number of different fees payable dependent upon the size of the operation, split between 1-5 vehicles and then greater than 5. There is also a distinction between an application for a new operator licence from someone who is not currently licensed as a driver because the usual checks for fitness and propriety will not have been carried out and it is proposed that the fee reflects this.

Liquor Licences

6. The charges for Liquor Licences were set under the Licensing Act 2003 and remain imposed by statute. However, there have been indications that the Government may empower Licensing Authorities to determine local charges based on cost-recovery based on the same format and justification used for taxi licensing, but this has not yet come to fruition. In this event, a future report would be brought before this Committee.

Recommendation

It is recommended that the Committee approves the level of Fees and Charges for 2017/18 for Taxi Licensing in accordance with the schedule at Annexe 1 to enable the public advertisement of the fees and charges to be progressed in advance of the usual budget process.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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ANNEXE 1

<u>Taxis and Private Hire</u>	2016/17 fee	2017/18
New driver – hackney carriage/private hire 3 Year	£150.00	£262.00
New driver – hackney carriage/private hire (1 Year by exception Only)	£108.00	£108.00
Hackney carriage/private hire driver renewal 3 Year	£150.00	£170.00
Hackney carriage/private hire driver renewal (1 Year by exception Only)	£69.00	£69.00
New driver – private hire only 3 Year	£150.00	£262.00
New driver – private hire only (1 Year by exception Only)	£108.00	£108.00
Private hire driver only – renewal 3 Year	£150.00	£170.00
Private hire driver only – renewal (By Year by exception Only)	£69.00	£69.00
Private hire operator Renewal (5 or less vehic)	£184.00	£125.00
Private hire operator Renewal (5 or more vehic)	£184.00	£171.00
Hackney carriage vehicle test (including one test)	£284.00	£284.00
Hackney carriage vehicle test, over 5 years old (including two tests) with a 2 nd Instalment of;	£284.00 +£82.00	£284.00 +£82.00
Hackney carriage vehicle test (disabled access)	£102.00	£102.00
Hackney carriage vehicle test(disabled access) over 5 years old, (including two tests) with a 2 nd Instalment of;	£102.00 +£82.00	£102.00 £82.00
Private hire vehicle test (including one test)	£284.00	£284.00
Private hire vehicle test over 5 years old (including two tests) with a 2 nd Instalment of;	£281.00 +£82.00	£281.00 £82.00
Private hire vehicle test (disabled access)	£102.00	£102.00
Private hire vehicle test (disabled access) over 5 years old, (including two tests) with a 2 nd Instalment of;	£101.00 +£82.00	£102.00 £82.00
Surrender & Replacement to a new vehicle	£83.00	£82.00

Replacement/lost plate and window pouch	£16.00	£20.00
Vehicle plate bracket only	£10.00	£10.00
Missed vehicle test	£70.00*	£70.00
Failure re-test	£70.00	£70.00
DBS	£50.00	£50.00
Knowledge Test	£35.00	£70.00
Resit Fee for Knowledge Test	£35.00	£70.00

NEW;

Private hire operator New (Not Licensed driver) Less than 5 vehicles	£215.00
Private hire operator New (Not Licensed driver) More than 5 vehicles	£261.00
Private hire operator New (Licensed driver) Less than 5 vehicles	£146.00
Private hire operator New (Licensed driver) More than 5 vehicles	£192.00
Replacement driver's badge	£10.00
Change of address	£10.00
Transfer of P/H to H/C (new badge, knowledge test and admin)	£90.00
Replacement Lanyard	£1.00

*The fee quoted for "Failure to present vehicle for test" will be charged only if the proprietor of the vehicle fails to contact Licensing on 01483 523219 to cancel the test giving at least 24 hours notice.