

**WAVERLEY BOROUGH COUNCIL**

**LICENSING AND REGULATORY COMMITTEE**

**25 FEBRUARY 2019**

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**Title:**

**HACKNEY CARRIAGE/PRIVATE HIRE FEES 2019/20 -  
OUTCOME OF ADVERTISEMENT**

**[Portfolio Holder: Cllr Andrew Bolton]  
[Wards Affected: All]**

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**Summary and purpose:**

The purpose of this report is to enable the Committee to consider representations received from operators and drivers following the advertisement of proposed fees for hackney carriage/private hire vehicles, etc. These proposed fees were advertised on 18 January 2019 in accordance with the requirements of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 and the closing date for representations was on 15 February 2019.

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

The Council is obliged to provide a statutory Licensing Service, which allows licensees to undertake work in and around its area, providing taxi and private hire services in the community. The Council is entitled to recover its reasonable costs of providing the service, but may not make a surplus (or profit) from the activity. The service enables people to start up and run businesses of varying sizes, from a single licensee and vehicle to larger operators of any number of vehicles and drivers under one business umbrella. The service provides opportunities for work to 371 licensed drivers, with associated vehicle and operator licensing.

**Equality and Diversity Implications:**

The report has no negative environmental implications. Encouraging use of taxis could have positive environmental benefits in that fewer private cars might be used or needed, although this might not affect the numbers of car journeys taken. There are no equality and diversity implications.

**Financial implications:**

The resource implications of this report are chiefly the recovery of the cost of administering the licensing service for the coming year. The Council has a duty to make a charge for the licensing function, and is empowered by the Local Government (Miscellaneous Provisions) Act 1976 to set the appropriate fees for licensing of hackney carriages, private hire vehicles and their drivers and operators. The Government does not provide financial support, as the licensing service is deemed to be self-financing. Therefore the net cost has to be met from Council Tax.

The overall costs of the service including hackney carriage and private hire licensing have been budgeted at £376,400 for 2019/20. The rate of cost recovery for the Hackney Carriage element is:

- 2017/18 91% (Actual)
- 2018/19 91% (Predicted)
- 2019/20 91% (Estimate, based on no increase in fees and charges)
- 2019/20 93% (Estimate, based on increased fees and charges)

A full review of costs, charges and recharges is scheduled to be undertaken this year taking into account the change from 1 year drivers licences to 3 year licences, and 1 year operator licences to 5 year licences.

### **Legal Implications:**

Legal implications are dealt with by compliance with the legislation for making, advertising and considering representations in respect of revised fees. The Council is required to have due regard to the need to prevent crime and disorder in its area when considering such matters. It is not considered that the report raises any Community Safety issues.

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### **Introduction**

1. This report asks the Committee to consider representations received in respect of the advertisement of fees for 2019/20 for hackney carriage/private hire vehicles etc. These proposed fees were advertised on 18 January 2019 giving the 28 days required for submission of representations in accordance with the requirements of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. The closing date for representations was on the 15 February 2019 and any representations received by that date will be summarised and submitted to the meeting.

### **Representations Submitted as a Result of Advertising the Increases**

2. The Council must consider all representations to the advertised variation received within the statutory period. The Council must set a new date for the variation to come into force, with or without modification, having considered the representations, such date being not more than two months from the date advertised (which was 1st April 2019). There is no requirement for further advertising of any new fees set. In total, so far 4 written representations have been submitted within the statutory consultation period at time of writing this report. A copy of the representations is attached at Annexe 1. Any further representations received before 15 February 2019 will be Tabled at the meeting on 25 February 2019.
3. On the 14 January 2019 the Licensing and Regulatory Committee approved the schedule of Licensing and Regulatory fees & charges for 2019/20 and recommended them to Council as part of the Council's budget-setting process for 2019/20. These fees were approved by Council on 12 February 2019 subject to consideration of consultation responses by the Licensing & Regulatory Committee..
4. If the outcome of the level of Fees and Charges for 2019/2020 at today's meeting, having taken into account representations, requires the fees to be modified, the

revised fees would come into effect on 1 May 2019. If there is no modification and the fees remain as originally proposed then the fees come into effect on 1 April 2019.

5. An email was sent to all email registered licensees informing them that the Council had reviewed its fees charged for hackney carriage and private hire licences and proposes to increase them with details of the proposed increases. Notices were displayed at the Farnham and Godalming council offices as well as being advertised in the Surrey Advertiser on Friday 18 January 2019.

### **Conclusion**

6. The Committee is asked to consider the representations received, as set out at Annexe 1. The Committee must decide whether it wishes to make amendments to the fees provisionally agreed for 2019/20, shown in Annexe 2. If the fees are to be amended, the Committee must make a recommendation to Council, with a new date for introduction of not more than two months from the original date for introduction.

### **Recommendation**

It is recommended that the Committee considers the representations enclosed at Annexe 1 as a result of advertisement of the 2019/20 hackney carriage/private hire licence fees, and determines whether it wishes to confirm the fees and charges agreed on 12 February 2019 as shown in Annexe 2, or propose amendments to Council.

If the Committee determines to amend the fees for 2019/20, it must recommend to the Council a revised scale of fees for these licences for 2019/20, to be introduced from 1 May 2019, this date being not more than two months from the original advertised date of 1st April 2019.

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### **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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