

# **DRAFT FACE ITEM**

## **Licensing Fees Update**

On 27 February 2023 the Licensing & Regulatory Committee approved the schedule of Taxi and Private Hire Licensing Fees and Charges for 2023/24 as part of the Budget process.

In accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976, any proposed increase to certain fees must be advertised and this relates to hackney carriage proprietors' licences, private hire vehicle licences and private hire operators' licences.

The Local Government (Miscellaneous Provisions) Act 1976 prescribes the procedure that a district council must follow when setting fees for vehicle and operators' licences.

Section 70(3)-(5) states that if a district council sets fees in excess of;

- for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;
- for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and
- for the grant of an operator's licence, twenty-five pounds per annum;

it must consult by placing a notice in a local newspaper circulating in the district and allowing for a consultation period of no less than twenty-eight days. If any person makes an objection to the proposed fees, a further date (not later than two months after the first specified date) must be set to allow the council to consider the objection and to vary the fees if applicable.

The fee adoption and variation process is important for the trade to be aware of because, if a district council does not comply with the advertising and consultation requirements, the fees set by it would be unlawful and open to challenge and claims for restitution.

In accordance with legislation the proposed fees were advertised in the Surrey Advertiser on Friday 31<sup>st</sup> March 2023 and the Farnham herald on Thursday 30 March 2023, on the Councils website and at the Councils offices. The taxi trade were emailed on the 29<sup>th</sup> March 2023.

A closing date of midnight on the 30 April 2023 was given for objections and a scheduled date of the 30<sup>th</sup> May was given if no objections were made or maintained for the fees to come into effect.

No objections were received and therefore in accordance with the legislation the Scale of fees agreed by Licensing & Regulatory Committee on 27 February 2023, and advertised as stated above will take effect on the 30 May 2023.