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To: The Members of the **Licensing Committee**
(Councillors: Rodney Bates (Chairman), Dan Adams (Vice Chairman), Peter Barnett, Richard Brooks, Paul Deach, Tim FitzGerald, Shaun Garrett, David Lewis, David Mansfield, John Skipper, Pat Tedder, Helen Whitcroft and Valerie White)

In accordance with the Substitute Protocol at Part 4 of the Constitution, Members who are unable to attend this meeting should give their apologies and arrange for one of the appointed substitutes, as listed below, to attend. Members should also inform their group leader of the arrangements made.

Dear Councillor,

A meeting of the **Licensing Committee** will be held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on **Wednesday, 15 December 2021 at 6.00pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

AGENDA

	Pages
1 Apologies for Absence	
2 Minutes of the Previous Meeting	3 - 8
To confirm and sign the minutes of the meeting held on 20 October 2021.	
3 Declarations of Interest	
Members are invited to declare any Disclosable Pecuniary Interests and non-pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Officer prior to the meeting.	
4 Review of Hackney Carriage (Taxi) and Private Hire (PH) Licensing fees 2022-2023	9 - 32

Minutes of a Meeting of the Licensing Committee held at Council Chamber, Surrey Heath House on 20 October 2021

- + Cllr Rodney Bates (Chairman)
- + Cllr Dan Adams (Vice Chairman)

- | | |
|---|---|
| <ul style="list-style-type: none"> + Cllr Peter Barnett + Cllr Richard Brooks + Cllr Paul Deach + Cllr Tim FitzGerald + Cllr Shaun Garrett - Cllr David Lewis | <ul style="list-style-type: none"> + Cllr David Mansfield* - Cllr John Skipper + Cllr Pat Tedder + Cllr Helen Whitcroft + Cllr Valerie White |
|---|---|

- + Present
- Apologies for absence presented

Officers Present: Paula Barnshaw, Rebecca Batten, Nathita Fleet, Helen Lolley and Frances Soper

*Cllr David Mansfield was present virtually and did not participate in the voting

9/L Minutes of the Last Meeting

RESOLVED that the minutes of the meeting of the Licensing Committee held on 29th July 2021 be approved as a correct record and signed by the Chairman.

10/L Draft Gambling Act 2005 Statement of Policy

The Committee considered a report setting out the draft revised Statement of Gambling Principles for 2022-2025.

The Gambling Act 2005 placed a statutory requirement on licensing authorities to publish a Statement of Gambling Principles which set out the authority's expectations with regard to how gambling would be regulated in their area. The draft revised Statement was intended to replace the Council's current Statement of Principles which was scheduled to expire in January 2022.

The draft Statement had been prepared in accordance with the regulations within the Gambling Act 2005 and guidance issued by the Gambling Commission. It was anticipated that the new Statement would be largely unchanged from the current Statement however there would be an increased emphasis on the need for licence holders and applicants to prepare and maintain local risk assessments and the Licensing Authority would develop a Local Area Profile to support this process.

It was clarified that it was considered good practice to publish Local Area Profiles which could not only be used by operators to help them develop mitigating actions to reduce risks to vulnerable people in the vicinity of a licenced establishment but it would also help officers target resources appropriately.

The draft Statement would be subject to a six week public consultation period which would commence on the 8th November 2021. The consultation would be shared with both statutory consultees including the Chief Police Officer for the area and business associations as well as non-statutory consultees including the County Council, neighbouring authorities, ward councillors, parish councils and Collectively Camberley.

The outcomes of the consultation would be shared with the Licensing Committee at their meeting on 16th February 2022.

It was questioned whether the risk assessment might include guidance on how an operator might deal with customers who were known to have a gambling problem. It was agreed that this would be fed into the consultation.

It was requested that the details of any additional consultees be forwarded to officers.

RESOLVED that:

- i. The contents of the report be noted
- ii. The draft Statement of Principles 2022-2025, as set out in the annex to the report, be approved for consultation.

11/L Review of Hackney Carriage Fares

The Committee considered a report setting out proposals to update the Taxi Fare Chart for the hire of hackney carriages in Surrey Heath.

The Committee was informed that officers had received a number of verbal and written requests for the hackney carriage tariffs, which had last been updated in 2012, to be reviewed. In July 2021 the Licensing Committee had been advised that it was proposed that hackney carriage fares should be increased by the annual Consumer Price Index for each year that had elapsed between 2012 and 2021. Subsequent consultation with the trade on the proposed increases had elicited 4 written and 2 verbal responses, in addition a number of hackney carriage drivers had provided feedback on the proposed increases during discussions with the trade over the development of a new Taxi Licensing Policy. Feedback on the proposed increases had on the whole been positive.

The Committee was informed that the Tariff Table in Annex E to the report had been corrected and the fares under Tariff 4 Festive Period should have been:

- First 330 yards - £7.20
- 5 x 0.40p - £2.00

On occasion it had been necessary to round fare changes to enable the meters to be updated appropriately where this had occurred fares had been rounded down.

It was a statutory requirement that the changes were advertised in local newspapers and that any objections should be made within 14 days of the date of publication. The outcomes of the public consultation would be shared with the Committee at their meeting in February 2022. The changes would also be published on the Council's website and it was agreed that the changes would also be advertised through the Council's social media channels.

It was acknowledged that the changes could impact on the trade in favour of Uber. However, it was stressed that the fares were the maximum that could be charged and drivers would have some discretion over the fares that they charged customers. It was not known precisely how many Uber drivers operated in the Borough however this would be discussed with Uber at an upcoming meeting with the organisation and the outcomes circulated.

RESOLVED that:

- i. The contents of the report be noted.
- ii. The proposed new taxi fares, as set out in the revised Annex E to the report, be advertised in the local media and through the Council's social media channels.
- iii. The steps that will be taken once the fares are advertised be noted.
- iv. The taxi fares are reviewed by the Licensing Committee regularly, depending on the prevailing economic climate.

12/L Food Safety Service Plan 2021/22

The Committee considered a report containing the draft Food Safety Service Plan for 2021/22.

The Food Standards Agency (FSA) required all local authorities to have a Food Safety Service Plan which set out how national priorities and standards in respect of food safety would be addressed and delivered at a local level. The drafting of the Plan had been delayed to enable officers to take the guidance and advice in the FSA's Covid-19 Local Authority Recovery Plan (2021) into account.

It was reported that there were 706 food businesses in Surrey Heath which were subject to inspection by the Council's food safety service. Over the course of 2020/21, the Council's Food and Safety Team had carried out 136 on-site food safety inspections, investigated 57 complaints about food or food premises and investigated 75 reports of food borne infectious diseases. The number of inspections had been lower than in previous year due to disruption caused by the Government's pandemic restrictions however it was considered that the service was well placed to ensure that food inspection programme was fully realigned with the original required inspection frequencies by the end of March 2023.

It was reported that 96.6% of the borough's food premises were currently classified as having a Food Hygiene Rating of 3 (Satisfactory), 4 (Good) or 5 (Very Good) with 78% having achieved the highest rating of 5. It was agreed that a breakdown of businesses in each rating category would be circulated.

It was confirmed that there had been no increase in the number of incidents of food poisoning being reported in the last year when compared to previous years.

The Committee commended the work of the officers to deliver such a comprehensive service over the course of a particularly difficult year.

RESOLVED that the Food Safety Service Plan 2021/22, attached as Annex A to the report, be approved.

13/L Health and Safety Service Plan 2021-22

The Committee received a report setting out the draft Health and Safety Service Plan for 2021/22.

The Committee was informed that the Council's health and safety function was governed by the Health and Safety at Work Act 1974, the Health and Safety (Enforcing Authority) Regulations 1998 and the National Local Authority Enforcement Code. Work was monitored by the Health and Safety Executive (HSE) and all local authorities were

required to complete and submit an annual return on their enforcement activities to the HSE.

The draft Health and Safety Service Plan set out how the Council planned to discharge its statutory responsibilities in respect of health and safety and described how national priorities and standards would be addressed and delivered locally. The Plan had been delayed to enable the revised HSE priorities arising from the Covid-19 pandemic and Government guidance on working practices following the removal of pandemic related business restrictions to be taken into account in the Plan's development.

RESOLVED that the draft Health and Safety Service Plan 2021/22, as attached at Annex A to the report, be approved.

14/L Business and Planning Act 2020 Pavement Licence Fees

The Committee received a report seeking an extension to the waiver of the discretionary fee payable by businesses seeking a pavement licence.

Pavement Licences had been introduced, by the Business and Planning Act 2020, with the intention of making it easier for premises serving food and drink to seat and serve customers outside. The Act allowed licensing authorities to levy a charge of up to £100 to cover the cost of administering the licence application process and initially Surrey Heath chose to charge £100, the maximum allowable. However, in order to help support local businesses recover from the impacts of the Government's pandemic restrictions, the Licensing Committee agreed in March 2021 to waive charges and refund any payments already received. Regulations extending the provisions of the Business and Planning Act 2020 until 30th September 2022 had come into effect on 20th July 2021 and the Authority has subsequently received 15 applications for Pavement Licence. In line with the Licensing Committee's decision the application fees had been waived for the applicants.

In view of the time limited nature of Pavement Licence legislation, allied to a desire to continue to support local businesses, it was proposed that the Authority continue to waive the application fee until the extended powers for pavement licences elapsed on 30th September 2022. The Committee was informed that the proposals had been discussed with the Finance Portfolio Holder who had endorsed the proposed extension.

It was confirmed that if the Government extended the Pavement Licence then the decision to waive application fees would be reviewed.

It was agreed that the Business Portfolio Holder would be asked to promote the Pavement Licence through his networks.

It was confirmed that councillors would be informed of any applications for Pavement Licences received from businesses in the wards they represented.

RESOLVED that the discretionary licence fee of £100 for all new Pavement Licence applications, made under the Business and Planning Act 2020 is waived in light of the current and ongoing impact of the Covid-19 pandemic.

15/L Licensing Act 2003 - Summary of Decisions

The Committee received and noted a report summarising the decisions taken under delegated powers in respect of licence applications where no representations had been received from the responsible authorities or any other persons.

16/L Licensing Committee Work Programme

The Committee considered its proposed work programme for the remainder of the 2021/22 municipal year.

The scheduling of a potential additional meeting on 15th December 2021 at 6.30pm to consider the Hackney Carriage and Private Hire Fees and Charges was noted.

It was agreed that the following items would be added to the agenda for the meeting scheduled for 16th February 2022:

- Review of Hackney Carriage (Taxi) Fares Feedback after Consultation
- Review of Hackney Carriage (Taxi) and Private Hire Licensing Fees

RESOLVED that, subject to the amendments set out above the proposed work programme be approved.

Chairman

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**Review of Hackney Carriage (Taxi) and Private Hire (PH) Licensing fees
2022-2023**

Purpose

To consider the proposed revised Taxi and PH fees.

Wards Affected: All

Recommendation

The Licensing Committee is advised to resolve that:

- i. the contents of the report be noted, and
- ii. the proposed revised fees and charges for the Taxi and PH trade be recommended for approval by the Head of HR, Performance and Communication in consultation with the Strategic Director- Finance and the Finance Portfolio Holder, subject to the 28 day notice period.

1. Background

1.1 Surrey Heath Borough Council in its role as the local Licensing Authority is responsible for licensing Taxis and PH drivers, vehicles and operators.

1.2 The Local Government (Miscellaneous Provisions) Act 1976 (the Act) includes provisions that allow district and borough councils to recover such fees as they consider reasonable with a view to recovering the costs of issuing and administering driver's licences for both Taxis and PH vehicles. (Section53(2))

1.3 Section 70 of the Act allows the same for vehicle and operators' licences.

'A district** council may charge such fees for the grant of vehicle and operator licences sufficient in the aggregate to cover in whole or in part –

- 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
- The reasonable cost of providing hackney carriage stands, and

- Any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.’

** This includes borough councils.

1.4 A list of the Council’s current Fees is attached as Annex A.

1.5 Section 70 of the Act sets out the steps we are required to follow when reviewing and varying proposed fees. These requirements have been taken into account as part of this work.

2. Revised fees

2.1 A report outlining the methodology for recalculating the fees was considered by the Licensing Committee on the 29th July 2021. A copy of this report is attached for reference. (Annex B)

2.2 The methodology used takes into consideration both the legislative requirements and the document ‘Open for business’: Local Government Association (LGA) guidance on locally set licence fees’ (updated in 2017). This guidance was used as a starting point only as it does not take into account the specific statutory restrictions applicable to Taxi and PH fees therefore not all of the costs listed as recoverable in the guidance will be included.

2.3 The LGA guidance acknowledges that the following principles should be applied:

Fees should be:

- non-discriminatory
- justified
- proportionate
- objective
- made public in advance
- transparent, and
- accessible

2.4 The LGA guidance sets out what costs may be included when setting fees. This guidance was used to produce a table of costs which was then used to calculate the revised fees. Where applicable this was calculated as an hourly cost this includes the cost of officer time (per hour).

2.5 To ensure that the fees are fair and transparent we carried out time recording for a three month period for each of the Licence types. Time recording covered all the activities involved in processing an application and issuing a licence. An example of the information collected is attached as Annex C

- 2.6 The information collected during the time recording has been used to inform the proposed revised fees.
- 2.7 A current list of licence types is attached as Annex A together with the current fee. During the time recording it became evident that there is no demand for some licence types and it is proposed that these be deleted from the list of fees and charges.
- 2.8 We currently license the following (November 2021):
- Operators -38
 - Combined PH Taxi Drivers - 195 (these are all 3 year licences)
 - Taxi Drivers - 6 (1 year licences)
 - PH Vehicles - 82
 - Taxi Vehicles - 80
- 2.9 Following Committee Meeting on the 29th July 2021 the methodology for calculating the revised fees was considered by the Executive Head of Community, as a result no changes were recommended or made.
- 2.10 These fees may be challenged either in the High Court (Judicial Review) or by complaint to the Local Auditor (formerly District Auditor). It is therefore important that the process the Council follows is fair, open and transparent.
- 2.11 Following a Committee resolution the Head of HR, Performance and Communication (as Interim Service Head for Licensing) will be asked to approve, in consultation with the Finance Portfolio holder and Strategic Director-Finance, the proposed fees in accordance with our Constitution and Financial Regulations.

3. Proposed Revised Fees

- 3.1 These have been calculated as follows:

Revised Taxi and PH Licensing Fees (with current fee in brackets)	
Taxi and PH Drivers Licence(1Year)*	£249 (£95)(to be deleted)
Taxi and PH Drivers Licence (3 Year)*	£249(£250)
Reissue Drivers Licence and Badge	£20(£20)
Taxi and PH Street Electronic Test	£60(£60)

Taxi Vehicle Licence**	£254(£295)
PH Vehicle Licence**	£242 (£265)
Transfer Vehicle Licence	£187 (£50)
Change Vehicle from PH to Taxi	£32(£35)
PH Exemption Certificate	£134 (£30)
Re-issue of Vehicle Plate with or without licence	£20(£20)
PH Operators Licence 1 Vehicle (1 year)	£113(£85)
PH Operators Licence more than 1 vehicle (1 year)	£140(£215)
PH Operators Licence 1 Vehicle (5 years)***	£329 (£425)(to be deleted)
PH Operators Licence more than 1 vehicle (5 years)***	£464(£1075)(to be deleted)

NOTES:

*It is proposed that in future the Council only issues three year Driver Licences. This will save on the cost of officer time etc. and should be more efficient for all involved.

Drivers with an existing notifiable medical condition will be required to provide an annual medical report and no other documents would be required after the licence has been issued.

Drivers who develop a notifiable medical condition during the life of a licence will be required to notify the Licensing Authority within 48 hours (section 5.6 *Surrey Heath- Hackney Carriage (taxi) and Private Hire Licensing Policy 2021-2026*), appropriate action would be taken as a result.

Drivers who surrender their licences due to serious illness or in the case where a driver unfortunately dies within the three year period may be offered a refund providing they have at least three months remaining on their licence. The refund may be subject to a small administration fee of £25.

**The difference between these two licences is due to the additional costs associated with the setting and regulating taxi fares and the provision and maintenance of Taxi Ranks which relates to solely to Taxis.

***It is proposed that these are deleted from the list of fees and charges as there is no demand for these. The figures in the table above are estimated.

- 3.2 Annex D provides details of neighbouring Councils' fees and charges for comparison and benchmarking.
- 3.3 Annex E sets out the estimated income based on Current Fees (2021/22) and Proposed Fees (2022/2023). This assumes the same level of licensable activity, but income will vary with demand for licences.

4. Public Notice Requirements

- 4.1 Where it is proposed to vary the fees section 70 of the Act requires the Council to publish in at least one local newspaper a notice setting out the proposed fees. (An example of a Notice to be placed in a local newspaper is attached as Annex F.)
- 4.2 In addition all Taxi and Private Hire licence holders will be informed of the proposed fees and they will be publish on the Council's web pages and shared on social media.
- 4.3 Once a Notice has been placed for the statutory 28 days if no objections are received or where objections are made but subsequently withdrawn the new table of fees comes into immediate effect.
- 4.4 If however objections are received these must be considered within two months following the end of the 28 day notice period given above. The proposed fees may be amended to reflect the objections after which the new table of fees comes into effect.
- 4.5 Where objections are received we propose to present the objections and amended fees to the Licensing Committee in February 2022. Final approval for the proposed fees rests with the Strategic Director- Environment and Community in consultation with the Finance Portfolio holder and Strategic Director- Finance.

4.6 The revised fees, once approved, will be applied with effect from 1st April 2022.

5. Resource Implications

5.1 The proposed revised fees, based on cost recovery, would generate an income in line with the current budget estimates for taxi licensing, 2021/22 and proposed 2022/23 assuming the existing level of licensable activity. The demand for licences will vary over time.

5.2 The Council is required to publish changes to the scheme of fees in a local newspaper. (Estimated cost £800) These costs will be met from within existing budgets.

6. Covid-19

6.1 Covid-19 continues to provide challenges to the Taxi trade and the Licensing Team.

6.2 The Team continue to undertake additional work keeping the trade updated on changes to advice and guidance.

6.3 As part of this we will ensure that the Taxi trade is updated and made aware of any new guidance that is likely to affect them or their passengers.

6.4 There has been a decrease in the number of applications for all types of licence. This trend will be kept under review to determine whether this is temporary or will become more permanent with a corresponding effect on income from this source.

6.5 This may be taken into account in future fee reviews.

7. Recommendation

The Licensing Committee is advised to resolve that:

- iii. the contents of the report be noted, and
- iv. the proposed revised fees and charges for the Taxi and PH trade be recommended for approval by the Head of HR, Performance and Communication in consultation with the Strategic Director- Finance and the Finance Portfolio Holder, subject to the 28 day notice period.

Annexes	<p>Annex A: Current Taxi and PH Licensing Fees.</p> <p>Annex B: Review of Hackney Carriage (Taxi and PH) Licensing fees 2022-2023 – report presented to the Licensing Committee on the 29th July 2021</p> <p>Annex C: Time Recording Details.</p> <p>Annex D: Table of Fees and Charges, surrounding Borough and districts.</p> <p>Annex E: Estimated Income Current and Proposed Fees</p> <p>Annex F: Example Notice to be placed in local newspaper.</p>
Background Papers	<p>Local Government Association- Open for business- LGA guidance on locally set licence fees.</p> <p>Surrey Heath –Hackney Carriage (Taxi) and Private Hire Licensing Policy 2021-2026.</p>
Author/Contact Details	<p>Helen Lolley Helen.lolley@surreyheath.gov.uk</p>
Head of Service	<p>Louise Livingston - Head of HR, Performance and Communication</p>

Current Taxi and Private Hire Licensing Fees (2021/22)

Fee	Cost
Hackney Carriage and Private Hire drivers licence (1 year)	£95
Hackney Carriage and Private Hire drivers licence (3 years)	£250
Re-issue drivers licence and badge	£20
Private Hire and Hackney Carriage electronic street test	£60
Hackney Carriage vehicle licence	£295
Private Hire vehicle licence	£265
Transfer vehicle licence	£50
Change of vehicle from private hire to hackney carriage licence	£35
Private Hire plate exemption certificate	£30
Re-issue vehicle plate with or without licence	£20
Private Hire Operators licence – more than 1 vehicle (1 year)	£215
Private Hire Operators licence – more than 1 vehicle (5 years)	£1075
Private Hire Operators licence – 1 vehicle (1 year)	£85
Private Hire Operators licence – 1 vehicle (5 years)	£425

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**Review of Hackney Carriage (Taxi) and Private Hire (PH) Licensing fees
2022-2023**

Purpose

To consider the proposed methodology for recalculating the Taxi and PH fees.

Wards Affected: All

Recommendation

The Licensing Committee is advised to note the contents of this report and to recommend the proposed methodology for calculating revised fees and charges for the Taxi and PH trade to be introduced in 2022/23.

Background

- Surrey Heath Borough Council through its Licensing team is responsible for licensing Taxis and PH drivers, vehicles and operators.
- The Local Government(Miscellaneous Provisions) Act 1976 (the Act) includes provisions that allow district and borough councils to recover such fees as they consider reasonable with a view to recovering the costs of issuing and administering driver's licences for both Taxis and PH vehicles. (Section53(2))
- Section 70 of the Act allows the same for vehicle and operator's licences.

'A district** council may charge such fees for the grant of vehicle and operator licences sufficient in the aggregate to cover in whole or in part –

- 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
- The reasonable cost of providing hackney carriage stands, and
- Any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.'

** This includes borough councils.

- A list of our current Fees is attached as Annex A.

- Section 70 of the Act requires us to publish in at least one local newspaper a notice setting out the proposed fees.
- We will take these requirements into account once we are in a position to present the proposed revised fees to the Licensing Committee.

Revised fees

- The proposed methodology for calculating fees takes into consideration both the legislative requirements and the document 'Open for business: Local Government Association (LGA) guidance on locally set licence fees' (updated in 2017). This guidance has been used as a starting point only as it does not take into account the specific statutory restrictions applicable to Taxi and PH fees therefore not all of the costs listed as recoverable in the guidance will be included.
- The LGA guidance acknowledges that the EU Services Directive, applicable to most forms of licensing, does not apply in the case of Taxi and PH licensing but the principles remain helpful. The core principles are that fees should be:
 - non-discriminatory
 - justified
 - proportionate
 - objective
 - made public in advance
 - transparent and
 - accessible
- The LGA guidance sets out what costs may be included when setting fees as follows:

Administration- this could cover basic office administration to process the licence application, such as resources, photocopying, postage or the cost of handling fees through the accounts department. This could also include the cost of specialist licensing software to maintain an effective database, and printing licences.

Initial visits- this could cover the average cost of officer time if a premises visit is required as part of the authorisation process. This could include travel time. It would be normal to include 'on-costs' in this calculation. Councils will need to consider whether 'on-costs' include travel costs and management time.

Third party costs- some licensing processes will require third party input from experts.

Liaison with interested parties- engaging with responsible authorities and other stakeholders will incur cost in both time and resources.

Management costs-we may consider charging an average management fee where it is standard process for the application to be reviewed by a management board or licensing committee. These costs may be included in the on-costs attached to officer time referenced below.

Local democracy costs-may want to recover any necessary expenditure in arranging committee meetings or hearings to consider applications.

On costs- including any recharges for payroll, accommodation, including heating and lighting, and supplies and services connected with the licensing functions.

Development, determination and production of licensing policies-the cost of consultation and publishing policies can be fully recovered.

Advice and guidance-this includes advice in person, production of leaflets or promotional tools, and online advice.

Setting and reviewing fees- this includes the cost of time associated with the review, as well as the cost of taking it to committee for approval.

- Using this guidance we are producing a table of costs that we propose to use when calculating the revised fees. Where applicable this is calculated as an hourly cost this includes the cost of officer time (per hour).
- To ensure that the fees are fair and transparent we are proposing to undertake time recording for each of the Licence types. Time recorded will cover all the activities involved in processing an application and issuing a licence. An example of the information we are collecting is attached as Annex: B
- We are planning to record the time taken to process applications for a three month period and use this information to calculate the fees we propose to charge in the future. In light of the timescales involved this is currently ongoing, but will be revised if changes are recommended tonight.
- This information is being collected for all licence fee types as listed in 2.8.
- We currently licence the following
 - Operators-41
 - Private Hire Drivers- 97 (these are all 3 year licences)
 - Hackney Carriage Drivers -111 (3 year licences)
 - Hackney Carriage Drivers- 4 (1 year licences)
 - Private Hire Vehicles-81
 - Hackney Carriage Vehicles-88
- Following tonight's Committee the methodology for calculating the revised fees will be considered by the Executive Head of Community in consultation with the appropriate Portfolio holder and the Executive Head of Finance in

accordance with our Constitution and Financial Regulations. Once approved we will follow the procedures as set out in this report.

- These fees may be challenged either in the High Court (Judicial Review) or by complaint to the Local Auditor (formerly District Auditor). It is therefore important that the process we follow is fair, open and transparent.
- We will use data from the time recording to update the Licensing Committee in October with details of the proposed fees. If as a result of this process the proposed fees are increased we will then follow the steps outlined in this report.
- The Executive Head of Community will be asked to approve, in consultation with the Portfolio holder and Executive Head of Finance, the proposed fees. Once approved we will place a Notice in a local paper as required and provide a further update to the Licensing Committee in February

Public Notice Requirements

- Section 70 of the Act requires us to publish in at least one local newspaper a notice setting out the proposed fees.
- Once a Notice has been placed for the statutory 28 days if no objections are received or where objections are made but subsequently withdrawn the new table of fees comes into immediate effect.
- If however objections are received these must be considered within two months following the end of the 28 day notice period given above. The proposed fees may be amended to reflect the objections after which the new table of fees comes into effect.
- Where objections are received we propose to present the objections and amended fees to the Licensing Committee in February 2022. Final approval for the proposed fees rests with the Executive Head of Community in consultation with the appropriate Portfolio holder and Executive Head of Finance.
- The above process with regards to advertising new fares will be followed once we have updated the Licensing Committee in October.
- An example of a Notice to be placed in a local newspaper is attached as Annex C. At this stage this is for information only.

Resource Implications

- We will be required to publish changes to the scheme of fees in a local newspaper. (Estimated cost £800) These costs will be met from within existing budgets.

Covid-19

- This has been a challenging time and it is likely that we will need to consider the implications of Covid-19 for the foreseeable future.
- As part of this we will ensure that the Taxi trade is updated and made aware of any new guidance that is likely to affect them or their passengers.
- This may be taken into account when calculating the revised fees.

Recommendation

- The Licensing Committee is advised to note the contents of this report and to recommend the proposed methodology for calculating revised fees and charges for the Taxi and PH trade to be introduced in 2022/23.

Annexes	Annex A: Current Taxi and PH Licensing Fees. Annex B: Time Recording Details of information being collected. Annex C: Example Notice to be placed in local newspaper.
Background Papers	Local Government Association- Open for business- LGA guidance on locally set licence fees. Surrey Heath –revised Draft Hackney Carriage (Taxi) and Private Hire Licensing Policy 2021-2026.
Author/Contact Details	Helen Lolley Helen.lolley@surreyheath.gov.uk
Head of Service	Tim Pashen - Executive Head of Community

Annex: C

**EXAMPLE ONLY
Taxi Licensing Fees and Charges
NOTICE**

**Private Hire vehicle, private hire operator and Hackney Carriage vehicle
licence fees 2022/2023**

Notice is hereby given that Surrey Heath Borough Council intends to vary the Hackney Carriage vehicle, private hire vehicle and operators fees in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976.

You can comment on these changes in writing by:

- Emailing licensing@surreyheath.gov.uk using the subject line “proposed taxi licence fee changes”
- Post to Licensing Team

Comments must be received by

If we receive no objections within the 28 day notice period the new fee charges will apply from 1 April 2022.

Licence Type	Activity
Driver	Receipt of Application Recording of Application on Uniform Checking Supporting Documents Contact with Applicant Processing Licence Issuing Licence
Vehicle	Receipt of Application Recording of Application on Uniform Checking Supporting Documents Contact with Applicant Processing Licence Issuing Licence
Operator	Receipt of Application Recording of Application on Uniform Checking Supporting Documents Contact with Applicant Processing Licence Issuing Licence Knowledge Test Communication Policy development On costs Third Party costs

Note: time to be recorded in multiples of 5 minutes.
 5 minutes = 1/12 hour

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Borough	Hackney Carriage Driver	Private Hire Driver	Hackney Carriage Vehicle	Private Hire Vehicle	Private Hire Operator 1 vehicle / more than 1 vehicle	Permanent Transfer	Temporary Transfer Vehicle	Private Hire Plate Exemption
Surrey Heath Borough Council Existing	£250.00	£250.00	£295.00	£265.00	85 / 215	£50.00	£100.00	£30.00
Surrey Heath Borough Council Proposed	£249.00	£249.00	£254.00	£242.00	113.00 / 140.00	£187.00	£287.00	£134.00
Guildford	£454.69	£454.69	£196.04	£172.62	£970.97	£80.08 HC £74.22 PH		
Woking BC	£260.00	£260.00	£190	£190	£280.00			
Initial administration fee of £110 for pack								
Runnymede	1 Year - £242.00 3 Year - £388.00		£271.00	£236.00	1 vehicle - £525 100 vehicles £1,075	81 £142.00		
Rushmoor	3Yrs £225 /1 yr £80	3Yrs £200 /1 yr £70	£200.00	£170.00	three years £350 five years £417.50			
Bracknell Forest and Wokingham	£271	£271	£290.00	£290.00	1 vehicle £472 increasing up to 20+ vehicles at £1873.25			
Windsor & Maidenhead			£315	£255	£265 / 1-6 Vehicles 5yrs £1325/- 30+ vehicles £1420 for 1 yr / £7100 for 5yrs		£120	
Hart	2021 £239 / 2022 £240	2021 £239 / 2022 £240	2021 £239 / 2022 £250.00	2021 £239 / 2022 £250.00	New 5yr with 5 or less vehicles £407 New 5yr with 5+ vehicles £630.00		£84.00	

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Estimated Income Current and Proposed Fees

Licence Type	Number of Licences November 2021 *	Estimated Income Based on Current Fees 2021/22	Estimated Income 2022/23
Driver 1 year	6	570.00	1494.00
Driver 3 Year (+6 formerly 1yr)	195	48750.00	48555.00 (1494.00+48555.00)=50049.00
Hackney Vehicle	80	23600.00	20320.00
Private Hire Vehicle	82	21730.00	19844.00
Temp Transfer	3	300.00	1122.00
Perm Transfer	3	150.00	561.00
PHO 1 vehicle	25	2125.00	2825.00
PHO more than 1 vehicle	13	2795.00	1820.00
Plate Exemption	5	150.00	670.00
Total		100170.00	97211.00

*These figures will vary depending on demand.

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EXAMPLE ONLY
Taxi Licensing Fees and Charges
NOTICE

**Private Hire vehicle, private hire operator and Hackney Carriage vehicle
licence fees 2022/2023**

Notice is hereby given that Surrey Heath Borough Council intends to vary the Hackney Carriage vehicle, private hire vehicle and operators fees in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976.

You can comment on these changes in writing by:

- Emailing licensing@surreyheath.gov.uk using the subject line “proposed taxi licence fee changes”
- Post to Licensing Team

Comments must be received by

If we receive no objections within the 28 day notice period the new fee charges will apply from 1 April 2022.

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