

Surrey Heath Borough Council
Licensing Committee
16 February 2022

Hackney Carriage (Taxi) and Private Hire (PH) Licensing fees and charges

2022-2023

Strategic Director/Head of Service	Nick Steevens
Report Author:	Helen Lolley
Key Decision:	No
Wards Affected:	All

Summary and purpose

The purpose of this report is to seek the Licensing Committee's (LC) recommendation of the proposed Taxi and PH fees and charges, Annex A, for approval by the Strategic Director- Environment and Community in consultation with the Strategic Director- Finance and the Finance Portfolio Holder.

Provisions in the Local Government (Miscellaneous Provisions) Act 1976 (the Act) allows district and borough councils to recover the costs of issuing and administering licences for the Taxi and PH trade. The Act also sets out the steps we are required to follow when reviewing and varying proposed fees.

Separate provisions in the Council's Constitution and Financial Regulations gives responsibility for approval of the fees and charges to the Strategic Director- Environment and Community in consultation with the Strategic Director-Finance and the Finance Portfolio Holder (the Group).

The fees have been updated using a methodology that took into account both the legislative requirements and available guidance.

The updated fees were considered by the LC on 15th December 2021, with a recommendation that they are approved by the Group. We were subsequently given approval to put a Notice in the local press as required by section 70 of the Act.

Following the statutory 'notice period' we are now asking the LC to recommend that the updated list of Fees and Charges be approved by the Group.

Recommendation

The Committee is advised to RESOLVE that:

- (i) The proposed revised Taxi and PH fees and charges as shown in Annex A, be recommended for approval by the Strategic Director-Environment and Community in consultation with the Strategic Director-Finance and the Finance Portfolio Holder.

1. Background and Supporting Information

- 1.1 Surrey Heath Borough Council in its role as the Licensing Authority (LA) 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 cost of issuing and administering drivers licences for both Taxis and PH vehicles (Section 53(2)).
- 1.3 Section 70 of the Act allows the same for vehicle and operators licences.
- 1.4 A list of the current Fees is attached as Annex B.
- 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.
- 1.6 A report outlining the methodology for recalculating the fees was considered by the LC on the 29th July 2021. Following the meeting the proposed methodology was agreed by the Executive Head of Community and used to calculate the revised fees.
- 1.7 The LC considered the proposed revised fees on the 15th December 2021 and recommended that the changes agreed during the meeting are made to the proposed fees and charges and that the Group approve these subject to the 28 day notice period.
- 1.8 The following resolution was made by the LC in December 2021;
 - i. 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, as per the agenda report; and
 - ii. the fees for PH Operators Licences - 1 Vehicle (5 years), and PH Operators Licences - more than 1 vehicle (5 years) remain unchanged but that the Head of HR, Performance and Communication be requested to further review these charges once further information on the costs are known.

- 1.9 The amendments agreed by the LC in December 2021 were made to the proposed Taxi and PH fees and charges. Following consideration by the Group no further changes to the fees were made.
- 1.10 On 29th December 2021 a Notice was placed in the local press and shared on social media. The Notice period extended from 29th December 2021 – 30th January 2022. Annex C.
- 1.11 We received 2 separate representations as a result of the public notice, these are attached as Annex D. Both representations relate to the increase of the fee for the permanent transfer of a vehicle licence. The current fee is £50 and the proposed fee £187.
- 1.12 The current fee of £50 does not cover the cost of issuing and administering this change. The time and resources used to complete a permanent transfer (e.g. due to a road traffic accident) is similar to licensing a vehicle for the first time and the proposed fee of £187 accurately reflects this. As far as possible we would use information already on file regarding the applicant and this explains the difference between the cost of issuing a vehicle licence for the first time, £254 Taxi or £242 PH and the cost of a permanent transfer £187.
- 1.13 For the reasons outlined above the proposed fee for the permanent transfer of a vehicle licence of £187 remains as recommended in Annex A.

2. Reasons for Recommendation

- 2.1 The fees were last updated some years ago. This process has allowed us to calculate, as far as practicable, the actual cost of issuing and administering each type of licence and set fees based on cost recovery.

3. Proposal and Alternative Options

- 3.1 That the proposed Taxi and PH fees and charges, Annex A, be recommended for approval by the Group.
- 3.2 It is proposed that if approved they would be introduced on the 1st April 2022.
- 3.3 Alternatively if approval is withheld we would continue to use the existing Taxi and PH fees and charges.

4. Contribution to the Council's Five Year Strategy

- 4.1 Setting fees based on cost recovery supports the Council's 2022-2027 Five Year Strategy with regard to Economy and an Effective and responsive Council.

5. Resource Implications

- 5.1 There are no significant resource implications attached to this proposal.
- 5.2 The proposed revised fees, based on cost recovery, would generate an income in line with the current budget estimates for taxi licensing, 2022/23 assuming the existing level of activity. The demand for licences will vary over time.
- 5.3 It is intended that fee levels will be kept under review to ensure the council recovers the costs of administering licences.

6. Section 151 Officer Comments:

- 6.1 None.

7. Legal and Governance Issues

- 7.1 The Act allows district and borough councils to recover the costs of issuing and administering licences for the Taxi and PH trade.

8. Monitoring Officer Comments:

- 8.1 None.

9. Other Considerations and Impacts

Environment and Climate Change

- 9.1 No direct impact.

Equalities and Human Rights

- 9.2 No direct impact.

Risk Management

- 9.3 The Act sets out the legal process we are required to follow when varying Taxi and PH licence fees, we have followed this process closely to minimise any risks to the Council.

Community Engagement

- 9.4 The community, including the Taxi and PH trade, have been given an opportunity to comment on the proposed changes to the Taxi and PH licensing fees and charges.

Annexes

Annex A: Proposed Taxi and PH Licensing Fees and Charges

Annex B: Current Taxi and PH Licensing Fees and Charges

Annex C: Notice placed in local paper and on social media

Annex D: Copies of representations received as part of the consultation process.

Background Papers

Local Government Association- Open for business- LGA guidance on locally set licence fees (2017).

Surrey Heath - Hackney Carriage (Taxi) and Private Hire Licensing Policy 2021-2026.