

Notice of Meeting

Licensing and Safety Committee – Advisory Meeting

Councillor Porter (Chair),
Councillor Brossard (Vice-Chairman),
Councillors Allen, Atkinson, Dr Barnard, Bidwell, Brown, Brunel-Walker, Finch, Ms Gaw, Gbadebo, Mrs Ingham, Kirke, Leake and Mrs McKenzie-Boyle

Thursday 3 February 2022, 7.30 - 9.00 pm

Online Only - Zoom



Agenda

Recommendations arising from this meeting will be considered in accordance with the delegations approved by Council on 28 April 2021.

Item	Description	Page
1.	Apologies for Absence	
	To receive apologies for absence.	
2.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
3.	Minutes	3 - 8
	To approve as a correct record the minutes of the meeting held on 21 October 2021	
4.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	
5.	Notice of Public Speaking	
	To note those agenda items which have received an application for public speaking	

EMERGENCY EVACUATION INSTRUCTIONS

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6.	Fees for Taxi and Private Hire Vehicles and Operators - Consultation Feedback Reporting: Sean Murphy	9 - 34
7.	Taxi Liaison Update Reporting: Moira Fraser	35 - 38
8.	Update on Environmental Health and Trading Standards Reporting: Sean Murphy	Verbal Report
9.	Forward Plan Reporting: All to note	39 - 42

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Published: 26 January 2022

EMERGENCY EVACUATION INSTRUCTIONS

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**LICENSING AND SAFETY COMMITTEE
21 OCTOBER 2021
7.30 - 8.50 PM**

Present:

Councillors Porter (Chairman), Brossard (Vice-Chairman), Allen, Atkinson, Dr Barnard, Brown, Brunel-Walker, Finch, Ms Gaw, Gbadebo, Mrs Ingham, Kirke, Leake and Mrs McKenzie-Boyle

Apologies for absence were received from:

Councillors Tullett

Also Present:

Councillor Mrs Hayes MBE

14. Declarations of Interest

There were no declarations of interest.

15. Minutes

The minutes of the meeting held on 24 June 2021 were approved as a correct record.

16. Urgent Items of Business

There were no Urgent Items of Business.

17. Notice of Public Speaking

There were no applications for public speaking.

18. Statement of Gambling Principles

David Lucas of James Button & Co attended the meeting to present the final version of the Statement of Gambling Principles.

The Statement had to be prepared every 3 years, and the previous Statement had been updated including a change of description of the borough.

The document had gone out to consultation and had received no responses, comments or objections.

Having discussed the matter, it was **RESOLVED** that:

- 1 The outcome of the consultation be noted.
- 2 The amendments to the draft Statement of Gambling Principles arising from the consultation be agreed.

- 3 Authority be delegated to the Public Protection Partnership Manager, in consultation with the Chairman of the Licensing and Safety Committee Chairman, to make any minor corrections to the report prior to inclusion in the council agenda.
- 4 The Statement be recommended to Full Council for adoption.

19. **Fees and Charges 2022/23**

The Committee received a report on the fees and charges which had been considered at the Joint Public Protection Committee on the 13 September 2021. The fees and charges were being considered by each Licensing & Safety Committee within the Public Protection Partnership and would go through the system to sign off by Full Council.

The fees had been aligned across the Public Protection Partnership as officers were in the process of moving to a set of standardised processes and systems across all Partnership authorities. The new IT system would allow for significant efficiencies to be made in some areas, and these efficiencies would be passed on to the trade. An example was a reduction in new and renewal Hackney Carriage licences which had both reduced due to the reduction in processing time due to the new system.

Members of the taxi trade had fed back that they had concerns about the additional cost of mandatory safeguarding and disability training. In response to this concern, driver renewal fees now included the cost of mandatory training which would be delivered inhouse.

The schedule included a mix of discretionary and statutory fees, and it was recognised that officers did not have control of statutory fees. A £59 hourly fee had been set going forward.

It was noted that the street trading offers across the two Partnership authorities had been aligned to offer five different street trading consent periods. This change would offer Bracknell Forest traders significant savings.

In response to questions, the following points were noted:

- Members welcomed the reduction in some savings which would help traders and small businesses across the borough, and thanked officers for their work in creating these efficiencies in the new system.
- Members were assured that the new shared service with West Berkshire would be refocussed on the priorities of the remaining two authorities after Wokingham left the Public Protection Partnership.
- Negotiations were ongoing around Wokingham's request to retain some of the Public Protection Partnership's services, but members were assured that any arrangement would be subject to agreement from Bracknell Forest and West Berkshire.
- It was noted that during the pandemic, there had been challenges for the taxi trade in accessing DBS checks and drivers had been required to use the West Berkshire system based on Bracknell Forest's building closures. The DBS check fee would always be based on the cost of the authority for DBS checks and would return to the Bracknell Forest fee when the building was re-opened for checks to be carried out.
- Drivers could sign up for a DBS update service which cost £13 per year, which was a reduction on the current fee. The update service would eventually be mandatory for all drivers.

- Officers were confident that the issues around dog boarding and animal licences from the previous year's fees and charges would not be repeated, as the fees had been reduced and the level of compliance had gone up over the year.
- It was suggested that the schedule be amended before going out to consultation to highlight the fact that mandatory training costs were now included in the drivers' licence fees, so that drivers were assured that their fee was not increasing.
- Sean Murphy agreed to seek clarification around the annual inspection fees on private sector housing which had increased.
- It was noted that fees were charged at a minimum of half an hour for officer time.
- Officers remained confident that the hourly rate would remain the same or very similar over the next few years., however the costs would be reviewed as part of the move to a two-authority partnership.
- The joint IT system had been procured for use across the two authorities, and the data transfer was being progressed to be live by February 2022. As a significant proportion of the new system would be automated, officers would be running training sessions for taxi drivers and other licence holders to encourage take-up. The costs had been calculated based on the assumption that a high proportion of transactions could be undertaken through the automated system.
- The trade would be informed about the new automated system and associated training sessions by email and in the trade newsletter.

Having discussed the matter, it was **RESOLVED:**

- 1 That, save for the private hire operator, and hackney carriage and private hire vehicle licence fees, the Committee **RECOMMENDED** to the Executive the new fees and charges detailed in Appendix A, for public consultation.
- 2 That the Committee **AGREED** that the proposed charges for operators and vehicle licence fees are:
 - a) put forward for statutory consultation;
 - b) if no objections are received, implemented for any licences commencing from 1 April 2022; or
 - c) if objections are received, they be considered by the Committee at the meeting on 03 Feb 2022 and any changes be recommended to full Council for approval.
- 3 That the Committee **AGREED** that the fees for Taxi and Private Hire Vehicles and Private Hire Operators are subjected to a twenty eight day statutory consultation period from 10 November 2021 to 08 December 2021.
- 4 That the Committee **AGREED** that a public notice pertaining to the Taxi and Private Hire Vehicles and Private Hire Operators fees is placed in the Bracknell News.
- 5 That the Committee **AGREED** that a consultation letter is posted to all Taxi and Private Hire Drivers and Private Hire Operators and that a copy of the consultation is posted on the Public Protection Partnership website.

20. **Licensing Act 2003 Delegations**

The Committee received a report on the Licensing Act 2003 which corrected some areas in the scheme of delegations. The changes were in regards to a reference to S134A which should read S132A, a change to make the power to suspend or revoke a personal licence a sub-committee decision, and a change to make the early morning alcohol licence a Council decision rather than Executive decision as was set out in the legislation.

It was **RESOLVED** that:

- 1 The Chief Executive be recommended to sign off the changes in light of the authority delegated to them to do so at the Council meeting in April 2021.
- 2 The Monitoring Officer be delegated authority to make any changes to the Constitution arising from this report.

21. **Annual Report 2020/21**

The Committee received the Annual Report of the Licensing section over 2020/21.

In response to questions, it was noted:

- Members welcomed a clear annual report.
- The detail behind the number of complaints and requests for service could not be separated in this instance, but it was noted that the complaints received would have been about a license holder rather than about the Public Protection Partnership service. Officers agreed to separate out the complaints and requests for service for the next year's annual report.
- Members requested that for next year's annual report, the number of refusals and suspensions be separated.
- It was noted that next year, the annual report would be brought before Committee earlier in the year.

Members noted the Annual Report.

22. **Taxi Liaison Update**

The Committee received a verbal update on the taxi trade group since the last Committee meeting.

The trade group had met virtually on 4 October with eight trade representatives present. The meeting had covered the fees and charges, the change to offer drivers 3 year licences only, illegal parking on taxi ranks, drivers' concerns around Jubilee Gardens, safeguarding training, and repairs to the train station rank. Environmental Health officers had done a presentation on anti-idling and it was hoped that drivers could be ambassadors for this on home to school transport.

A draft of a new Private Hire and Hackney Carriage policy would be presented to the Committee in February which addressed a number of concerns and outstanding actions arising from the trade meetings.

In response to questions, the following points were noted:

- Members thanked officers for their efforts in maintaining a continuous dialogue with the trade and for addressing their concerns. It was noted that the Chairman and Vice-Chairman of the Committee had attended all the trade meetings to further improve the relationship.

- Members held a minutes' silence for two drivers who had passed away in recent months and gave their condolences to the families of these drivers.

23. **Forward Plan**

Members noted the Forward Plan for future committees.

Officers were reminded to include the Annual Report and review of street trading consent for future meetings.

24. **Any Other Business**

Members were informed of the outcome of the SS Food and Wines licensing panel which had been to appeal. The magistrates had found in favour of the Council, and the licence had been suspended for 3 months. The licence had been further extended as the premise owner had taken time to vary their Designated Premises Supervisor and the licence had remained suspended until this variation had been finalised.

CHAIRMAN

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TO: LICENSING AND SAFETY COMMITTEE
3 February 2022

**Fees for Taxi and Private Hire Vehicles and Operators
(Public Protection Manager)**

1 PURPOSE OF REPORT

- 1.1 To consider any relevant matters arising from the statutory 28 day consultation period relating to variations to operators and vehicle licence fees and their impact on the proposed fees which will be recommended to full Council for approval.
- 1.2 To inform Members about comments received outside the scope of the consultation and how they would be dealt with.

2 RECOMMENDATIONS

The Licensing and Safety Committee is asked to:

- 2.1 **NOTE** the comments received during the statutory consultation on variations to operators and vehicle licence fees as set out in Annex B to this report.
- 2.2 **CONSIDER** any amendments to the proposed operators and vehicle licence fees, as set out in Annex A, arising from the consultation.
- 2.3 **RECOMMEND** that Full Council adopt the fees, with or without modification, as part of the annual fee setting process and that these fees come into effect as of the 01 April 2022.

3 REASONS FOR RECOMMENDATIONS

- 3.1 A revised set of fees were presented to the Licensing and Safety Committee at the 21 October 2021 meeting. The Committee agreed that the fees for Taxi and Private Hire Vehicles and Private Hire Operators be subjected to a twenty eight day statutory consultation period. The Committee also agreed that if objections were received they be considered by the Licensing and Safety Committee and any changes be recommended to full Council for approval.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 It is open to Members to propose an alternative approach to fee setting.

5 SUPPORTING INFORMATION

- 5.1 In accordance with Section 70 (1) of the Local Government (Miscellaneous Provisions) Act 1976, the Council is required to undertake a statutory 28 day consultation when variations to operators and vehicle licence fees are proposed.
- 5.2 The proposed fees for 2022/23 were discussed at the Joint Public Protection Committee meeting held on the 13th September 2021. The Joint Public Protection Committee (JPPC) is required by the Inter-Authority Agreement (IAA) that set up the Public Protection Partnership (PPP) shared service to recommend a draft set of fees and

charges to each of the member Councils. The individual authorities are then required to make their own decisions in relation to the fees.

- 5.3 At the meeting of the Joint Public Protection Committee in December 2017 it was agreed that as a matter of principle that all fees and charges should be set on the basis of full cost recovery. For 2021/22 the full cost of the service, including internal support service re-charges and the current establishment lists were updated which resulted in a new rate of £59 p/h. It is proposed that there will be **NO change** in the hourly rate which will be maintained at £59p/h for 2022/23 despite significant increases in the rate of inflation. Each year officers revisit the time taken to process the various activities associated with areas where fees are charged and these are then factored into the fee setting for the following year.
- 5.4 Bracknell Forest Council's Licensing and Safety Committee considered all the draft fees relating to Licensing at a meeting held on the 21 October 2021. The impact of the Covid pandemic on the trade was reflected in the discussions at this meeting and other informal meetings held with the trade in respect of fees. It was therefore welcomed by the Committee that there had been an overall reduction in a number of these fees. This was due to the fact that the new IT system being implemented in 2022 would allow for significant efficiencies to be made in some areas, and these efficiencies would be passed on to the trade. In addition Members of the taxi trade had fed back that they had concerns about the additional cost of mandatory safeguarding and disability training. This training would be delivered by Officers in the 2022/23 year and the cost would therefore be included in the annual fee.
- 5.5 It should be noted that at the October Taxi Liaison meeting the trade stated that there were a number of fees that they would like officers to revisit to ensure that the time allocations were accurate. The detailed information is set out in Annex C. The trade requested that the following be reconsidered:

Other charges	Published 2021/22 Fee	Proposed 2022/23 Fee	Proposal
Transfer of vehicle to new owner	£118	£118	Reduce to £59
Change of vehicle	£74	£74	Retain at £74
Disclosure and Barring Service Check (DBS)	£67	£94	Retain at £94
Change of vehicle registration	£57	£30 + sticker and licence costs	Retain at £30 + sticker and licence costs
Age of vehicle Inspection – initial & renewal	£59	£59	Retain at £59

- 5.6 The Officers' proposals to retain all but the Transfer of Vehicle to New Owner (which was reduced by an hour) was accepted by Members at the October Licensing and Safety Committee.
- 5.7 The Committee agreed that the fees for Taxi and Private Hire Vehicles and Private Hire Operators be subjected to a twenty eight day statutory consultation period. The consultation took place between the 10 November 2021 and the 08 December 2021. A

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notice was placed in the Bracknell News on the 10 November 2021. The consultation was published on the PPP website and a letter was emailed to all hackney carriage and private hire drivers and private hire operators advising them of the consultation.

- 5.8 The statutory public consultation that the PPP undertook pertained to the following fees only:

Hackney carriage vehicle new / renewal
Private hire vehicle new / renewal
Home to School vehicle new / renewal
Private hire vehicle with dispensation / renewal
Temporary Vehicle Licence (issued up to 3 months Maximum)
Private hire operator licence new/renewal

- 5.9 The Council received two individual responses from members of the trade. The comments and objections are detailed in Annex B and are summarised below. In addition we received 54 identical responses all with the same content albeit that some made reference to a 62 mile journey to Newbury and then, following a dialogue with Officers, replaced that with a reference to a 36 mile round trip to Theale.

Response 1

Raising the fees on operators and drivers in this economic climate is not the right thing to do. Most businesses are struggling prices are going through the roof. Many excellent drivers have found other careers and will not return.

People can no longer afford to take taxis and footfall for taxis is down significantly. I can see the future being very bleak for Bracknell taxi trade. If you increase the licensing fees for operators and drivers businesses will suffer they may even close. I take on board that you are consolidating the fees for the taxi Licence's there is an increase which could push some people over the edge.

Response 2

The prices are increasing on the fees that the council are Charging for the operator license & DBS, it is very hard to make a living things are starting to go slow again, there's not much work left & Uber is killing us. If you can't reduce your prices on these fees I strongly urge you not to put these prices up please as we are struggling

- 5.10 As objections have been received, in accordance with the Act the Council is required to consider relevant objections and set a date on which any variation to the fees, with or without modification, shall come into force.
- 5.11 The Licensing and Safety Committee is asked to note that some of the comments received relate to matters which fall outside of the scope of the statutory consultation. The Licensing and Safety Committee has already considered these fees at the October meeting and agreed to recommend them to the Executive.
- 5.12 The Executive discussed the budget proposals at their meeting on the 14 December 2021 and agreed to formally consult on those proposals. All respondents were informed that they needed to direct their comments to this consultation and were told how to do so.

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- 5.13 The Executive consultation ran from the 15 December 2021 to the 25 January 2022. The responses to that consultation will be summarised in a report to the council's Executive on 8 February 2022. Having considered the responses to the consultation, the Executive will recommend a budget package to Full Council, who meet on 23 February 2022 to agree the final budget and council tax for 2022/23.
- 5.14 In order to consider the comments received in relation to the fees set out in paragraph 5.9 Officers believe that Members need to consider the overall context in which they have been proposed. In terms of background the Licensing and Safety Committee will note that the majority (45/73 or **62%**) of the fees are **proposed to decrease** in 2022/23 for the reasons set out in paragraph 5.4. A further 11% (8/73) of the fees are proposed to stay the same. Only 20 of the 73 fees are proposed to increase. A total of 14 of these 20 fees relate to the renewal of eight or more vehicles in respect of the private hire operator fees. This increase ranges from 25p for eight vehicles to £30.25 for twenty or more vehicles.
- 5.15 Members are asked to note that although the cost of a new drivers licence and home to school licence appear to have increased by £30 and £21 respectively these fees now include the cost of the initial test as well as disability awareness (costs £40) and safeguarding training (cost £25). So in effect the overall net effect is that these fees have decreased by the equivalent of just over half an hour.
- 5.16 The other fees that are due to increase marginally are:

Fee	2021/22	2022/23	Increase
Temporary Vehicle Licence	£232	£236	£4
Driver Licence – Renewal	£271	£272	£1
Conversion of driver licence to another type	£80	£89	£9
Advertising on a Hackney carriage - New	£47	£59	£12
Medical Exemption	£22	£30	£8

- 5.17 The cost of DBS checks have also increased as it is operated on a cost recovery model. The PPP is charged £64 for each check and there is a half hour administration time charged for each check totalling £94. Drivers can also sign up to the DBS Update Service where they can register at a cost of £13 per annum. Time Square is currently not open to the public and drivers would need to make an appointment with PPP officers for any checks to be undertaken in Bracknell. The ability to have checks undertaken in Theale remains as an option for drivers.
- 5.18 Officers recommend that the objections and comments received are considered, however given the small limited increase and the other support already made available to the trade to continue operating, that these fees are not modified. If the Licensing and Safety Committee agree to a modification of what was previously agreed then that will need to be offered as some form of subsidy by the authority and not at the cost to the PPP.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The relevant legal provisions are contained within the body of the report.

Borough Treasurer

- 6.2 The financial implications are included within the body of the report.

Equalities Impact Assessment

6.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

6.4 There are no implications arising from the recommendation in this report.

7 CONSULTATION

Statutory consultation on Taxi and Private Hire Vehicles and Private Hire Operators was conducted following the decisions of this Committee.

Background Papers

The Consultation Document

Reports and Minutes from the 21 October 2021 Licensing and Safety Committee

Contact for further information:

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Policy and Governance Officer

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Taxi Trade Fees and Charges or 2022/23 Comparison

Summary

Total No of Fees = 73

Stayed the Same = 8 (11%)

Increased = 20 (27%)

Decreased = 45 (62%)

Hackney Carriage and Private Hire Licences

15

Vehicle Licences		Bracknell Published 2021/22 Fee	Proposed 2022/23 Fee	Trend	Comment
Hackney Carriage Vehicle – New		£290	£266		-£24
Hackney Carriage Vehicle – Renewal		£290	£236		-£54
Private Hire Vehicle – New		£290	£266		-£24
Private Hire Vehicle – Renewal		£290	£236		-£54

Home to school – New and renewal		£148	£148		
Private Hire Vehicle with Dispensation - New		£290	£266		-£24
Private Hire Vehicle with Dispensation - New		£290	£236		-£54
Temporary Vehicle Licence	Up to 3 months	£232	£236		+ £4
Driver Licences					
Driver – New	3 year Includes initial tests, safeguarding and disability training	£271	£301		Although this fee has increased it now includes the cost of the initial test as well as disability awareness and safeguarding training
Driver –Renewal		£271	£272		+£1
Home to school – New & Renewal	3 year Includes initial tests, safeguarding and disability training	£186	£207		Although this fee has increased it now includes the cost of the initial test as well as disability awareness and safeguarding training

Conversion of driver licence to another type	1.5hrs (inc retaking tests)	£80	£89		+£9
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Private Hire Operators (PHO)

Private Hire Operator	Number of Vehicles	Published 2021/22 Fee	Proposed 2022/23 Fee	Trends	Comments
NEW Per vehicle calculation of 3.5 hours (at £59.00 hourly rate) plus an hour per year (years 2-5) for first vehicle, plus 15 minutes per additional vehicle per years (years 1-5) up to a	1	£472.00	£443.00		-£29
	2	£545.75	£516.00		-£29.75
	3	£619.50	£590.00		-£29.50
	4	£693.25	£664.00		-£29.25
	5	£767.00	£738.00		-£29
	6	£840.75	£811.00		-£29.75
	7	£914.50	£885.00		-£29

maximum of 20 vehicles (2021/22 based on 4 hours initial vehicle)	8	£988.25	£959.00		-£29.25
	9	£1,062.00	£1,033.00		-£29
	10	£1,135.75	£1,106.00		-£29.75
	11	£1,209.50	£1,180.00		-£29.50
	12	£1,283.25	£1,254.00		-£29.25
	13	£1,357.00	£1,328.00		-£29
	14	£1,430.75	£1,401.00		-£29.75
	15	£1,504.50	£1,475.00		-£29.50
	16	£1,578.25	£1,549.00		-£29.25
	17	£1,652.00	£1,623.00		-£29
	18	£1,725.75	£1,696.00		-£29.75

	19	£1,799.50	£1,770.00		-£29.50
	20	£1,873.25	£1,844.00		-£29.25
	20+	£1,873.25	£1,844.00		-£29.25
Private Hire Operator	Number of Vehicles	Published 2021/22 Fee	Proposed 2022/23 Fee		
RENEWAL Per vehicle calculation of 1.5 hours (at £59.00 hourly rate) plus an hour per year (years 2-5) for first vehicle, plus 15 minutes per additional vehicle per years (years 1-5) up to a	1	£342.00	£325.00		-£17
	2	£413.25	£398.00		-£15.25
	3	£484.50	£472.00		-£12.50
	4	£555.75	£546.00		-£9.75
	5	£627.00	£620.00		-£7
	6	£698.25	£693.00		-£5.25
	7	£769.50	£767.00		-£2.50

maximum of 20 vehicles (2021/22 based on 2 hours initial vehicle)	8	£840.75	£841.00	↑	+£0.25
	9	£912.00	£915.00	↑	+£3
	10	£983.25	£988.00	↑	+£4.75
	11	£1,054.50	£1,062.00	↑	+£7.50
	12	£1,125.75	£1,136.00	↑	+£10.25
	13	£1,197.00	£1,210.00	↑	+£13
	14	£1,268.25	£1,283.00	↑	+£14.75
	15	£1,339.50	£1,357.00	↑	+£17.50
	16	£1,410.75	£1,431.00	↑	+£20.25
	17	£1,482.00	£1,505.00	↑	+£23
	18	£1,553.25	£1,578.00	↑	+£24.75

	19	£1,624.50	£1,652.00		+£24.50
	20	£1,695.75	£1,726.00		+£30.25
	20+	£1,695.75	£1,726.00		+£30.25

Other Private Hire & Hackney Carriage Charges

Other charges		Published 2021/22 Fee	All Council Areas – where applicable	Trend	Comment
Variation to PHO licence	To include reissue of licence with additional vehicle registration added plus extra fees for these for length of licence	£59	£59		
Transfer of vehicle to new owner		£118	£59		-£59
Change of vehicle		£74	£74		
Replacement Licence		£41	£30		-£11

Replacement Badge		£41	£30 + Badge Costs		
Replacement Vehicle Licence Plate		£59	£30 + Plate Costs (£26)		
Knowledge Test		£74	£74		
Missed Appointment		£37	£30		-£7
Disclosure and Barring Service Check (DBS)		£67 (Bracknell Forest) £89.50 (West Berks)	£94		This is done at cost recovery
Advertising on a Hackney carriage - New	Bracknell Only	£47	£59		+£12
Advertising on a Hackney Carriage - Renewal	Bracknell Only	£32	£30		-£2
Change of address (PH & HC)		£14	£10.50		-£3.50
Backing Plate		£26	£26 at cost		
Medical Exemption		£22	£30		+£8

Refund Processing Fee		£59	£30		-£29
Change of vehicle registration	Including	£57	£30 + sticker and licence costs		
Age of vehicle Inspection – initial & renewal	Bracknell Only	£59	£59		
Pre-application advice, hourly rate	Min 1 hour	£59	£59		
Disability Awareness Training		POA	Included in driver application fee		
Safeguarding Training		POA	Included in driver application fee		
First aid Training	Bracknell Only	POA			

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Responses to the Consultation under Section 70 (1) of the Local Government (Miscellaneous Provisions) Act 1976, About a Proposed Variation to the Schedule of Fees for Hackney Carriage Vehicles, Private Hire Vehicle and Private Hire Operators.

25

Respondent	Comments	Officer Response
Trade Member	<p>My opinion on raising the fees on operators and drivers in this economic climate is not the right thing to do, most businesses are struggling prices are going through the roof on everything meaning the taxis in this borough have taken a massive hit. People who were excellent drivers have walked away so there are hardly any drivers now as most of them have found other careers and will not return.</p> <p>People can no longer afford to take taxis the foot fall for taxis is no longer there all the taxi companies are suffering. I can see the future being very bleak for Bracknell taxi trade. If you increase the licensing fees for operators and drivers businesses will suffer they may even close.</p> <p>Bracknell Forest are going to end up with Uber drivers servicing Bracknell even Uber have taken a massive hit. I am worried for the future of our trade.</p> <p>I take on board that you are consolidating the fees for the taxi Licence's there is an increase which could push some people over the edge. You are guaranteed your salary taxi drivers are not they are now working too many hours to earn what they used to earn in half the time, I believe you are making a huge mistake but as usual you will do what you think is best which is not necessarily right.</p>	See paragraphs 5.12 to 5.17 of the report

<p>Chairman of the Association</p>	<p>For the newly proposed fees for 2023.</p> <p>I would like to take this opportunity as chairman of Bracknell hackney taxi drivers association to appeal for the licensing fees for:</p> <ol style="list-style-type: none"> 1) DBS. 2) Age of vehicle check. 3) Refund Charge. <p>Also, I am appealing against driving 36 miles round trip to Theale, West Berkshire</p>	<p>These responses relate to matters which fall outside of the statutory consultation, Respondent directed to submit comments on the Executive consultation on budget proposals.</p> <p>Some comments on these concerns have however been addressed in the report to the committee for completeness.</p> <p>DBS checks – see paragraph 5.17 Age of Vehicle Check – is still a requirement under the current taxi policy. The policy is currently under review. Cost has remained the same for forthcoming financial year (if needed). Refund Charge had decreased from £59 to £30 to reflect the half an hour's work required to undertake this process.</p> <p>Following the withdrawal of permission to undertake online DBS checks the PPP had to reinstate in person checks. When Times Square is not open to the public drivers are asked to visit the Theale Office to have these checks undertaken in person in accordance with the legislation. When Times Square is open to the public appointments can be booked there.</p>
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10 Respondents	<p>The newly proposed fees for 2023.</p> <p>I would like to take this opportunity to appeal for the licensing fees for:</p> <ol style="list-style-type: none"> 1) DBS 2) Age of vehicle check 3) Refund Charge <p>Also, I am appealing against driving 62 miles round trip to West Berkshire Council /Newbury .</p>	<p>These responses relate to matters which fall outside of the statutory consultation, respondent directed to submit comments on the Executive consultation on budget proposals.</p> <p>Some comments on these concerns have however been addressed in the report to the committee for completeness.</p> <p>DBS checks – see paragraph 5.17 Age of Vehicle Check – is still a requirement under the current taxi policy. The policy is currently under review. Cost has remained the same for forthcoming financial year (if needed). Refund Charge had decreased from £59 to £30 to reflect the half an hour's work required to undertake this process.</p> <p>Following the withdrawal of permission to undertake online DBS checks the PPP had to reinstate in person checks. When Times Square is not open to the public drivers are asked to visit the Theale Office to have these checks undertaken in person in accordance with the legislation. When Times Square is open to the public appointments can be booked there.</p>
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44 Respondents	<p>I would like to take this opportunity to appeal for objections the licensing fees for:</p> <ol style="list-style-type: none"> 1) DBS 2) Age of vehicle check 3) Refund Charge <p>Also, I am appealing against driving 36 miles round trip to Theale, West Berkshire .</p>	<p>It was noted that these responses related to matters which fell outside of the statutory consultation and that the Respondents had been directed to submit comments on the Executive consultation on budget proposals.</p> <p>Some comments on these concerns were however addressed in the report to the committee for completeness.</p> <p>DBS checks – see paragraph 5.17 Age of Vehicle Check – is still a requirement under the current taxi policy. The policy is currently under review. Cost has remained the same for forthcoming financial year (if needed). Refund Charge had decreased from £59 to £30 to reflect the half an hour's work required to undertake this process.</p> <p>Following the withdrawal of permission to undertake online DBS checks the PPP had to reinstate in person checks. While Times Square was not open to the public drivers were asked to visit the Theale Office to have these checks undertaken. With Times Square re-opening drivers are once again able to book appointments in Bracknell.</p>
Member of Trade	The prices are increasing on the fees that the council are Charging for the operator license & DBS, it is very hard to	See paragraphs 5.12 to 5.17 of the report

	<p>make a living things are starting to go slow again, there's not much work left & Uber is killing us. If you can't reduce your prices on these fees I strongly urge you not to put these prices up please as we are struggling.</p>	
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Bracknell Forest Council Licensing and Safety Committee

21 October 2021

Item 7 - FEES AND CHARGES 2022/2023

Fees for Taxi and Private Hire Vehicles

The fees proposed by the JPPC on the 13 September were discussed at the Bracknell Taxi Trade Meeting Monday, 04 October 2021. The trade raised concern about some of the fees and agreed to send a list through to Officers to look again at the time allocation for each of these activities. The fees that they have asked to be revisited are set out below. Officers have considered the request and listed the activities associated with each process and the rationale for the fee setting. It is proposed that with one exception the fees are set at the levels proposed by the JPPC.

Other Private Hire & Hackney Carriage Charges

	Other charges	Published 2021/22 Fee	All Council Areas – where applicable	Proposal
1	Transfer of vehicle to new owner	£118	£118	Reduce to £59
2	Change of vehicle	£74	£74	Retain at £74
3	Disclosure and Barring Service Check (DBS)	£67	£94	Retain at £94
4	Change of vehicle registration	£57	£30 + sticker and licence costs	Retain at £30 + sticker and licence costs
5	Age of vehicle Inspection – initial & renewal	£59	£59	Retain at £59

1. *Transfer of vehicle to new owner*

The process includes checking application submitted (including the fee) and relevant documents (new insurance and either new V5 or slip to show change of ownership and either invoice or letter from seller confirming he/she is selling their vehicle to the new owner). The System then needs to be updated to reflect the change and a new paper licence is issued with the new proprietor named as the new licence holder. No new plate or windscreen sticker is issued. In most cases a Service Request is raised by the Driver (either seller or buyer) to enquire on process.

On average this work would take an hour and it is therefore proposed that this fee is reduced to £59.

2. *Change of Vehicle*

There are 2 types of vehicle changes:

- a temporary vehicle if someone is involved in an accident or has damage to a permanent vehicle)
- or a new vehicle which is a permanent change).

The process is the same for both with just one exception, a Temporary Vehicle will require a new plate number. In both cases the application needs to be checked along with submitted documents including the insurance documents, v5 form and fee and a vehicle inspection needs to be undertaken. The System needs to be updated to reflect the change and new plate, vehicle paper licence and windscreen sticker is issued.

In most cases a Service Request is raised by the Driver (or in the case of a Temporary Vehicle the Insurance Company or Replacement Car Company i.e. Cab Direct/Kindergons) to enquire on process.

On average this work would take an hour and a quarter and it is therefore proposed that this fee is kept at £74.

3. *Disclosure and Barring Service Checks*

The cost reflects the cost to the Council of undertaking these enhanced checks. The Service is based on a cost recovery model so unless this cost was to be subsidised it is not possible to reduce this cost. It is therefore proposed that this is retained at £94. The cost can be revisited if and when checks are undertaken by Bracknell Forest Council and the fee will be set at cost recovery.

4. *Change of vehicle registration*

The process for enacting this change requires the system to be updated, the issuing of a new plate, issuing a vehicle paper licence and windscreen sticker.

This work takes around a half an hour to complete and it is therefore proposed that the half hour fee is retained.

5. *Age of vehicle Inspection – initial & renewal*

The process for undertaking the inspection is as follows. The Driver or Vehicle Owner is asked to submit a request in writing three months prior to the Age of Vehicle expiring. In most cases a Service Request is raised by the Driver or Owner of the vehicle. An Officer must then contact them to advise of the process and to make an appointment for the inspection. It is anticipated that physical inspections will now resume.

During the Covid-19 pandemic the inspection was based on photographs of the interior, exterior and date and time stamped speedometer showing current mileage.

Officers are then required to work through the mileage records for the previous five years based on previous vehicle inspections. They then calculate the average yearly mileage in order to work out if the vehicle meets the “abnormally low mileage” criteria set out in the current policy. A report is prepared and sent

to the Licensing Team Manager who will either approve or refuse the application. A letter confirming the outcome is sent to the driver and if granted this will include the revised Age of Vehicle expiry date.

The system then needs to be updated to reflect this decision. If the application is not successful the driver will receive a suspension letter once the current age of vehicle expiry date passes.

It is estimated that this work would take an hour and it is therefore proposed that this fee remains at £59.

The drivers did comment that they did not feel that this charge should be made as they were under the impression that it was included in their annual fee. This is not the case. As set out above this is an additional process that requires officer input.

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To: **LICENSING AND SAFETY COMMITTEE**
03 FEBRUARY 2022

HACKNEY CARRIAGE AND PRIVATE HIRE TRADE MEETING UPDATE (Public Protection Manager)

1 Purpose of Report

- 1.1 To summarise the work of the Taxi Trade Group since the last Licensing and Safety Committee, inform Members about any matters raised and where appropriate agree a way forward on queries raised at the meeting.

2 Recommendations

That the Committee:

- i) **NOTES** the content of the report and;
- ii) **NOTES** the positive ongoing dialogue between the trade and the Council.

3 Reasons for Recommendations

- 3.1 The Group has been set up to provide an opportunity for the Taxi Trade, Members and Officers to meet to discuss a range of topics of common interest, to provide a forum to resolve issues and foster closer working relationships, to undertake informal consultation and then report back to the Licensing and Safety Committee with any recommendations for alterations to the existing or proposed licences, policies, tariffs and fees etc.

4 Alternative Options Considered

- 4.1 None - the meetings are seen as a good opportunity to engage in meaningful dialogue with the trade in an attempt to reach agreement on a wide number manner of topics affecting them.

5 Supporting Information

- 5.1 Since the Licensing and Safety Committee meeting on the 21 October 2021 one meeting of this group has been held. This virtual meeting was held on the 24 January 2022 and was once again well attended by the trade with eight representatives present. Any other trade representatives wishing to attend the meetings are asked to notify moira.fraser@westberks.gov.uk and they would be sent the attendance details. Discussions are ongoing with the trade as to whether they would prefer future meetings to be face to face or if they should continue to be held remotely.
- 5.2 It is the intention that going forward we will hold two scheduled meetings a year. One in January to discuss, amongst other things, the outcome of the annual fees and charges consultation and to hold initial discussions about any changes to the tariff scheme to be consulted on and if appropriate implemented later during that year. The second meeting, which will usually be held in October would include a discussion on the fees and charges pertaining to the trade before the formal consultation process is started and to provide feedback on the tariff consultation. Ad hoc meetings can be arranged to discuss any matters of concern or interest during the year. The Chairman requested at the meeting that an additional meeting be set up in May or June this year to discuss the draft Taxi Policy.

- 5.3 As had previously been agreed the primary focus of the January 2022 meeting was to hold a discussion with the trade as to whether or not they would like to make any proposals relating to varying the tariffs in 2022. The other main agenda item was to report back on the consultation on charges for operators and vehicle licence fees. The trade had also requested that a discussion on the policies relating to the age of vehicles and frequency of training be discussed.

Taxi Tariffs 2022

- 5.4 It was noted that in 2021 the tariffs had been increased for the first time since 2011. It was agreed that an annual discussion would take place with the trade about the tariffs and that the outcome of that discussion would be conveyed to the Licensing and Safety Committee.
- 5.5 The Trade commented that there was an appetite to vary the fees. They suggested that it would be appropriate to propose an increase that reflected the January 2022 Consumer Price Index. The Chairman asked that the trade put together a proposal, backed up by a business case that could then be presented to Members of the Licensing and Safety Committee at the 23 June 2022 meeting. The Committee would then determine if the proposal should be put forward for consultation.

Outcome of the Consultation on Charges for Operators and Vehicle Licence Fees

- 5.7 The Group were informed about the outcome of the consultation which is set out in a separate report on this agenda. It should be noted that the consultation pertained to a specific set of fees. Some of the issues raised by the trade fell outside of that consultations and they had been redirected to submit comments to the Executive consultation.
- 5.8 The trade commented that they understood that this consultation related to separate matters but they still had concerns about the cost of DBS Checks and the Vehicle Extension Fees.
- 5.9 Officers explained that the £94 fee comprised the £64 that the PPP was charged for the checks by HR and then £30 for half hour processing. She reminded the trade that online update service was available now and had been in place for some time. It would become a mandatory requirement as part of the new taxi/private hire policy and cost £13. Officers were continuing to look into ways the cost of the DBS check could be reduced and if any could be identified these savings would be passed on to the trade.
- 5.9 In terms of the Vehicle Extension Fees the processes behind the fees which were explained at the October Licensing and Safety Committee were explained to the trade again. Members had accepted that the work undertaken to action these applications took an hour and had therefore supported the £59 fee.

Policies Relating to the Age of Vehicles and Frequency of Training Courses

- 5.10 Officers explained that these issues would be picked up as part of the Hackney Carriage and Private Hire Policy.
- 5.11 Other concerns raised and the progress that has been made are set out in the table below:

Issue	Comments
<p>Mixed Fleet The trade needs to write up a report/business case that can be put forward to committee with their reasons and proposal to allow for a mixed fleet of vehicles.</p>	<p>Delayed to the October 2022 meeting at the request of the trade.</p>
<p>Taxi Rank – British Legion Officers to contact Highways Colleagues about the removal of the feeder rank.</p>	<p>As a formal complaint had been submitted to Bracknell Forest Council about the removal of the rank this item was not discussed at the meeting pending the outcome of the complaints process.</p>
<p>Campaign for Bracknell Forest Taxi Trade Officers to work with trade re proposed wording for campaign to match sourced graphics</p>	<p>Input from trade awaited</p>
<p>Illegal Parking on Ranks</p>	<p>Officers explained that Enforcement Officers had visited the Waitrose Rank 241 times since the 01 July 2021. Eighteen penalty charges had been issued of which fourteen had been paid. Officers explained that the team were currently in the process of amending their processes and procedures to be able to allow them to issue penalty notices via the post using their hand held devices.</p>
<p>DBS checks being done in Theale</p>	<p>Whilst Time Square was not open to the public face to face checks could still be undertaken in Theale. Drivers to arrange appointments for checks to be done in Time Square where this was their preference.</p>
<p>Hackney Carriage and Private Hire Policy</p>	<p>The external solicitor drafting the document has uncovered some technical issues which need to be resolved before the draft policy can be considered. It will therefore be brought to the June 2022 Licensing and Safety Committee meeting and will then be subjected to a consultation exercise.</p>
<p>Uber</p>	<p>The trade continued to voice concerns about the impact Uber was having on their business. Officers had confirmed that Uber were licensed to operate in Bracknell and enforcement action could only be taken where Uber drivers were breaking the law for example where they were plying for hire or parking illegally.</p>

Use of Reading Bus Lanes	It was agreed that the Chairman would write to relevant elected members and the Chief Executive of Reading Borough Council to see if the Bracknell Trade could be permitted to make use of these lanes.
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Consultation and Other Considerations

Legal Advice

6.1 None

Financial Advice

6.2 None

Other Consultation Responses

6.3 Not applicable

Equalities Impact Assessment

6.4 Not applicable

Strategic Risk Management Issues

6.5 Not applicable

Climate Change Implications

Contact for further information

Sean Murphy, Public Protection Partnership Manager

Licensing and Safety Committee Forward Plan June 2022 to June 2023

No.	Ref No	Item	Purpose	Lead Officer	Comments
23 June 2022					
1.		Hackney Carriage Tariffs	To consider any proposals for adjustments to tariffs which would then be the subject of a consultation exercise	Moira Fraser	
2.		Draft Hackney Carriage and Private Hire Vehicle Policy	To consider the draft report which will be the subject of a consultation process.	Julia O' Brien	
3.	39	Annual Report 2021/22	To set out the work of the Licensing and safety Committee in 2021/22 as well as the work of the Licensing Service as delivered through the Public Protection Partnership.	Moira Fraser	
4.		Street Trading Policy	To consider any revisions to the policy.	Niamh Kelly	
5.		Taxi Liaison Update	To summarise the work of the Taxi Trade Group set up by the Licensing Team to advise on a way forward for issues raised by the trade	Moira Fraser	
20 October 2022					
6.		Fees and Charges 2023/24	To set out the Fees and Charges which have been proposed by the Joint Public Protection Committee on 19 September 2022 which will be consulted on.	Sean Murphy	
7.		Taxi Liaison Update	To summarise the work of the Taxi Trade Group set up by the Licensing Team to advise on a way forward for issues raised by the trade	Moira Fraser	
8.		Hackney Carriage and Private Hire Policy	To consider the comments received on the policy during the consultation and recommend that Council	Julia O' Brien	

No.	Ref No	Item	Purpose	Lead Officer	Comments
			adopt the revised policy.		
9.		Hackney Carriage Tariffs	To feedback on the statutory consultation in relation to the hackney carriage table of fares and to determine whether or not to modify the hackney carriage fare scale, in light of any objection(s) received (and not withdrawn) during the consultation period.	Moira Fraser	
02 February 2023					
10.		Fees for Taxi and Private Hire Vehicles, Drivers and Operators	To consider any issues arising from the consultation and their impact on the proposed fees which will be recommended to full Council for approval.	Moira Fraser	
11.		Taxi Liaison Meeting Update	To provide an update on the discussion at the January Taxi Trade Liaison meeting.	Moira Fraser	
12.		Update on Environment Heath and Trading Standards	To provide Members with an Update on the activity of these teams.	Sean Murphy	
June 2023					
13.		Hackney Carriage Tariffs	To consider any proposals for adjustments to tariffs which would then be the subject of a consultation exercise	Moira Fraser	
14.		Annual Report 2022/23	To set out the work of the Licensing and safety Committee in 2022/23 as well as the work of the Licensing Service as delivered through the Public Protection Partnership.	Moira Fraser	
15.		Sex Establishments Policy	Ro review and if appropriate amend the policy.	Julia O' Brien	

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