

TO: LICENSING AND SAFETY COMMITTEE
2 February 2023

**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.

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 2023.

3 REASONS FOR RECOMMENDATIONS

- 3.1 A revised set of fees were presented to the Licensing and Safety Committee at the 20 October 2022 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 at this meeting and that 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 hackney carriage and private hire operators and vehicle licence fees are proposed.
- 5.2 The proposed fees for 2023/24 were discussed at the Joint Public Protection Committee meeting held on the 05 October 2022. 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.

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- 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 rate of £59 p/h. These rates were retained for 2022/23. In light of the current inflation rate it was proposed to increase the hourly rate from £59p/h to £64p/h for 2023/24 (an increase of 8.47%). This is the first time the hourly rate has been increased in three years.
- 5.4 In calculating the fees and charges officers have considered how much time is spent dealing with matters related to each type of licence. This means that the charges reflect the actual resources being used by each licence type. A further review will be undertaken to consider the impact of the introduction of the new IT system ahead of next year's fee setting process. The anticipated savings were factored into the 2022/23 fees.
- 5.5 Bracknell Forest Council's Licensing and Safety Committee considered all the draft fees relating to Licensing at a meeting held on the 20 October 2022. It was agreed in particular that:
- the content of the knowledge test and the associated fee would be reviewed ahead of the 2024/25 budget setting cycle;
 - the cost of DBS checks would be reduced from £79 to £70;
 - In terms of ice cream vans it was the intention for the BFC fees to be aligned with those in West Berks over the next two years; and
 - the change of address fee for taxi licences be set at £11.50.
- 5.5 The fees are usually discussed with the trade at the October liaison meeting. At the meeting which took place on the 03 October 2022 the trade commented that:
- they had concerns about the cost of the DBS checks which the trade were really concerned about.
 - the trade had not yet recovered from the pandemic, footfall was down and that they could not absorb higher fees.
- 5.7 The fees set out above fall outside of the statutory consultation requirements but were included in a separate consultation undertaken by the Executive.
- 5.8 In respect of the statutory consultation process the Committee agreed that the fees for hackney carriage and private hire operators and vehicle licence fees be subjected to a twenty eight day statutory consultation period. The consultation took place between the 09 November 2022 and the 07 December 2022. A public notice was placed in the Bracknell News on the 09 November 2022. The consultation was published on the PPP website and a letter was emailed to all hackney carriage and private hire proprietors advising them of the consultation.
- 5.9 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 new/ renewal
Temporary Vehicle Licence (issued up to 3 months Maximum)
Private hire operator licence new/renewal

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- 5.10 The Council received a response submitted on behalf of the Bracknell Hackney Carriage Drivers Association which was signed by 48 of the 53 Drivers as well as two other responses from operators.. The letter from the Drivers Association also made reference to some of the fees that fell outside of this statutory consultation and we wrote to them to advise them how to respond to the general consultation on fees undertaken by the Executive.
- 5.10 As objections have been received in respect of the statutory consultation, 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 from the Drivers' Association related 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 13 December 2022 and agreed to formally consult on those proposals. The Drivers Association was informed that they needed to direct their comments to this consultation and were told how to do so.
- 5.13 The Executive consultation ran from the 14 December 2022 to the 24 January 2023. The responses to that consultation will be summarised in a report to the council's Executive on 7 February 2023. Having considered the responses to the consultation, the Executive will recommend a budget package to Full Council, who meet on 22 February 2023 to agree the final budget and council tax for 2023/24.
- 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 set. The cost of renewing a vehicle licence over the last five years are set out below:
- 2019 - £282
 - 2020 - £288
 - 2021 - £290
 - 2022 - £236
 - 2023 - £256 (proposed)
- 5.15 Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 allows the council to charge fees for the grant of licences in respect of hackney carriage and private hire drivers, vehicles and operators. The council cannot make a profit from the licence fees and the act does permit the recovery of any deficit.
- 5.16 Officers recommend that the objections and comments received are considered, however if Members are minded to amend the fees any reduction would need to be met from a subsidy from the Council.

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 and there is nothing to add.

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 20 October 2022 Licensing and Safety Committee

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