

TO: LICENSING AND SAFETY COMMITTEE
24 October 2024

FEES AND CHARGES 2025/2026

Executive Director of Communities

1 PURPOSE OF REPORT

- 1.1 This report sets out the Public Protection Partnership's Fees and Charges which have been proposed by the Special Joint Public Protection Committee at its meeting on the 11 October 2024.
- 1.2 Each partner Council is required to review the fees and charges on an annual basis. **Appendix A** details the fees and charges for 2025/26 proposed for the Public Protection Service.
- 1.3 To consider the proposals for the statutory consultation associated with the fees and charges for private hire operator, and hackney carriage and private hire vehicle licence fees.

2 RECOMMENDATION

The Licensing and Safety Committee:

- 2.1 **AGREES** that, save for the Private Hire Operator, and Hackney Carriage and Private Hire Vehicle licence fees, that the Committee **RECOMMENDS** to the Executive and Council the 2025/26 fees and charges detailed in **Appendix A**.
- 2.2 **AGREES** that the fees for Private Hire Operators and Hackney Carriage and Private Hire Vehicle licence fees are subjected to a twenty eight day statutory consultation period from 30 October 2024 to 27 November 2024 as set out at 5.14 below.
- 2.3 **AGREES** that if no objections are received, the charges for operators and vehicle licence fees are included in the February 2025 Executive and Council papers for approval; or if objections are received, they be considered by the Licensing and Safety Committee at the meeting on 30 January 2025 and any changes be recommended to Council for approval.

3 REASONS FOR RECOMMENDATIONS

- 3.1 Discretionary fees and charges relating to licences and registrations are based on cost recovery, and should they not reflect the cost of providing the service, there is a risk of generating a surplus or deficit.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Not increasing the discretionary fees. This was considered not viable given the rising costs faced by the Service.

5 SUPPORTING INFORMATION

- 5.1 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.
- 5.2 It is noted that a significant number of fees within the licensing field are set by Government Regulation and cannot therefore be changed by the Council. These are identified in green on the fee schedule at **Appendix A**.
- 5.3 Members are asked to note that a significant proportion of the statutory fees have not been uplifted for more than ten years whilst costs have been rising significantly for the Service.
- 5.4 At the meeting of the JPPC in December 2017 (when it considered the 2018/19 fees and charges) a number of matters were decided. It was agreed that as a matter of principle that all fees and charges should be set on the basis of full cost recovery. Fees are calculated based on the time taken to complete the activity multiplied by the hourly rate. In initially calculating the hourly rate a range of factors were considered including the wide variety of council support service costs, staffing and associated costs, democracy and governance, contracts and the necessary training to maintain a competent workforce.
- 5.5 In 2021/22 the full cost of the service, including internal support service re-charges (as per Council budget build processes) and the current establishment lists were updated which resulted in a new rate of £59 p/h and these rates were retained for 2022/23. The hourly rate was increased to £64p/h for 2023/24 and £67 for 2024/25.
- 5.6 For the financial year 2025/26 the proposed hourly rate is £69, an increase of 3%. This increase relates to an increase in the cost base and assumptions on salary changes.
- 5.7 The table below sets out the impact of the hourly rate on the vehicles and drivers licence fees since 2020/21. It should be noted that the fees were adjusted in 2022/23 in anticipation of the implementation of the new IT system and the anticipated savings that some of the automation should generate. In 2021 the decision was made that from 1st April 2022 that all training would be included in the existing fee for drivers. It has not proved possible to deliver this training within the fee and existing resource level. It is proposed that going forward the fee will include safeguarding training but not disability awareness training. This will need to be booked and paid for with an external provider by the drivers.

| | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 | 2025/26 |
|------------------------------------|---------|---------|---------|---------|---------|---------|
| HC&PH Vehicle (New) | £288 | £290 | £266 | £288 | £301.50 | £310.50 |
| HC&PH Vehicle (Renewal) | £288 | £290 | £236 | £256 | £268 | £276 |
| HC&PH Driver (New) | £269 | £271 | £301 | £328 | £340 | £348 |
| HC&PH Driver (Renewal) | £269 | £271 | £272 | £296 | £306.50 | £313.50 |

| | | | | | | |
|---------------------------------------|------|------|------|------|------|---------|
| HTS Driver (New & Renewal) | £185 | £186 | £207 | £225 | £233 | £237.60 |
|---------------------------------------|------|------|------|------|------|---------|

- 5.8 Members will recall from the information set out in the annual report in June 2024 that there has been a decrease in the number of operator, vehicle and drivers licences issued when compared to pre-pandemic levels.
- 5.9 It is worth noting that due to the impact of Covid and competition on the licensed taxi and private hire trade and the alignment of street trading fees between the two authorities the Service has seen a significant fall off in fee income. As stated above this issue has been compounded by the stagnation on statutory fees. At the time of writing the Service is expecting a licensing income shortfall of £144k. A review of the Service has taken place, and a staffing structure has been put in place to reflect the fall in income.
- 5.10 It is not permissible for one aspect of the licensing regime to subsidise another.
- 5.11 The Council is required to undertake a statutory consultation in respect of the hackney carriage and private hire vehicles and private hire operator's fees and the proposed mechanism and timescales are set out in paragraph 5.14 for Members to consider and approve.
- 5.12 The proposed fees were discussed at the Special Joint Public Protection Committee meeting on the 11 October 2024. The Committee were supportive of the proposals set out in that report and reflected in Appendix A.

Proposal

- 5.13 Members are asked to comment on the proposed fees and the statutory consultation process.
- 5.14 Members are asked to agree that fees for Private Hire Operators and Hackney Carriage and Private Hire Vehicle licence fees are subjected to a twenty eight day statutory consultation period from 30 October 2024 to 27 November 2024. A public notice pertaining to these fees is placed in the Bracknell News, a consultation letter is sent to all Hackney Carriage and Private Hire vehicle owners and Private Hire Operators in the Borough and that a copy of the consultation is posted on the Public Protection Partnership website and at Time Square.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The legal implications are identified within the report.

Fees for drivers licences

s.53 of the Local Government (Miscellaneous Provisions) Act 1976: "...a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit

the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.”

Section 53 above therefore limits the cost of a driver’s licence to the council’s administration costs associated with the “...the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle...”.

Fees for vehicle and operators’ licences

s.70 of the Local Government (Miscellaneous Provisions) Act 1976: “...a district council may charge such fees for the grant of vehicle and operators’ licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part:

- (a) the reasonable cost of the 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;
- (b) the reasonable cost of providing hackney carriage stands; and
- (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.”

The licensing costs recoverable by a district authority in respect of vehicles and operators is limited to vehicle inspection costs for the specific purpose of determining their suitability to be licensed, reasonable cost of providing hackney carriage stands, reasonable administration costs for processing the licence application and finally reasonable costs associated with “...control and supervision of hackney carriages and private hire vehicles.”

Borough Treasurer

- 6.2 The financial implications are contained within the report. The proposed fee increases are in line with the corporate position.

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. The fees are however potentially subject to legal challenge. It is therefore important the fees and methodology are subject to ongoing review,

Climate Change and Ecological Impacts

- 6.5 The recommendations in Section 2 above are expected to have no impact on emissions of CO2.

Health & Wellbeing Considerations

- 6.6 There are no health and wellbeing considerations associated with this report.

Background Papers

The report of the Joint Public Protection Committee can be found here: [West Berkshire Council - Agenda for Joint Public Protection Committee on Friday 11 October 2024, 1.00 pm](#)

Appendices

Appendix A - Proposed Fees and Charges for 2025/26

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