

Crawley Borough Council

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Report to Licensing Committee

11 March 2009

Private Hire and Hackney Carriage Licence Fees 2009 - 2010

1. Key Points

- 1.1 The purpose of this report is to secure the Committee's agreement to the proposed revision of fees for hackney carriage and private hire driver, vehicle and operator licences.
- 1.2 The last increase in hackney carriage and private hire licence fees took place in April 2008 and a copy of the current table of fees is set out in **Appendix A**.

2. Recommendations

- 2.1. The Committee is requested to consider the following proposals:
 - 2.1.1 To agree the proposed vehicle and operator fees as set out in **Appendix C** to this report for purposes of consultation.
 - 2.1.2 To adopt the fees as set out in **Appendices B & C** from 1st April 2009 if no representations are made within the statutory 28 day consultation period
 - 2.1.3 To delegate the power to review and set fares to the Head of Environmental Services in consultation with the Chair of the Licensing Committee unless an objection is received concerning the advertised fees and charges.

ANGELA TANNER
Head of Environmental Services

3. Background

- 3.1 Members will be aware that sections 53(2) and 70 of the Local Government (Miscellaneous Provisions) Act 1976 [Hereinafter referred to as the 1976 Act] provide that the Council, as the Licensing Authority, may charge such fees for the grant of drivers', vehicles' and operators' licences as it may resolve from time to time. These sections of the 1976 Act also lay down the principle that it is legitimate for the Council to seek to recover the cost of operating the licensing service from the licensees.
- 3.2 The previously mentioned sections of the 1976 Act do not give the Council discretion to levy these fees arbitrarily; the cost of a licence has to be related to the cost of operating the licensing service.
- 3.3 The power to charge fees for the licensing of hackney carriage and private hire drivers is set under the provisions of section 53(2) of the 1976 Act. These fees must be reasonable and imposed for the purpose of recouping the cost of issue and administration.
- 3.4 The fees for hackney carriage and private hire vehicle licences together with private hire operators' licences are set under the provisions of section 70 of the 1976 Act, as are the fees for private hire operators' licences. The Council may seek to recover the cost of, amongst other things:
- Vehicle inspections.
 - Provision and maintenance of hackney carriage stands (taxi ranks)
 - Any reasonable administrative costs in connection with the above.
- 3.5 The section 70 of the 1976 Act lays down a prescriptive procedure requiring both consultation and public notice if the proposed fee exceeds £25.00. This procedure is detailed below under the heading 'Consultation'.
- 3.6 Under the provisions of Section 53 of the 1976 Act, which covers hackney carriage and private hire drivers' licence fees, there is no requirement for consultation, public notice, and consideration of representations.
- 3.7 The Council's constitution delegates to the Licensing Committee the power to determine the fees for hackney carriage and private hire licences; as these fees are required to cover the costs to the Council of operating the licensing regime. However, if an objection is received to a proposed fare review it is also required that the matter be referred back to the Licensing Committee. It is therefore suggested that the power to review fees and charges be delegated to the Head of Environmental Services in consultation with the Chair of the Licensing Committee, limiting the need for the matter to be brought before the Licensing Committee to the occasions where objections are received to the advertised table of fees in the local press.

4. Content

- 4.1 The proposed fees for 2009 - 2010 are listed in **Appendices B & C** of this report. The proposed fees for hackney carriage and private hire drivers' licences for 2009 – 2010 are set out in **Appendix B** which includes the fees

currently charged for those licences for comparison. **Appendix C** lists the proposed fees for hackney carriage & private hire vehicle licences and private hire operators' licences for 2009 – 2010 together with those currently charged for the respective licences for comparison.

- 4.2 Officers have given due consideration to the rising costs associated with the Licensing function and the proposed fees have been set at an appropriate level to recoup the estimated cost of providing the service.

Officers are of the opinion that the estimated cost of providing the service will be covered by the proposed hackney carriage and private hire licence fees for 2009 - 2010. Fees increases have been limited to 2.5% in general.

5. Hackney Carriage and Private Hire Drivers' Licence Fees

- 5.1 The proposed fees for hackney carriage and private hire drivers' licences have been calculated to recover the costs incurred in the issue and administration of the licences. The proposed increase in the fee reflects the increase in these costs. The fees for drivers' licences will increase by approximately 5% from £57.30 to £60.20. Statutory regulation does not require the council to undertake a consultation and representation process, as mentioned above.
- 5.2 If these fees are agreed then it is recommended they take effect at the same time as the proposed new vehicle and operator licence fees; i.e. on the 20th April 2009 following the expiry of the 28 day representation period and the subsequent consideration of any representations made.

6. Private Hire Operators, Hackney Carriage and Private Hire Vehicle Licence Fees.

- 6.1 Officers have reviewed the current fees for these licences and have proposed an increase of approximately 2.5% for 2009 - 2010. (A table of both the current fees and the proposed increases in fees is set out in **Appendix C**.)
- 6.2 Fees for new hackney carriage and private hire vehicle licences, which include the cost of the bracket, licence plate and, for hackney carriages only, the door signs, are slightly higher than fees for renewal of these licences.
- 6.3 If the bracket and /or plate is lost or stolen or if the door signs are damaged there will be a charge to the licensee for replacement. This charge will cover the cost of reproducing the plate or door sign, the materials used and officer's labour.
- 6.4 The fee for new licences for those private hire vehicles which are exempt from displaying licence plates will be equivalent to the private hire vehicle licence renewal fee due to there being no costs associated with producing and supplying a licence plate and bracket.
- 6.5 Fees for private hire vehicle licences are less than the fees charged for hackney carriage vehicle licences as they do not include the costs associated with the maintenance of hackney carriage stands and fare increases. There

are currently only 103 hackney carriages; hence, any costs relating to hackney carriages will be apportioned to those licence holders.

7. Consultation

- 7.1 The consultation and representation procedure relating to licences is prescribed in section 70 of the 1976 Act as follows:
- i. A notice must be published in a local newspaper giving details of the proposed vehicle and operator fees and the date on which they will take effect. (This date must be set to allow for the consideration of possible representations.)
 - ii. The notice must indicate that representations may be made but that these must be lodged within 28 days.
 - iii. The notice must also make clear the procedure for making representations; specifying that these should be made in writing and that they may be delivered-by-hand, sent by post or fax or via E-mail.
 - iv. A copy of the notice must be available at the Town Hall for inspection. (No charge may be levied for inspection.)
 - v. Following the expiry of the 28 day representation period, if no representations have been received, the new fees will come into effect on the advertised date.
 - vi. If representations are made within the 28 day period, and are not subsequently withdrawn, then the Council must give due consideration to these representations. It is pertinent to note that although the Council must consider these representations it is not obliged to consequently vary the original proposal.
 - vii. The new fee should come into effect not more than two months after the date the proposed fee was first published. [see i above]
- 7.2 The consultation process will start from the date the proposed fees are advertised in the local press. If the Committee agrees to consult on these proposals the notice can be placed in the next edition of the local press. A draft of the notice is attached to this report as **Appendix D**. A copy of the notice will also be sent directly to representatives of each trade likely to be affected.

8. Ward Members' Views

- 8.1. The Council has not on this occasion consulted or sought the views of ward members as this matter does not come under any one particular area.

9 Staffing, Financial and Legal Implications/Powers

- 9.1 Staffing implications: none
- 9.2 The increase in the licence fees proposed in this report is necessary to recover the costs of issuing the licences listed.
- 9.3 The estimated annual net cost of running the hackney carriage and private hire licensing service for the next financial year (2007 /2008) is £200,320. The estimated income obtained through the proposed increase of licence fees will enable the Council to recover the full cost of operating the service.
- 9.4 It should be noted that these are estimated figures based on the number of licences, total income and cost incurred in the current financial year. These figures exclude variable costs such as plate transfers, new licences etc.
- 9.5 The 1976 Act clearly stipulates the statutory responsibility of this authority to approve any fees or charges and the procedure that must be followed. If the Council does not comply with the Act it will be acting unlawfully and could be open to legal challenge.

10 Links to the Sustainable Community Strategy and Corporate Plan

- 10.1 The proposals contained in this report relate to the following key areas of the Sustainable Community Strategy

Community Cohesion	Community Safety	y
Young People and Children	Health and Well Being	
Older People	The Environment	y
The Local Economy	y Social Inclusion	

The following key principles are applicable:-

- | | |
|---|---|
| (i) Working together | y |
| (ii) Dignity, respect and opportunities for all | y |
| (iii) Involving People | y |
| (iv) Making it last | y |

The report relates to the following areas in which the Council operates to enhance the town and the quality of life of local people:-

- | | |
|--|---|
| (i) <u>Our Communities:</u> (ensuring they are safe, healthy, cohesive and enjoyable) | y |
| (ii) <u>Our Environment:</u> (ensuring that it is attractive, clean, protected and sustainable) | y |
| (iii) <u>Our Economy:</u> (ensuring it is thriving, vibrant and prosperous) | y |
| (iv) <u>Our Council:</u> (ensuring it is engaging, transparent, business-like with a social conscience, cost-effective and a place-shaping community leader) | y |

11 Reasons for the Recommendation

- 11.1 To provide adequate funding for the proposed level of service and to fulfil the statutory requirement to set hackney carriage and private hire driver and vehicle licence fees together with private hire operator licence fee.
- 11.2 To comply with the relevant legislation; namely the provisions of sections 53(2) and 70 of the Local Government (Miscellaneous Provisions) Act 1976.

12 Background Papers

Not applicable.

Contact Officer: Dave Packham
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CRAWLEY BOROUGH COUNCIL

Licensing Section

Private hire and hackney carriage fees and charges table 2008/2009

Licence fees and charges	(2008 / 2009) Fees	Comments
Private hire drivers		
New application for driver's licence	£110.30	includes first Knowledge test, DVLA and CRB
Drivers licence renewal	£57.30	
Knowledge retest	£12.00	
Private hire vehicles		
New vehicle without meter licence	£251.10	includes plate bracket & plate
New vehicle with a meter licence	£259.80	includes plate bracket & plate
Vehicle without meter licence renewal or plate exempt	£229.10	
Vehicle with a meter licence renewal or plate exempt	£237.50	
Vehicle licence transfer fee	£28.40	
Hackney carriage drivers		
New application for drivers licence	£110.30	includes first Knowledge test, DVLA and CRB
Drivers licence renewal	£57.30	
Hackney carriage proprietors (vehicles)		
New vehicle licence	£296.70	includes plate bracket, plate and door signs
Vehicle licence renewal	£259.50	
Vehicle licence transfer	£28.40	

ENVIRONMENT SERVICES

PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER'S LICENCE FEES TABLE	INCLUDES VAT Y/N	CURRENT CHARGE 2008/09	PROPOSED CHARGE 2009/10	INCREASE	COMMENTS
		£	£		
Private Hire					
New application for driver's licence	N	69.30	72.80	0.0%	Includes 1st knowledge test fee. CRB and DVLA fees to be additional charges
Driver's licence renewal	N	57.30	60.20	5%	
Replacement paper licence	N	5.00	5.00	0%	
Replacement badge	N	8.00	8.00	0%	
Knowledge retest	N	12.00	12.60	5%	
Criminal Records Bureau Enquiry	N				As charged by the CRB at the time of the application
DVLA Disclosure Enquiry	N				As charged by the DVLA at the time of the application
		5.00	5.00		
Hackney Carriage					
New application for driver's licence	N	69.30	72.80	0%	Includes 1st knowledge test fee. CRB and DVLA fees to be additional charges
Driver's licence renewal	N	57.30	60.20	5%	
Replacement paper licence	N	5.00	5.00	0%	
Replacement badge	N	8.00	8.00	0%	
Knowledge retest	N	12.00	12.60	5%	
	N				
Criminal Records Bureau Enquiry	N	36.00	36.00	0%	As charged by the CRB at the time of the application
DVLA Disclosure Enquiry	N	5.00	5.00	0%	As charged by the DVLA at the time of the application

Increase is the staff cost allowance from the budget pack as cost recovery only is allowed.

Drivers licence renewal process is due to change and will incur additional cost.

ENVIRONMENT SERVICES

PRIVATE HIRE VEHICLE, PRIVATE HIRE OPERATOR AND HACKNEY CARRIAGE VEHICLE LICENCE FEES TABLE	INCLUDES VAT Y/N	CURRENT CHARGE 2008/09	PROPOSED CHARGE 2009/10	INCREASE (based on staff recovery of costs)	COMMENTS
		£	£		
Private Hire Vehicles					
New vehicle - no meter	N	251.10	257.40	2.5%	Includes bracket & plate
New vehicle with a meter	N	259.80	266.30	2.5%	Includes bracket & plate
Plate exempt vehicle	N	229.10	234.80	2.5%	
Vehicle renewal - no meter	N	229.10	234.80	2.5%	
Vehicle renewal with a meter	N	237.50	243.40	2.5%	
Vehicle licence transfer	N	28.40	29.10	2.5%	
Replacement plate and/or bracket	N	22.00	22.60	2.5%	
Replacement paper licence	N	5.00	5.00	0%	
Private Hire Operator					
1 - 5 vehicles	N	141.90	145.40	2.5%	
6 - 10 vehicles	N	282.60	289.70	2.5%	
11 - 20 vehicles	N	563.10	577.20	2.5%	
21 - 50 vehicles	N	986.60	1,011.30	2.5%	
51 - 100 vehicles	N	1,401.60	1,436.60	2.5%	
101+ vehicles	N	2,118.10	2,171.10	2.5%	
Replacement paper licence	N	5.00	5.00	0%	
Hackney Carriage Vehicles					
New vehicle	N	296.70	304.10	2.5%	Includes bracket, plate & door signs
Vehicle renewal	N	259.50	266.00	2.5%	
Vehicle licence transfer	N	28.40	29.10	2.5%	
Replacement plate and/or bracket	N	22.00	22.60	2.5%	
Replacement door signs	N	15.00	30.00	100%	New Supplier & Design (100% Increase 9/10)
Replacement paper licence	N	5.00	5.00	0%	

Increase is the staff cost allowance from the budget pack as cost recovery only is allowed.
Staff forms the larger part of the cost.

CRAWLEY BOROUGH COUNCIL

PRIVATE HIRE VEHICLE, PRIVATE HIRE OPERATOR AND
HACKNEY CARRIAGE VEHICLE LICENCE FEES
TABLE 2009/2010

Notice is hereby given that Crawley Borough Council intends to vary the hackney carriage vehicle,
private hire vehicle and operators licence fees in accordance with Section 70 of the Local
Government (Miscellaneous Provisions) Act 1976

**PRIVATE HIRE VEHICLE AND
OPERATOR AND HACKNEY
CARRIAGE VEHICLE
LICENCE FEES TABLE 2009 - 2010**

**CURRENT
CHARGE
2008/09**

**PROPOSED
CHARGE
2009/10**

Licence fees and charges	£	£
Private Hire vehicles		
New vehicle - no meter	251.10	257.40
New vehicle with a meter	259.80	266.30
Plate exempt vehicle	229.10	234.80
Vehicle renewal - no meter	229.10	234.80
Vehicle renewal with a meter	237.50	243.40
Vehicle licence transfer	28.40	29.10
Replacement plate and/or bracket	22.00	22.60
Replacement paper licence	5.00	5.00
Private Hire Operator		
1 - 5 vehicles	141.90	145.40
6 - 10 vehicles	282.60	289.70
11 - 20 vehicles	563.10	577.20
21 - 50 vehicles	986.60	1,011.30
51 - 100 vehicles	1,401.60	1,436.60
101 + vehicles	2,118.10	2,171.10
Replacement paper licence	5.00	5.00
Hackney Carriage Vehicles		
New vehicle	296.70	304.10
Vehicle renewal	259.50	266.00
Vehicle licence transfer	28.40	29.10
Replacement plate and/or bracket	22.00	22.60
Replacement door signs	15.00	30.00
Replacement paper licence	5.00	5.00

Copies of the proposed variation of fees are available for inspection at the Licensing Section, Town Hall, The Boulevard, Crawley from 9.15 hrs till 16.30 hrs Monday to Thursday and from 9.15 hrs till 15.30 hrs on Fridays.

Any person who wishes to make any objections or representations relating to the above fees may do so in writing to the Licensing Officer, Licensing Section, Environment and Housing Directorate, Town Hall, The Boulevard, Crawley, West Sussex, RH10 1UZ by Wednesday 15th April 2009. If no objections are made within the 28 day objection period the proposed fees will come into force on Monday 20th April 2009.

Mrs Angela Tanner
Head of Environmental Services

