

REPORT TO:	Licensing Committee
DATE:	4th December 2019
LEAD OFFICER:	Head of Planning and Public Protection
CONTACT OFFICER:	Senior Licensing Officer (Technical) licensing@denbighshire.gov.uk 01824 706451
SUBJECT:	Proposed Changes to Taxi Licensing Fees and Charges

1.0 PURPOSE OF THE REPORT

- 1.1 To seek Members' approval for proposed changes to fees and charges relating to the taxi licensing regime.

2.0 EXECUTIVE SUMMARY

- 2.1. Members are requested to consider the approval of revised fees for the determination and administration of the Hackney Carriage and Private Hire Licensing regime, notably operator, vehicle, some types of driver licences and knowledge tests.

3.0 POWER TO MAKE THE DECISION

- 3.1 Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847.

4.0 BACKGROUND INFORMATION

- 4.1 Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") allow the Council to charge fees for the grant of licences in respect of hackney carriage and private hire drivers, vehicles and operators.
- 4.2 The cost of issue and administration can be recovered from driver licence fees. In respect of vehicle and operator licences, the reasonable cost of inspecting vehicles, providing hackney carriage stands and any reasonable administrative or other costs in connection with the aforementioned, and with the control and supervision of hackney carriages and private hire vehicles can be included in the fees.

- 4.3 The cost for the enforcement of unlicensed drivers, vehicles or operators cannot be included in the calculation.
- 4.4 The Council cannot make a profit from licence fees and there must be a carry forward of any surplus, conversely there can also be recovery of any deficit. The reconciliation of any surplus and deficit is over a three-year cycle.
- 4.5 Since October 2015, licences can be issued for a maximum period of 5 years for operators, 3 years for drivers and 1 year for vehicles and the Council has adopted this practice.
- 4.6 A fees and charges methodology has been devised to allow for a detailed review of fees and charges in line with the relevant licensing process.
- 4.7 The current and proposed fee structures are shown at Appendix A.
- 4.8 The last increase in the fees and charges for taxi licensing was in April 2018, although the fees for vehicles have remained static for 11 years.
- 4.9 Legislation allows for the issuing of licences for a lesser duration in certain circumstances but this must be due to an individual case, not because of a blanket policy.
- 4.10 Members will wish to note that should they approve the revised table of fees, then Section 70 of the Act also requires that they be advertised in the local press, allowing at least 28 days for objections.
- 4.11 In the event of any objections being received as a result of the advertisement, these will need to be considered and reported back to this Committee, along with any revisions considered appropriate.
- 4.12 If no objections are received, then these fees will come into effect on 1st April 2020
- 4.13 It is essential that fees are reviewed periodically to ensure that fees are proportionate and in-line with relevant costs. Given that associated costs can increase on an annual basis and processes can be changed officers carry out a review annually.
- 4.14 Finally, Officers wish to remind Members that since the introduction of the 3 yearly driver licences, driver renewals follow the 3 year DBS process and to ensure that drivers outside of the DBS cycle are not disadvantaged, the annual renewals are maintained until such time as a driver's DBS becomes due. Members will also recall that the DBS

service has been contracted out and that drivers are now responsible for obtaining their own DBS checks. The cost of this is not included in the fee for a driver licence.

5.0 CONSULTATIONS

5.1 As noted in paragraph 4.10 above that there is a requirement to publish proposed fees which are then subject to a 28 day objection period.

5.2 The Head of Planning and Public Protection Services has reviewed the proposed fees and supports those listed at Appendix A

6.0 RECOMMENDATIONS

6.1 That Members:

- 1) Approve the fees and charges as detailed at Appendix A.
- 2) Authorise officers to publish the proposed changes to the Taxi Licensing fees in a local newspaper for the necessary consultation and, if no objections are received, they will come into effect on 1st April 2020.
- 3) Request that where any objections are received, the Licensing Committee will consider those objections at their next Meeting with a view to implementing (with or without modification) no later than 1st April 2020.