

PUBLIC PROTECTION COMMITTEE: 9 February 2016

Report of the Head of Shared Regulatory Services

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE FEES

1. Background

- 1.1 At its meeting on 4th March 2014 the Committee authorised the introduction of the current fees and charges for hackney carriage and private hire vehicle licences which, after further consideration by the Committee of objections, were implemented on 1st June 2014.
- 1.2 The purpose of this Report is to seek approval of new fees for hackney carriage and private hire vehicle licences.

2. Proposed Fees.

- 2.1 The table below shows the existing fees compared with the proposed new fees.

	Existing Fee	Proposed Fee
Hackney Carriage 12 month renewal	£163	£154
Hackney Carriage 6 month renewal	£104	£86
Private Hire 12 Month Grant	£140	£103
Private Hire 12 Month Renewal	£102	£85
Private Hire 6 Month Grant	£98	£69
Private Hire 6 Month Renewal	£69	£51

- 2.2 In the 2014/15 financial year, there was a £9961 surplus in respect of hackney carriage vehicle licences, and a £12,786 surplus in respect of private hire vehicle licences. In calculating the proposed new fees, the full surpluses have been taken into account.

No costs have been included in the proposed fees in relation to the taxi marshal service.

- 2.3 The proposed fees have been calculated using a toolkit developed by the Wales Licensing Expert Panel. The toolkit is being used by all Welsh local authorities. The method used to calculate the fees and details of the figures are shown in Appendix A.

3. **Legal Implications**

- 3.1 Section 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 vehicles. The Council must set the fees for these licences on the basis that it only recovers costs which it is entitled statutorily to recover.

In respect of vehicle licences the Act states that the Council may charge such fees as may be sufficient in the aggregate to cover in whole or in part:

- The reasonable cost of inspecting Hackney Carriages and Private Hire vehicles to ascertain whether any such licence should be granted or renewed.
- The reasonable cost of providing Hackney Carriage stands.
- Any reasonable administrative or other costs in connection with the above and with the control and supervision of Hackney Carriages and Private Hire vehicles.

- 3.2 The Act, which dates from 1976, also states that the fee for vehicle licences shall not exceed £25 or such other sum as the Council may from time to time determine. In the light of current costs, £25 is not seen as a realistic fee.

- 3.3 Case law has established that when the Council makes a surplus in respect of licence fees it should give account for that the next time that the fees are set; and if it makes a deficit it may also take that into account. The calculations in respect of each type of licence issued by the Council should be kept separate.

- 3.4 When the Council proposes to set new fees for vehicle licences it is required by Section 70 of the 1976 Act to publish notice of the proposed variation in a local newspaper stating that objections may be made within a period of not less than 28 days. If objections are received and not withdrawn the Council must consider them and set a further date on which the variation shall come into force with or without modifications.

4. **Financial Implications**

The report sets out the proposed fee structure to take effect from 1st April 2016. The method adopted in calculating the fees is shown in Appendix A with all relevant costs having been included.

Should a surplus accrue as part of the final outturn position for 2015/16, this will be taken into account when setting the fees in 2017.

5. **Recommendations**

- 5.1 That the Committee approve the proposed licence fees outlined in this Report with an implementation date of 1st April 2016.
- 5.2 That the Committee authorise the Head of Shared Regulatory Services to carry out the necessary public notice procedure.
- 5.3 If objections are received within 28 days of the publication of the notice of the proposed changes to the fees, the matter come back before the next appropriate Committee meeting so that any such objections can be considered, modifications be considered, and a new date for the introduction of the variations can be set.

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Background papers: Financial calculations

