

LICENSING COMMITTEE – 22 MARCH 2011

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING: LICENCE FEES 2011/2012

Report of the: Community and Planning Services Director

Status: For Decision

Executive Summary:

This report considers the responses received from the consultation with drivers and vehicle proprietors in order to set the appropriate licence fees and associated costs of Hackney Carriage and Private Hire licensing for the 2011/12 financial year to ensure that the 'Taxi Licensing' service remains self-financing, in accordance with the Council's Service and Budget Plan.

This report supports the Key Aim of safe communities and effective management of Council Resources.

Portfolio Holder Cllr. Mrs Bracken

Head of Service Head of Environmental and Operational Services – Mr Richard Wilson

Recommendation: It is RESOLVED that:

From 1 April 2011 the list of fees and associated costs for licences in respect of Hackney Carriage drivers and vehicles and Private Hire drivers, vehicles and operators be varied as follows:

	Existing Fees	New Fees
Hackney Carriage Driver's Licence		
On initial application	£154 for three years (01.04.09 – 31.03.12)	£154 for three years (01.04.09 – 31.03.12)
Criminal Records Bureau Search Fee	£36	£36
On renewal	£110 for three years (01.04.09 – 31.03.12)	£110 for three years (01.04.09 – 31.03.12)
Criminal Records Bureau Search Fee	£36	£36

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	Existing Fees	New Fees
Hackney Carriage Vehicle Licence	£267 for one year	£272 for one year
Private Hire Operator's Licence		
On initial application	£279 for three years	£284.5 for three years
On renewal	£89 for three years	£91 for three years
Private Hire Driver's Licence		
On initial application	£154 for three years (01.04.09 – 31.03.12)	£154 for three years (01.04.09 – 31.03.12))
Criminal Records Bureau Search Fee	£36	£36
On renewal	£110 for three years (01.04.09 – 31.03.12)	£110 for three years (01.04.09 – 31.03.12)
Criminal Records Bureau Search Fee	£36	£36
Private Hire Vehicle Licence	£267 for one year	£272 for one year
Additional Costs		
Change of Hackney Carriage to Private Hire	£63	£64
Change from Private Hire to Hackney Carriage	£83	£85
Replace Vehicle Plate	£36	£37
Replace Identification Badge	£25.50	£26
Vehicle Re-test	£54.85	£54.85
Vehicle Partial Re-Test	Half the current MOT fee	Half the current MOT fee
Change of Ownership of Licensed Vehicle	£62	£63
Attempting "Knowledge Test" after	£46 for each attempt	£47

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	Existing Fees	New Fees
two failures		
Vehicle Tests –		Owner turning up without having first verified their documents with the Licensing team will be charged £54.85.
Copies of existing licences	£7.50 each	£8.00 each

Replacement Vehicles

If a licensed vehicle is replaced during the valid licence period then the cost of licensing the replacement vehicle will be £272. However, if the vehicle is replaced within six months of the issue of the licence then the fee will be reduced by £100 in the first of those six months; £90 in the second; £80 in the third; £70 in the fourth; £60 in the fifth and £50 in the sixth month.

If a licensed vehicle is replaced temporarily for up to 2 months because of damage to it then the fee will be £99 to test and licence the replacement vehicle and a further £99 to test and re-licence the original vehicle.

Medical Fee for new and renewal driver licences for Hackney Carriage and Private Hire payable directly to The Cedars Surgery	£55 for three years (01.01.09 – 31.12.11)	£55 for three years (01.01.09 – 31.12.11)
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Background

1. This taxi licensing service is required to be self-financing and the proposed increases to fees will ensure this is maintained.
2. The licence fees and associated costs of 'taxi' licensing have been increased in line with a 2% inflation rate in accordance with the Council's Service and Budget Plan.
3. Careful monitoring of income and expenditure has been carried out over the current financial year to minimise the need for additional increases and the income from licence fees and associated costs, together with expenditure has been in accordance with the objectives laid out in the budget plan.
4. Members are reminded that the fees for the hackney carriage and private hire driver licences are normally fixed for three years and that they were last reviewed by this Committee in January 2009 for the period 1 April 2009 until 31 March 2012.

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5. In the past year the Driving Standards Agency have increased the fee for its 'taxi driver test', that new applicants are required to take in accordance with the Council's 'Taxi Licensing Policy', to £79.66 (weekdays) from 4 January 2011 to reflect the increase in VAT from 17.5% to 20% payable to the DSA by the applicant.
6. The Cedars Surgery at Swanley continues to be the approved centre for medical examinations with respect to Driver Licence applications in accordance with the Taxi Licensing Policy for the three years commencing 1 January 2009 and from that date the fee payable by the applicant is £55. The fee for the Criminal Records Bureau Enhanced Search, at the present, remains the same as last year at £36.
7. The three costs mentioned in the two preceding paragraphs, which a new applicant has to pay, means that, in addition to the licence fee set by Members, a new applicant for a driver licence will have to pay, if the recommended licence fee increase is approved, a total of £324.66 from 1 April 2011 whilst an applicant for a renewal of a licence will pay a total of £201 from the same date.

	New applicant for driver licence	Renewal of a drivers licence
Application	£154.00	£110.00
CRB	£36.00	£36.00
Medical	£55.00	£55.00
DSA driving test	£79.66	
Total	£324.66	£201.00

8. Following the Licensing Committee meeting on 26 January 2011 the Licensing team wrote to all Hackney Carriage Proprietors, Private Hire Operators and all Drivers following the decision to advise them of any changes to the fees and to ask them for their comments.
9. A total of 553 letters were sent to all Hackney Carriage/Private Hire drivers, vehicle proprietors and Private Hire Operators. Whilst every attempt was made to remove duplicate letters it is accepted that some licensees received duplicate letters due to the fact that their details held are entered in different ways.
10. 105 responses were received and 33 of those received made comments both negative and positive regarding the proposed fee increases. Those comments are detailed in Appendix A.

Key Implications

Financial

11. The cost of licence fees takes into account the need to maintain a 'self financing' position for the service. The proposals contained in this report will achieve this.

Legal, Human Rights etc.

12. Should parts of industry believe the Authority's fees are at a level which is greater than the cost of the statutory functions then it would be open to them to undertake judicial review proceedings. Should this arise, the Authority would need to evidence how it arrived at the fee levels to demonstrate that they have been calculated on a cost recovery basis only.

Equality

13. Hackney Carriages and Private Hire vehicles available to all groups within the community.

RISK ASSESSMENT STATEMENT

14. If the proposed licence fee increases are not agreed as proposed then financial support to the Taxi Licensing Service will have to be borne from within the Council's budgets.

Licensing Committee minutes 26.1.2011

Sources of Information:

Local Government (Miscellaneous) Provisions Act 1976.

Taxi Licensing Policy

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**COMMUNITY AND PLANNING SERVICES DIRECTOR
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