

## HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING: LICENCE FEES AND CHARGES 2022/2023

Licensing Committee - 2 November 2021

**Report of:** Chief Officer, Planning & Regulatory Services

**Status:** For consideration and decision

**Key Decision:** Yes

**Portfolio Holder:** Cllr. Margot McArthur

**Contact Officer:** Susan Lindsey Ext. 7491

**Recommendation to Licensing Committee:**

1. To determine in regard to the taxi income deficit of 2020/21 whether:
  - a) the debt be written off due to the extraordinary circumstances of 2020;
  - b) to recoup this deficit over 3 years meaning a proposed addition of £37 to each application renewal type); or
  - c) to recoup this deficit over 6 years meaning a proposed addition of £19 to each application renewal type)
2. Subject to the decision made above, that the Licensing Committee recommend that the fee levels as set out in Appendix A to the report are appropriate for consultation with the taxi trade.
3. If, following consultation, there are no adverse comments to the proposed levels the proposed fees and charges are implemented from 1 April 2022

**Reason for recommendation:** To ensure that the Council complies with its statutory duty and ensure that the 'taxi licensing' service remains self-financing, in accordance with the Council's Service and Budget Plan.

*If a decision is made to recoup the deficit then the proposed revised fees in Appendix A would need to be amended with the additional charges set out in paragraph 6 of this report*

## Introduction and Background

- 1 The taxi licensing service is required to be self-financing and the proposed increases to fees will ensure this is maintained.
- 2 Monitoring of income and expenditure has been carried out over the past financial year 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. There are increases to the fees this year due to the concentration of team resources to taxi licensing in the implementation of changes to the service following the introduction of the Department of Transport National Guidance in June 2020.
- 3 Some of the changes which have impacted the amount of time and resource required to adhere to the National Guidance and other such matters are as follows:
  - The implementation of 6 monthly online DBS checks for every driver (from 3 yearly checks) with ongoing monitoring of drivers not subscribed to the DBS update service
  - The registration and implementation of Sevenoaks District Council to the NR3 Revoked and Refusals register.
  - The implementation of changes to Private Hire Operator Conditioning
  - Changes to how Vehicle Compliance checks are booked
  - Implementation of Meter Sealing for all Hackney Carriage Vehicles
  - Implementing the need for Police PNC checks as well as Enhanced DBS checks due to the new DBS filtering rules
- 4 Members attention is drawn to the fact that in 2020/21, a £40,000 deficit in taxi income occurred due to a decrease in the number of driver, vehicle and operator applications processed by the Authority. It is believed that this is as a result of the Covid Pandemic.
- 5 Subsequently, this year, Members also have a decision on whether this deficit should be recovered or not.
- 6 Options available to Members are:
  - a) to write this deficit off due to the extraordinary circumstances of 2020 (and go with the proposed fees at Appendix A)
  - b) to recoup this deficit over 3 years (add £37 to each application renewal type to the proposed fees set out at Appendix A)
  - c) to recoup this deficit over 6 years (add £19 to each application renewal type to the proposed fees set out in Appendix A)
- 7 All Vehicle Proprietors, Private Hire Operators and Drivers will be emailed to advise them of the proposed fees (or in the case where emails are not

available or fail to send, letters will be sent) giving licence holders the opportunity to lodge any comments or objections in writing.

- 8 A notice will be published in a local newspaper, on the Sevenoaks District Council website, and at the Council Offices. This notice will state where objections should be addressed and the end date of the consultation period.
- 9 A consultation period of 28 days from the date on which the notice is published will be held.
- 10 Once the consultation period has expired, if there have been no objections received or those received have subsequently been withdrawn, then the new fee structure will take effect from 1<sup>st</sup> April 2022.
- 11 If objections are received during the consultation period and not withdrawn then this matter, including the objections received, will be brought back before the Licensing Committee for consideration.

### **Other options Considered and/or rejected**

If the Licensing Committee were minded not to approve these fees the Council would not be able to meet the Council's Service and Budget Plan or ensure the Taxi Licensing Service was self-financing.

### **Key Implications**

#### Financial

The cost of licence fees takes into account the need to maintain a 'self financing' position for the service.

#### Legal Implications and Risk Assessment Statement

Should parts of industry believe the authority's fees are at a level which is greater than the costs of the statutory functions then it would be open to them to undertake a 'judicial review proceeding'. 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 Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

**Appendices**

Appendix A - Table of proposed 2022-2023 fees

Appendix B - Table of current 2021-2022 fees

**Background Papers**

None

**Richard Morris**  
**Chief Officer Planning and Regulatory Services**