



## TAXI AND GENERAL COMMITTEE - 31<sup>ST</sup> JULY 2023

**SUBJECT:** TAXI AND GENERAL LICENSING/REGISTRATION/PERMIT  
FEES 2023/24

**REPORT BY:** CORPORATE DIRECTOR, ECONOMY AND ENVIRONMENT

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### 1. PURPOSE OF REPORT

- 1.1 To recommend taxi and general Licensing/Registration/Permit Fees for the next financial year for approval by Members.
- 1.2 Subject to paragraph 1.1, the proposed fees for hackney carriage/private hire vehicle and private hire operator licences for 2023/24 be advertised for consultation and if any objections are received be considered at a further meeting of this committee to determine the fees to be charged and the date on which any variations should come into force.

### 2. SUMMARY

- 2.1 All locally set Licensing fees are reviewed regularly to recover reasonable costs of providing the service. This report recommends changes in fees where appropriate for several general fees such as Animal establishments and Private Hire/Hackney Carriage Driver, Vehicle and Operator licences. It also establishes additional categories of renewal fees for some licence types where a lesser cost is involved in the renewal process.

### 3. RECOMMENDATIONS

- 3.1 That the Committee
  - a) Consider the fees proposed in the report as outlined in **Appendix 1** and subject to 1.2 determine the fees for 2023/24 for implementation from 1.8.2023.
  - b) Approve the advertising of the proposed fees for hackney carriage/private hire vehicle licences and Operators for 2023/24 for 28 days as part of the statutory consultation process.

- 3.2 If there are no objections, the proposed fees for hackney carriage/private hire vehicle licences and Operators fees will come into force at the end of the consultation period. If objections are received a further meeting of this Committee will be arranged to consider any objections received and to determine the fees to be charged and the date on which any variations should come into force.

#### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 To recover a reasonable level of costs incurred by the Council in administering the licensing service.

#### **5. THE REPORT**

- 5.1 The authority has a statutory duty to administer certain licences, registrations and permits. The review of fees charged, involves consideration of the cost to the Authority in providing the service. Some fees are set centrally by government, some permits such as street collections for charities etc. are free of charge and the remaining the Council can determine locally to recover the cost of providing that service.
- 5.2 There have been several important cases before the High Court regarding the setting of licensing fees and the Local Government Association (LGA) have issued guidance to local authorities, the latest in November 2015. The underlying principle in setting fees is that Councils must not use fees to make a profit or act as an economic deterrent to deter certain business types from operating in an area. Charges must be reasonable and proportionate to the cost of the processes associated with the licensing regime.
- 5.3 All Wales Licensing Expert Panel devised a fee calculator toolkit that has been approved by the Directors of Public Protection in Wales. In principle the toolkit calculates two elements, which cover the costs to the authority for the provision of the service and the cost of processing and producing a licence. The cost of provision of the service increases proportionally dependant on the period of the licence, whereas the licence processing cost is not affected by the period of the licence.
- 5.4 The fee review process for 23/24 indicated that some current fee levels are not meeting the cost of providing the service, for example Animal Establishment licences, Hackney Carriage and Private Hire Vehicle licences, Taxi driver licences and Private Hire Vehicle Operator Licences. These are recommended to increase to cover costs. In other areas, improved cost information, digitalisation, streamlining of processes etc. has resulted in costs remaining static or in the case of Street Trading Consents and Pleasure Boats reducing.
- 5.5 Appendix 1 to this report sets out the existing general fees and those proposed on a full cost recovery basis for 23/24. For the ease of calculation and collection, all these fees have been rounded to the nearest pound. Whilst the Authority acknowledges the difficulties faced by local businesses in the current economic climate, the Council is entitled to set fees that cover the reasonable costs of providing these services. Fees have not been increased since 2019 and some were set at less than cost recovery levels at that time.

## 5.6 Taxi Driver / Vehicle /Operator Licences

In 2019/20 financial year Members decided not to increase fees in this area to full cost recovery. This obviously has an impact on future years fees as surpluses and deficits are carried over in the fee calculator toolkit from one year to the next. Fees have also not been reviewed for some time due to the initial response to and then recovery from Covid 19 pandemic. Full cost recovery would require increases of £63.00 (£21 a year),for a Hackney Carriage / Private Hire Vehicle Driver licence (3yr licence), £21.00 for a Hackney Carriage / Private Hire Vehicle Licence (1yr licence) and £35 (£5 a year ) for a Private Hire Vehicle Operator Licence (5yr licence.)

5.7 Information is also provided below on options for increases below Full cost recovery should Members wish to consider setting fees below full cost recovery.

<b>Fee</b>	<b>Current</b>	<b>Full Cost Recovery</b>	<b>5%</b>	<b>10%</b>
Hackney Carriage/Private Hire <b>Vehicles</b>	£197.00	£218.00	£207.00	£217.00
Hackney Carriage/Private Hire Vehicle <b>Driver</b>				
3yr Licence	£253.00	£316	£266.00	£278.00
2yr Licence	£213.00	£276	£224.00	£234.00
1yr Licence	£173.00	£236	£182.00	£190.00
Private Hire Vehicle <b>Operator</b>	£757.00	£792.00		
Licence 5yr				
Private Hire Vehicle Operator Licence 4yr	£627.00	£662.00		
Private Hire Vehicle Operator Licence 3 yr	£497.00	£532.00		
Private Hire Vehicle Operator Licence 2yr	£367.00	£402.00		
Private Hire Vehicle Operator Licence 1yr	£237.00	£272.00		

The Vehicle and Operator Fees are subject to a 28-day statutory consultation under the Local Government Miscellaneous Provisions Act 1976. The proposed fees for hackney carriage/private hire vehicle and private hire operator licences for 2023/24 will be advertised in a local newspaper. If there are no objections, the proposed fees will come into force at the end of the consultation period. If objections are received a further meeting of this Committee will be arranged to consider any objections received and to determine the fees to be charged and the date on which any variations should come into force.

## 5.8 Street Trading

Officers have reviewed its processes in respect of Street Trading applications and no longer provide a laminated notice to the applicant for as part of the Street Trading

Consent process, which has resulted in a reduction in the cost of providing the service. It is therefore proposed that these fees should be reduced in line with **Appendix 1**.

#### 5.9 **Tattooing / Piercing**

The fees for one off registration for Tattooing and Piercing Personal and Premises licences have been reviewed and the full cost recovery proposed would see increases of £7.00 for Premises and £33.00 for Personal registrations.

#### 5.10 **Animal Licences / Registrations**

The processes involved in the licensing of Animal Boarding, Riding Establishments, Dangerous Wild Animals and registration for Performing Animals have undergone their annual review. Increases can be attributed to increased Officer time for preparation, inspections and compliance visits and resulting follow up actions. Officers have also established additional categories of renewal fees for some licence types where a lesser cost is involved in the renewal process. **Appendix 1** sets out the new proposed fees.

Fees for Zoos licences were reviewed and set in April 2021, a current review resulted in no change to this fee type.

#### 5.11 **Pleasure boats / Boatmen**

The processes involved in setting the fees for licences for Pleasure Boats / Craft and boatmen licences have been reviewed and having completed the same this has resulted in the existing fee as shown in **Appendix 1**.

#### 5.12 **Civil Marriage/Partnership Venues**

The fees Review undertaken has indicated that fees for Civil Marriage /Partnership Venues should remain at the current fee level as shown in **Appendix 1**.

#### 5.13 **Sex Shops/Sexual Entertainment venues**

The Fees Review undertaken has indicated that fees for Sexual Shops /Entertainment venues should remain at the current fee level as shown in **Appendix 1**.

#### 5.14 **Consultation**

Information on full cost recovery levels of fees for 2023/24 were sent to all existing licence holders by email or SMS message to enable them to contribute to a consultation survey published on the Authority's website on 15<sup>th</sup> June 2023 and comments invited on them for inclusion in this report. A copy of the Fees consultation survey is reproduced for Members information as **Appendix 2**. Details of the responses received in respect of fees set by the Taxi & General Committee are reproduced as **Appendix 3**.

Three respondents who indicated that they were existing dog boarding licence holders were content with the proposed increases but wanted more to be done in relation to the enforcement of unlicensed operators. Two respondents who indicated that they held taxi related licences commented that any fee increase during the current cost of living crisis would not be realistic or fair on members of the trade and that the respondent felt that they already paid enough, for nothing in return. A licensed operator and vehicle owner suggested that driver fees should be lowered to help people get into the industry and that increasing badge prices would deter interest from the general public in becoming drivers, quoting a 20 % shortage. He also suggested offsetting the costs by increasing the vehicle licence fee. He requested more spot checks on potential unlicensed vehicles and stated that most people who are looking to become

taxi drivers are already unemployed and are already short of funds. A petition against the proposed increases was also submitted by the Caerphilly County Borough Taxi Drivers Association with over 120 signatures. The petition stated that they had done some comparisons with neighbouring authorities, found the proposed increases completely unacceptable and requested that they be allowed to speak at this Committee meeting to state their objections in person. A comparison of nearest neighbour Taxi licence fees is attached for information as **Appendix 4**. Fees are set on a cost recovery basis and vary dependent upon the differing costs of each Local Authority in delivering the service.

#### 5.15 **Conclusion**

The Authority is required to review its Licensing fees on an annual basis and has a duty to recover fees that are proportionate to the level of cost incurred in administering the licensing service.

### 6. **ASSUMPTIONS**

6.1 No assumptions have been made in the preparation of this report.

### 7. **SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

7.1 The council has a duty to cost recover locally set fees. Licence fees have not increased in most instances since 2019/20 and some prior to this date. A consultation in respect of locally set fees has been undertaken with existing licence holders. The comments of respondees have been included in both Cabinet and Licensing Committee reports for Member consideration, such reports will contain the full cost recovery figures for each licence type. Members are asked to consider whether they wish to set the level of fees, at full cost recovery or a lesser amount. The full impact will be determined by the actual fees set by Cabinet and Licensing Committees.

**Link to IIA**

### 8. **FINANCIAL IMPLICATIONS**

8.1 The authority must balance the cost of providing the service with the impact any increases may have on businesses and the local economy. The Authority has a duty to recover true costs and to manage its services efficiently. Any delay in implementing increases in the short term would increase the current gap between the cost of providing the service and income generated from Licensing Fees and result in even larger increases in future years.

8.2 As set out at 5.2 above recent rulings on fees and Local Government Association guidance clearly sets out that income from one licence type cannot support or fund other licence types, Councils cannot over-recover and fees must reflect the true cost of administration and the provision of the service.

8.3 Following review of all locally set fees, the predicted income for the period 2023 to 2024 will be dependent on the aggregation of fees for different licence types. It is difficult to accurately predict income arising from licensing applications as numbers of applications is subject to variation. The main impact in respect of this report will arise from the level of fees adopted in respect of Taxi driver / vehicle licences. Adopting the full cost recovery fee levels detailed in this report will generate an increased income of £14,427. If Members determined not to increase fees to full cost recovery a 5%

increase in these fees would generate increased income of £5204, whilst a 10% increase would generate increased income of £10,310.

## 9. PERSONNEL IMPLICATIONS

9.1 There are no personnel implications.

## 10. CONSULTATIONS

10.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

10.2 Responses received from the consultation exercise are detailed in **Appendix 3**.

## 11. STATUTORY POWER

11.1 Local Government (Miscellaneous Provisions) Act 1976  
Local Government (Miscellaneous Provisions) Act 1982  
Marriage Act 1949 and the Civil Partnership Act 2004  
Animal Boarding Establishments Act 1963  
Public Health Acts 1907  
Dangerous Wild Animals Act 1976  
Riding Establishments Act 1970  
Zoo Licensing Act 1981

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Date:

Consultees: Cllr Walter Williams, Chair, Taxi and General Licensing Committee  
Cllr, Shane Williams, Vice Chair, Taxi and General Licensing Committee  
Cllr Philippa Leonard, Cabinet Member for Planning and Public Protection  
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### Appendices

Appendix 1 Taxi and General Fees 23/24

Appendix 2 Fee Consultation Survey

Appendix 3 Fee Consultation Responses

Appendix 4 Taxi Fee Comparison Nearest Neighbours

Background Papers:

Link to **Local Government Association Licensing Fees Guidance**