



TAXI AND GENERAL COMMITTEE

**MINUTES OF THE MEETING HELD IN THE COUNCIL CHAMBER, PENALLTA HOUSE,
ON THURSDAY, 31ST MAY, 2018 AT 10.55 AM**

PRESENT

Councillor J. Simmonds – Vice-Chair

Councillors:

J. Bevan, D. Cushing, K. Etheridge, Ms J. Gale, D.C. Harse, Mrs D. Price, J. Ridgewell,
R. Whiting, L.G. Whittle, W. Williams

Together with:

J. Morgan (Trading Standards, Licensing and Registrars Manager), L. Morgan (Licensing Manager), T. Rawson (Solicitor), J. Lloyd (Senior Licensing Officer), J. Thomas (Licensing Officer), R. Barrett (Committee Services Officer)

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P.J. Bevan, W. David, M. Davies, and D.W.R. Preece (Chair).

2 DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3 TAXI AND GENERAL LICENSING / REGISTRATION / PERMIT FEES - 2018/19

The Licensing Manager presented the report, which recommended general licensing/registration/permit fees for the next financial year, in order to recover reasonable costs of providing the service, and sought the views of Members prior to presentation to Council. The report also sought a referral from the Committee to ask Council to note that in accordance with the existing powers contained in the terms of reference for the Taxi and General Committee, in future years the decisions in respect of fees which are set locally will be made by the Committee without further reference to Council.

Officers outlined the Authority's statutory duty to administer certain licenses, 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 for matters such as street collections are free of charge, and the remaining fees can be determined locally in order to recover the cost of providing that particular service. All locally set fees are

renewed annually to recover reasonable costs of providing the service, and the report recommended changes where appropriate for a number of general fees such as Animal Premises and Hackney Carriage and Private Hire Drivers licenses.

Following a number of High Court cases regarding the setting of licensing fees, the Local Government Association has issued guidance to local authorities (updated November 2015). The underlying principle in setting fees is that the Council must not use fees to make a profit or which 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.

A fee calculator toolkit (devised by the All-Wales Licensing Expert Panel and approved by the Directors of Public Protection in Wales) is used by Caerphilly Council to determine such fees. The fee review process for 18/19 indicated that some current fee levels are not meeting the cost of providing the service, for example Pet Shop licences, Riding Establishments, Boarding Establishments, Hackney Carriage and Private Hire Vehicle licences and Taxi driver licences. It was therefore proposed that these be increased accordingly for 2018/19 in an effort to cover costs, with details of the existing fees and the proposed fees set out at Appendix 1 of the report. Across other areas, improved cost information and streamlining of processes has resulted in costs remaining static or reducing.

The Committee were referred to the proposed fee increases in respect of Taxi Vehicle and Driver Licences, which recommended an increase of £16 for a 3 year driver's licence and a £7 increase for a one year vehicle licence. The proposed fees fall short of full recovery but are believed to be a realistic increase in the current climate. It was explained that the current fee levels are not meeting the costs of providing the service, but that full deficit recovery would require increases of £41 for a 3 year driver licence and £32 for an annual vehicle licence, which would have considerable impact on the trade in the current economic climate. The deficit can be attributed to the large reduction in the number of licences over the last 2 years following the implementation of the Council's Intended Use policy, as well as the impact of the Deregulation Act 2015 in increasing the duration of driver licences from 2 years to 3 years. Members were reminded that there was no increase in Driver and Vehicle fees in 2017/2018.

Additionally, Members were asked to note a proposed reduction across license fees in respect of tattooing/piercing (from £140 to £87). Around 25 to 30 of the registrations received each year relate to students training at local colleges, and so the fees in respect of personal licences have been revised following a review of time monitoring, streamlining of processes and economies of scale due to the increase in applications. The fees for premises licences for tattooing/piercing have undergone a similar review and were proposed to be maintained at their existing level (£178). The Committee were also reminded that fees for new and renewal Civil Marriages applications had recently been standardised following the decision of the Taxi and General Committee on 20th April 2018, and were included at Appendix 1 for Members' information.

During the course of the ensuing debate, a Member referred to the proposed level of increase across Taxi Vehicle and Driver Licences and queried whether it would be feasible to raise these by another £1-£2 in an effort to recoup costs. Another Member expressed their reluctance to support any increase for Taxi Vehicle and Driver Licences, given the increase in other running costs such as fuel and insurance. Reference was also made to the proposed reduction in the personal license fee for tattooing/piercing and a Member suggested that this should be re-examined in view of the Council's need to achieve significant savings in the coming years.

Officers reiterated that the Council is unable to use fees to make a profit and that a balance needs to be achieved between recouping a reasonable level of costs and taking into account the affordability for licensees in the current economic climate. It was explained that the Council must be able to justify the level of fees set and so a reasonable level has been proposed following the fee review process and utilisation of the fee calculator toolkit.

Members were also reminded of their ability to recommend a different level of fees if they were minded to do so.

In response to a query on the consultation process in respect of the proposed fees for hackney carriage/private hire vehicles, Officers explained that a meeting had been held with the trade earlier in the year which included proposed changes to tariffs. Subject to ratification by Council, the proposed fees for vehicles for 2018/19 would be advertised and that the Taxi and General Committee would be given delegated powers to consider any objections received and to determine the fees to be charged and the date on which any variations should come into effect. Members noted that a report would be presented to the Committee on 21st June 2018 in respect of hackney carriage fare tariffs.

Discussion also took place regarding the duration of vehicle driver licences and the impact on Licensing income levels. A Member requested further information on the percentage of drivers with 1 year and 3 year licences and Officers confirmed they would arrange for this to be provided following the meeting.

Having fully considered the report, it was moved and seconded that the following recommendation be supported and forwarded to Council for approval. By a show of hands (and in noting there was 1 against with 1 abstention), this was agreed by the majority present.

RECOMMENDED to Council that the level of fees proposed for 2018/19 (as outlined in Appendix 1 of the report) be approved.

It was moved and seconded that the remaining recommendations be supported and forwarded to Council for approval. By a show of hands this was unanimously agreed.

RECOMMENDED to Council that:-

- (i) The proposed fees for hackney carriage/private hire vehicle licences for 2018/19 be advertised and the Taxi and General Committee be given delegated powers to consider any objections received and to determine the fees to be charged and the date on which any variations should come into force;
- (ii) it be noted that in accordance with the existing powers contained in the terms of reference for the Taxi and General Committee in future years the decisions in respect of fees set out in this report will be made by the Taxi and General Committee without further reference to Council.

The meeting closed at 11.25 am