

Report to Corporate Director

Subject: Amendment to Public Protection fees 2022/23

Date: 29 March 2022

Author: Community Protection Manager

Purpose

To approve an amendment to the Public Protection fees 2022/23 as shown at Appendix 1. The current fees that were approved at the Environment and Licensing Committee on the 18 January 2022 are attached at Appendix 2.

1 Background

- 1.1 The fixing of fees for hackney carriage and private hire drivers, vehicles and operators is a function of the Environment and Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. At the Environment and Licensing Committee on 18 January 2022 some of the fees (the Relevant Fees) regarding taxi licensing for 2022/23 were approved to come into force on the 1 April 2022 and can be found at Appendix 2
- 1.2 It was also resolved at that meeting that the remainder of the taxi licensing fees, that were proposed to be increased for 2022/23, were approved for advertisement in accordance with section 70 of the Local Government (Miscellaneous Provisions) Act, and that if there were any objections they would be referred back to Committee for consideration.
- 1.3 The Council received objections and an official complaint was made regarding the taxi licensing fee setting. There has also been changes to the procedures and processes, over the last couple of years, when dealing with the various licence types that have not necessarily been incorporated into the fee setting for the next financial year.

A decision has therefore been made by the Head of Environment that there will be no recommendation to Committee to increase those fees at this time and for a review of the setting of taxi license fees and the presentation of the taxi licence budget be undertaken to ensure that it is more transparent. The review will also consider the changes in processes that have occurred over the last couple of years.

- 1.4 The Relevant Fees that were set and due to come into force on the 1 April

2022 are as follows:

Taxi Licence	
Knowledge Test Fee	78
Vehicle Inspection	98
Vehicle Re-test (including after accident damage/enforcement action)	61
Meter Test	44
Transfer of vehicle licence	17
Change of name and/or address on a licence	17
Replacement badge fee	21.50
Replacement paper licence	17
Replacement plate fee plus plate deposit	19
Vehicle registration change	17
Replacement badge holder	7.5

It is felt that in order to be fair and transparent the review should cover all fees in the taxi-licensing regime and that the increase as approved on the 18 January 2022 should be addressed. Should the review result in any changes to the fees, all fees, including the Relevant Fees will go out for advertisement.

- 1.5 Currently the Council license close to 800 drivers and proprietors of hackney carriage and private hire vehicles who will be affected by the Relevant Fee increase.

It was resolved at the Environment and Licensing Committee on the 18 January 2022 that the Relevant Fees were to come into force on the 1 April 2022. As a result, the matter is required to be dealt with under urgent powers rather than at the next Committee meeting, which is not until the 19 April 2022, to prevent the new charges coming into force.

2 Proposal

- 2.1 It is proposed that the Director of Environment, Communities and Leisure in consultation with the Chair of the Environment and Licensing Committee approves the revised fees contained in Appendix 1.

3 Alternative Options

- 3.1 That the Relevant Fees are not amended so that we can undertake a review of all fee setting structures and procedures in the taxi-licensing regime. This may result in the review being ineffective, as it does not encompass all elements of the licensing fees.
- 3.2 The Director could decide that this matter is not urgent and refer the fees back to the next Environment and Licensing Committee for consideration

by Members. However, the fee increase is due to come into force on the 1 April 2022, which could result in some drivers paying the higher fee. If the Relevant Fees were to be revised at the next Environment and Licensing Committee on the 19 April 2022 this would lead the Council open to challenge by the drivers that have paid the higher fee.

4 Financial Implications

- 4.1 Amending the Relevant Fees for 2022/23 will mean that they will not receive the proposed 5.5% increase at this time, and this will affect the delivery of income targets / efficiencies. The impact of the review on the level of the Relevant Fees, at this stage is unclear. The results of the review, when it is complete, will be considered, which may or may not result in an increase to the Relevant Fees.

5 Legal Implications

- 5.1 The fixing of fees for hackney carriage and private hire drivers, vehicles and operators is a function of the Environment and Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

The statutory power for the setting of the Relevant Fees is governed by section 70 of the Local Government (Miscellaneous Provisions) Act and section 93 of the Local Government Act 2003.

6 Equalities Implications

- 6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/sustainability implications arising from this report.

8 Appendices

- 8.1 Appendix 1 – Revised Public Protection Fees 2022/23

- 8.2 Appendix 2 – Current Public Protection Fees 2022/23

9 Background Papers

- 9.1 None

Recommendation(s)

THAT:

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| 1) The Director of Environment, Communities and Leisure, in |
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consultation with the Chair of the Environment and Licensing Committee, approves the amendment to the Public Protection fees 2022/23 as at Appendix 1 to allow for the undertaking of a review of fee setting for all taxi licensing fees.

Reasons for Recommendations

To allow for the fair and transparent review of all fees charged within the taxi-licensing regime.

Statutory Officer approval

**Approved by: Adrian Hart
Date: 25.3.22
On behalf of the Chief Financial Officer**

**Approved by: Laura Chaplin
Date: 25.3.22
On behalf of the Monitoring Officer**