

TITLE:	PRIVATE HIRE & HACKNEY CARRIAGE LICENCE FEES
TO/ON:	LICENSING COMMITTEE THURSDAY, 6TH JULY 2006
BY:	HEAD OF LEGAL & DEMOCRATIC SERVICES
LEAD MEMBER:	LEADER OF THE COUNCIL
STATUS:	FOR PUBLICATION

1. PURPOSE OF THE REPORT

- 1.1 To advise members of the current practise regarding fees for licences pertaining to the taxi trade and to clarify the position regarding refunds.

2. RECOMMENDATIONS

- 2.1 It is recommended that the committee resolve to:
- 2.1.1 confirm that licence fees will not be refunded, and
 - 2.1.2 that an administration charge will be levied in appropriate cases

3. REPORT AND REASONS FOR RECOMMENDATIONS AND TIMETABLE FOR IMPLEMENTATION

- 3.1 This Authority currently charges the following fees:
- 3.1.1 Hackney Carriage Drivers Licence & Private Hire Drivers Licence:
£150 for the licence
£36 for the CRB
 - 3.1.2 Hackney Carriage Vehicle Licence & Private Hire Vehicle Licence:
£200
 - 3.1.3 Private Hire Operators Licence
£300
- 3.2 The Local Government (Miscellaneous Provisions) Act 1976 does not allow authorities to charge what they like, but the cost of the licence has to be related to the cost of the licensing scheme itself.

3.3 In respect of driver's licence fees, the cost must be with a view to recovering the cost of issue and administration of the licence. However, in respect of vehicles and operators, the cost also includes the following:

3.3.1 enforcement,

3.3.2 the provision of hackney carriage stands,

3.3.3 random checks of vehicles,

3.3.4 demand surveys,

3.3.5 legal fees, and

3.3.6 all other associated costs.

3.4 There is no legal provision for the refund of monies paid to the Authority in respect of those applications that fail, for example, a driver to whom the committee refuses to grant a licence because he/she is not deemed to be a fit and proper person, or to an applicant who has been unable to pass the DSA driving test, but who has paid their application fee.

3.5 It should be noted that a "transfer" of a vehicle and operators licence is essentially a refund and on this basis, the committee are invited to consider the following:

3.5.1 In respect of vehicles and operators licences, no refund will be given after the licence has been issued.

3.5.2 In respect of applications for driver's licences, no refund will be given to applicants who appear before the Committee and are refused a licence.

3.5.3 In any other case where an administration cost has been incurred, a fee of 25% of the normal fee will be charged.

3.6 It is envisaged that in the majority of cases, applicants should not incur administration charges, provided that they have not submitted documentation with the exception of the Criminal Records Bureau check in the case of drivers, until they have completed all of the necessary steps for application.

4. CORPORATE IMPROVEMENT PRIORITIES

4.1 FINANCE AND RISK MANAGEMENT

4.1 There is a duty to be open and transparent about the fees that we charge for our services.

4.2 MEMBER DEVELOPMENT AND POLITICAL ARRANGEMENTS

4.2 Not applicable

4.3 HUMAN RESOURCES

4.3 Not applicable

4.4 ANY OTHER RELEVANT CORPORATE PRIORITIES

4.4 Quality services for local people and confident communities. Hackney Carriage and Private Hire drivers are relied upon by the travelling public to be persons of honesty and reliability.

5. RISK

5.1 There is a risk of vicarious liability should the Council licence an unfit driver whilst working in that capacity.

6. LEGAL IMPLICATIONS ARISING FROM THE REPORT

6.1 There are no implications. The applicant's Human Rights are protected by a right of appeal to a Magistrates Court.

7. EQUALITIES ISSUES ARISING FROM THE REPORT

7.1 There are no equalities issues.

8. WARDS AFFECTED

8.1 All Wards could be affected

9. CONSULTATIONS

9.1 Nil

Background documents:

None.

**For further information on the details of this report, please contact:
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