

Regulation and Review Committee

29 June 2017

Present: Councillor P Earley (Chair)
Councillors D Cox, M A Green, F Lott, W Lott, G Madden,
D McMeekan, L Miller, T Mulvenna, K Osborne, A Percy and
L Spillard.

RQ06/06/17 Apologies

Apologies for absence were submitted on behalf of Councillors A Arkle, John Hunter, M Madden, J O'Shea and M Reynolds.

RQ07/06/17 Substitute Members

Pursuant to the Council's Constitution the appointment of the following substitute member was reported:

Councillor M A Green for Councillor J O'Shea.

RQ08/06/17 Declarations of Interest

There were no declarations of interest or dispensations reported.

RQ09/06/17 Minutes

Resolved that the minutes of the panel meetings held on 22 March, 5 April, 11 May, 15 May and 15 June 2017 be noted and the full committee meeting held on 4 April 2017 be confirmed and signed by the Chair.

PQ10/06/17 Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Scheme (Previous minute PQ69/04/17)

The Committee received a report seeking authorisation to implement proposed changes to the schedule of fees and charges relating to the licensing of hackney carriage and private hire vehicles, their drivers and operators.

The Local Government (Miscellaneous Provisions) Act 1976 permits local authorities to set fees for hackney carriage and private hire vehicles, drivers and operator licences to recover the cost of providing the licensing scheme. The process for this is set out in Chapter 6 of the North Tyneside Council Hackney Carriage and Private Hire Licensing Policy.

On 4 April 2017 the Committee resolved that a Notice in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 setting out the proposed variation

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to the Hackney Carriage and Private Hire Licensing fees and charges be published. The Notice was published in the Journal newspaper on 26 April 2017 with the deadline date for objections of 23 May 2017. If no objections were received the fee variation would have immediate effect at the end of the 28 day period specified. Six objections had been received and the matter was referred back to Regulation and Review Committee for a decision.

The objections related to matters in the Hackney Carriage and Private Hire Licensing Policy; the Authority's Enforcement Policy; the fact that there was a surplus in the ring-fenced trading account; a lack of communication regarding changes; the significant increase in the maintenance fee; the addition of a £1 charge for an electronic DVLA licence check instead of absorbing it into the overall maintenance fee; the inclusion of a fee for the transfer of a proprietor/additional proprietor to a licence, an amendment to a licence and no refund in certain circumstances; that the fee for a replacement tariff card had increased from £1 to £3; an increase to the DBS fee of £3; that the charge for notifying the Authority of a change of address had been removed; and the charge for the knowledge test re-sit being less than for the initial test.

The objections had all been considered by officers and some fees and charges had been revised as a consequence as follows:

- a) the £1 fee for the DVLA licence check has been moved to the substantive licence fee which had therefore increased by a further £1. The £1 charge remained for new applications/renewals only;
- b) the removal of the fees for the transfer of a proprietor/additional proprietor to a licence and an amendment to a licence as these actions were covered by the maintenance of the licence fee; and
- c) there would be no charge when an application was refused or withdrawn but if a licence was surrendered an administrative charge would be applied equivalent to the process of calculating the refund and organising the payment of the refund.

A revised schedule of fees and charges taking these changes into account had been produced and circulated to the Committee as an appendix to the report.

If an objection had not led to officers revising the Schedule an explanation was provided.

Mr Wilson, from A2Z Licensing on behalf of three private hire companies (Blueline Taxis, East Coast Taxis and Premier Transport) and the Secretary of the North Tyneside Hackney Carriage Association (NTHCA), Mr Sneed, had submitted objections, requested and been granted the opportunity to address the Committee on their objections by the Chair, Councillor P Earley.

Mr Wilson stated that he was thankful for the changes already agreed to by officers but requested a review of the 77% increase to the annual maintenance fee within all the licence fees from £35 to £62 as he could not see how this was justified. He also expressed disappointment that the £1 DVLA licence check charge was still in place for new applications/renewals as he felt that this could also have been absorbed by the charge for a licence.

Mr Sneed also thanked officers for their work on the revised Schedule and agreed that

the £1 DVLA licence check could have been absorbed by the charge for a licence. In particular, Mr Sneed explained his associations' objections to the DBS Enhanced Disclosure fee increase of £3 due to a fee charged by NEREO, it was the Authority's own choices which had incurred the fee and this should be met by the Authority; his disbelief that the cost for a replacement tariff card had increased from £1 to £3; that the cost of a knowledge test should be the same at the first attempt as for any subsequent re-sits; and that as a change of address was part of a driver/proprietors licence conditions there should be no need to encourage this notification by removing the charge; the licence conditions should be enforced.

Members asked questions of Mr Wilson and Mr Sneed.

Members acknowledged and considered the objections and then asked questions of the officers. During discussion the process undertaken by officers to calculate the revised fees and charges was explained and a commitment offered to review the balance of the dedicated account after a year to ensure that the fees and charges were at the appropriate level; if the surplus was larger than required the fees and charges could be decreased. It was also understood that the current £1 charge for a replacement tariff card did not cover the existing cost of producing the card due to the specialist paper used and a £3 charge would. Officers undertook to look at alternative suppliers for use in the future.

The Committee was informed that the recommended option was to proceed with the proposed revised Schedule of Fees and Charges as they had been unchanged for eight years and there was an inherent financial risk to the Council that if the fees and charges levied were insufficient to recover costs this could result in financial pressure within the general fund.

It was moved, duly seconded and agreed unanimously that the Schedule of Fees and Charges before the Committee be approved, subject to the following amendments, for a period of one year to monitor the impact on the taxi account:

- a) the £1 fee for any DVLA licence check, including new applications and renewals, be included in and met by the charge for the licence;
- b) the fee for the DBS Enhanced Disclosure check remain at £44 with the £3 NEREO electronic check fee met by the surplus in the fund; and
- c) the fee for a replacement Tariff card remain at £1.

Resolved that (1) in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 and the North Tyneside Council Hackney Carriage and Private Hire Licensing Policy, the revised Schedule of Fees and Charges, taking into account the amendments agreed above and set out in Appendix 1 to these minutes, be approved and shall come into force on Monday 10 July 2017; and
(2) a review of the impact of the changes to the Schedule of Fees and Charges on the taxi account reserve be undertaken and reported to the Regulation and Review Committee after 12 months of operation.

NORTH TYNESIDE COUNCIL
Hackney Carriage and Private Hire Licensing
Schedule of Fees and Charges

Type of Licence	Previous Fee / Charge Until 7.7.17	New Fee / Charge From 10.7.17
Driver - New (hackney carriage, private hire)	1 Year: £100; 2 Year: £135; 3 Year: £170	1 Year: £141; 2 Year: £203; 3 Year: £265
Driver – New with Grandfather Rights (hackney carriage, private hire)	1 Year: £100; 2 Year: £135; 3 Year: £170	1 Year: £116; 2 Year: £178; 3 Year: £240
Driver - Renewal (hackney carriage, private hire)	1 Year: £70; 2 Year: £105; 3 Year: £140	1 Year: £107; 2 Year: £169; 3 Year: £231
Private Hire Vehicle - New (under 4 yrs old)	£264 (£226 + one vehicle test £38)	£209 (£171 + one vehicle test £38)
Private Hire Vehicle - New (over 4 yrs old)	£302 (£226 + two vehicle tests £76)	£247 (£171 + two vehicle tests £76)
Private Hire Vehicle - Renewal (under 4 yrs old)	£236 (£198 + one vehicle test £38)	£197 (£159 + one vehicle test £38)
Private Hire Vehicle - Renewal (over 4 yrs old)	£274 (£198 + two vehicle tests £76)	£235 (£159 + two vehicle tests £76)
Hackney Carriage Vehicle - New (under 4 yrs old)	£289 (£251 + one vehicle test £38 + £25 survey)	£234 (£196 + one vehicle test £38 + £25 survey)
Hackney Carriage Vehicle - New (over 4 yrs old)	£327 (£251 + two vehicle tests £76 + £25 survey)	£272 (£196 + two vehicle tests £76 + £25 survey)
Hackney Carriage Vehicle - Renewal (under 4 yrs old)	£261 (£223 + one vehicle test £38 + £25 survey)	£222 (£184 + one vehicle test £38 + £25 survey)
Hackney Carriage Vehicle - Renewal (over 4 yrs old)	£299 (£223 + two vehicle tests £76 + £25 survey)	£260 (£184 + two vehicle tests £76 + £25 survey)
Private Hire Operator - New	1 Year: £493; 5 Years: £1740	1 Year: £354; 5 Years: £1360
Private Hire Operator - Renewal	1 Year: £479; 5 Years: £1610	1 Year: £325; 5 Years: £1331
Additional Charges	Previous Fee / Charge	New Fee / Charge
Enhanced Disclosure fee (forwarded to DBS)	£44	£44
DVLA licence electronic check fee	£0	£0
Child Sexual Exploitation Awareness training	£0	£15
Knowledge test	£32	£35
Knowledge test re-sit	£32	£26
Vehicle test/retest	£38	£38
Partial vehicle retest	£19	£19
Replacement vehicle (inc. test fee)	£63 (£25 + vehicle test £38)	£76 (£38 + vehicle test £38)
Failure to present vehicle for test	£38	£38
Transfer of proprietor	£12	£0
Additional proprietor to licence	£12	£0
Amendment to /Additional/Duplicate licence	£7	£0
Notification of change of address	£7	£0
Replacement badge	£8 (each)	£8 (each)
Replacement decals	£10 (pair)	£10 (pair)
Replacement licence plate	£10 (each)	£10 (each)
Replacement Tariff card (fare table)	£1	£1
Cheque returned Refer to Drawer fee	£20	£20
Refund on surrender of licence (admin fee)	£7	£7