

TRAFFORD COUNCIL

Report to: Public Protection Sub-Committee
Date: 26th March 2015
Report for: Decision
Report of: Head of Public Protection

Report Title

OBJECTIONS TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES FOR 2015-2016

Summary

To inform Members of objections to the proposed increase in hackney carriage and private hire licence fees.

Options

Members are invited to consider the report and the objections to the proposed fees increase and adopt one of the following options:

- approve the proposed fees;
- modify the proposed fees;

Should the Members decide to approve or modify the proposed fees then they must confirm the date on which any change becomes effective.

Contact person for access to background papers and further information:

Name: Joanne Boyle
Extension: 4129

Background Papers:

1. BACKGROUND

1.2 Under section 52(3) and section 70 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may charge a fee for the following:

- Hackney carriage proprietor and driver licences;
- Private hire vehicle and driver licences;
- Private hire operator licences.

1.3 If the fees are to be greater than the fees laid down in section 70(2) then the following procedure must be followed:

1.4 A notice must be published in a local newspaper, stating the proposed fees which exceed those laid down in section 70(2).

1.5 The notice must give 28 days for objections to be made; and where objections are made and not withdrawn, the Council must consider the objections fully.

1.6 After considering the objections the Council must set a second date, which cannot be more than two months after the first date specified for when the new or modified fees will come into force.

2. CURRENT POSITION

2.1 The hackney carriage and private hire fees were last increased in 2011-12.

2.2 The proposed hackney carriage and private hire licence fees for 2015-2016 were approved by the full Council at its meeting on the 18th February 2015. Notice of the proposed fees appeared in the Advertiser on the 25th February March 2015 stating that the fees would become effective on the 1st April 2015 should no objections be received. A copy of the newspaper notice is attached at **Appendix A**.

2.3 The fees levied for hackney carriage and private hire driver licences are generally the same, however, the members will note that the fees proposed for 2015-2016 show an increase in the fees for the renewal of hackney carriage vehicle and driver licences. This is because this year's fees include an additional charge to hackney carriage owners and drivers to cover the cost of the taxi unmet demand survey.

All other proposed fees have been increased by 5% excepting certain charges relating to the vehicle testing procedure. These fees have been increased to cover the charges to the Authority which will be levied by the current contractor Kier for their costs in providing certain tests as required by the Authority, namely:

- compliance retest has been increased from £39.00 to £50.00;
- a new partial retest fee of £25.00 has been introduced as part of the proposed new retesting procedures;
- the age test has been increased from £12.50 to £25.00 and will be applied to all over age vehicles when they are first licensed;
- a new charge of £12.50 has been introduced for age tests carried out on existing licensed vehicles provided it is done at the time of the compliance test; and
- a new charge has been introduced to cover the contractor's costs for inspecting accident damaged/repared vehicles.

2.3 Objections to the proposed fee increases have been received by the Authority. A copy of each objection, received at the time of writing, is attached at **Appendix B**. Any objections received after the date of writing but before the end of business on the 25th March 2015 will be presented at the meeting.

3. KEY ISSUES

3.1 When considering a fee increase the Council must take into account the impact of any increase on the livelihood of those affected. However, the local authority's overriding aim must be to protect the public and, within the statutory mechanisms, to provide an efficient and effective service for all concerned. The control of hackney carriage and private hire vehicles, and associated drivers and operators, is a time-consuming and costly exercise, and it is quite legitimate for a local authority to recover as much of the costs as they are able to in relation to this. Those involved in the hackney carriage and private hire trades are in a business and it would be difficult to justify an approach where the local authority subsidised private enterprise by refusing to recover as much of the costs associated with its statutory duties as it is able.

3.2 The proposed increase of 5% for all taxi licence fees is in line with the increase in charges across the whole Council. The increase in Council charges will impact on the costs of running the licensing service and it is appropriate to recover these costs through the fees and charges. It is worth noting that the private hire trade may increase fares to cover their operational costs and the hackney carriage trade may at any time make a formal request to the Council for a fare increase.

4. OPTIONS

4.1 Members are invited to consider the report and the objection to the proposed fee increase and adopt one of the following options:

- approve the proposed fees;
- modify the proposed fees

Should the Members decide to approve or modify the proposed fees then they must confirm the date on which any change becomes effective.

[DELIBERATELY LEFT BLANK]

APPENDIX B

Boyle, Joanne

From: Guy Morgan <pmjtravel@btconnect.com>
Sent: 03 March 2015 17:10
To: Boyle, Joanne; 'Atlas Travel'; 'B & S Travel'; 'CALYDEL'; 'CRT Transport'; 'DMC Travel Dave Cheetwood'; 'ICABS'; 'MJB Travel'; 'New Moon/Robin Hood1'; 'New Moon/Robin Hood2'; 'New Moon/Robin Hood3'; 'Parkshield/Abacus'; 'Sale Airport Services'; 'Scotts & Cheshire Cars/Anytime PH'; 'Stallion Travel'; 'Station Cars'; 'Steve Tandy Passenger Cars Group'; 'Wythenshawe Private Hire/Club Cars'; 'Scotts Steve Tilston'
Subject: Increase in Charges

Hi Jo,

I refer to this notice published in "The Advertiser"

I wish to make an objection to any increase in fees

Under the Freedom of Information Act, I now formally request a full set of the accounts covering Taxi/Private Hire licensing in Trafford please, with a detailed breakdown of those accounts.

I would also like to know Trafford Councils justification for these price increases please.

I notice the amount of vehicles operating within Trafford as Private Hire vehicles, licensed by other authorities as Hackney Carriages, have increased significantly, one assumes there will be considerably more owners following suit should these increases be imposed on the trade as a whole

You specified that 2 qualified technicians were required to conduct an age test, (which the enforcement Officer used to conduct along with the tint test at the Town hall, (One assumes he was not a qualified technician and clearly one person)

It seems Trafford Council want us all to believe that an exhaustive inspection of the vehicles during the "Taxi Test" is somehow impaired and that a further age inspection (at the same time) should cost more? Presumably as these two technicians are unable to ascertain the vehicles roadworthiness whilst conducting the "Taxi Test", somewhat bizarre, when one considers that many of the staff at Higher Road have substantial experience in this field.

You said there was no right of appeal over the outcome of the hearing of this issue before the Licensing Panel.

I believe such an appeal is covered by section 7 of the Public Health Act 1907, which by virtue of section 2(1), is construed as one with the Public Health Act 1875. Section 7 states:-

7(1) Except where this Act otherwise expressly provides any person aggrieved:

- a) By any order, judgment, determination, or requirement of a local authority under this Act;
- b) By the withholding of any order, certificate, licence, consent or approval, which may be made, granted, or given by a local authority under this Act;
- c) By any conviction or order of a court of summary jurisdiction under any provision of this Act;

May appeal to the Crown Court.

Regards

Guy Morgan

