

# TONBRIDGE & MALLING BOROUGH COUNCIL

## LICENSING & APPEALS COMMITTEE

21 March 2011

### Report of the Central Services Director

#### Part 1- Public

#### Delegated

### **1 REVIEW OF ANNUAL FEES FOR HACKNEY AND PRIVATE HIRE**

#### **1.1 Background**

1.1.1 Members will recall that at the March 2009 meeting of the Licensing and Appeals Committee it was resolved that the review of annual fees in respect of Taxi and Private Hire Licensing be deferred. The current annual fees have not been increased since 2008.

1.1.2 It was felt that a number of 'issues' surrounding licensed vehicles required addressing prior to an in depth review of the annual fees being carried out. In 2009 we also received objections from the trade to any increase in fees.

#### **1.2 Progress Made**

1.2.1 Since 2009 a great deal of progress has been made in addressing issues raised in 2009, namely:

- Following the publication of Best Practice Guidance in 2010. The Borough Council has published its own Hackney and Private Hire Policy which incorporates Best Practice Guidance.
- As detailed in a report to this committee, we have reviewed MOT and compliance testing for licensed vehicles, and this will be in place from 1 April 2011.
- Introduction of knowledge test: we have introduced a basic verbal knowledge test for new drivers. We are currently progressing a verbal test, which will be in place by July 2011.
- Enforcement: due to many factors, we have not been as robust as we would have liked in carrying out enforcement. However, following the introduction of the 'penalty points' system and the assistance of licensing officers from other local authorities, we are now in a position to 'ramp up' our hackney and private hire enforcement.

- 1.2.2 We continue to work with the trade and, by the latter part of 2011, predict that we will have progressed and reviewed the Hackney and Private Hire element of Licensing Services.

### **1.3 Way Forward**

- 1.3.1 It is therefore proposed that a full and in depth review of the annual fees for Hackney and Private Hire (vehicle and driver fees) is carried out and a full report returned to this committee at its meeting in November 2011, where fees can be considered for 2012 implementation.

### **1.4 Legal Implications**

- 1.4.1 The Council's powers to control Hackney and Private Hire Licensing are set out in various pieces of legislation. Failure to follow that legislation could lead to any decision being challenged in the courts.

### **1.5 Financial and Value for Money Considerations**

- 1.5.1 The cost of running the service for Hackney and Private Hire Licensing needs to be met from the fees charged. In recommending that the fees be held for 2011, account is being taken of the ultimate need to ensure that the service is self financing.

### **1.6 Risk Assessment**

- 1.6.1 No risks other than those identified within the report.

### **1.7 Recommendation**

- 1.7.1 Members are asked to endorse the recommendation that Hackney and Private Hire annual fees are held for 2011, pending full review and report being produced for November 2011.

Background papers:

contact: Katie Iggulden

Nil

11 March 2009

14 December 2009

Julie Beilby

Central Services Director

<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The proposal will affect all equally
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N/A	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*