

North Yorkshire County Council

Executive

21 March 2023

Harmonisation of Hackney Carriage and Private Hire Licensing Fees

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of Report

- 1.1 To adopt a harmonised fee structure for Hackney Carriage and Private Hire licensing across North Yorkshire from 1 April 2023.

2.0 Background

- 2.1 This report seeks the approval of proposed harmonised licence fees for North Yorkshire Council for 2023/24.
- 2.2 Sections 53 and 70 and of the Local Government (Miscellaneous Provisions) Act 1976 (The Act) set out the means for the local authority to recover fees for Hackney Carriage and Private Hire driver, vehicle and operator licensing. This is the fees that drivers and operators are charged for their licences from the Council (not the fares that they charge customers for journeys – that is subject of another report).
- 2.3 The proposed fees outlined in this report have been presented to the Licensing Member Working Group on 19 December 2022 and to the NYCC Executive Member for Open to Business and Section 151 Officer on 19 December 2023. It was agreed that the proposed fees go out to consultation.
- 2.4 The legal principles that apply to setting of fees for the Hackney Carriage and Private Hire licensing regime are set out in **Appendix A**.
- 2.5 The administration of the Hackney Carriage and Private Hire licensing regime currently sits with the North Yorkshire district authorities. All seven district authorities have set their own individual fees for 2022/23. They are all different. A table of the existing fees charged in the district council areas is provided at **Appendix B**. This includes a comparison with existing fees.
- 2.6 On 1 April 2023 North Yorkshire Council will be the sole licensing authority. It is therefore important that one set of harmonised fees be established.
- 2.7 It was established early in the Local Government Reorganisation ('LGR') process, that there was a significant risk to the Council if a single Hackney Carriage and Private Hire licensing policy was not in place by day one of the new Council and had not adopted Part II of the Local Government (Miscellaneous Provisions) Act 1976. The risk in relation to licence fees is that, without one harmonised fee for North Yorkshire, operators will legitimately be able to apply using the lowest fee available. This would then become the new fee by default and not by calculation.
- 2.8 On 21 February 2023 the North Yorkshire County Council Executive agreed to adopt a Hackney Carriage and Private Hire taxi licensing policy that will cover the whole of the North Yorkshire, following public consultation. Additionally, the Executive adopted Part II of the Local Government (Miscellaneous Provisions) Act 1976 to create one 'controlled district'

to reflect the administrative area of North Yorkshire Council from the 1 April 2023. It was also agreed by the Executive that the licence fee for new applications and renewals for wheelchair accessible vehicles is waived until such time as the Inclusive Service Plan is completed, and any subsequent changes to the policy are implemented.

- 2.9 By law the Council must keep separate accounts for the different types of licence set out in sections 53 and 70 of The Act. This is to ensure that surpluses from one type of licence are not used to subsidise a deficit in another. The traditional districts will not close their accounts until after 1 April 2023 and therefore this data will be taken into account at the next annual review and fees adjusted accordingly. At this point it is only possible to set such a fee as is considered reasonable with a view to recovering the costs.
- 2.10 In order to review and establish the current costs of administering licences in the seven district authorities a nationally recognised mechanism. This mechanism takes into account individual officer hourly rates, on-costs and the time spent on each element of a licence by the local authority and produces an overall cost associated with each type of licence.
- 2.11 Using this data and data on expected volumes, a weighted average cost has been calculated for each type of licence in order to estimate the licence fee. A 6% uplift has been incorporated to take account of the current increases in staffing and on-costs. These figures were then reviewed to ensure a logical fee structure which reflects the costs of administration for the proposed new licence fee for North Yorkshire Council. These fees are expected to be budget neutral at current expected licence volumes. The proposed new Hackney Carriage and Private Hire licensing fees for North Yorkshire Council for 2023/24 are set out in **Appendix C**.
- 2.12 Members of the Executive Committee are asked to debate the proposed fees and agree to adopt them to take effect on 1 April 2023 and that the licence fee for new applications and renewals for wheelchair accessible vehicles is waived until such time as the Inclusive Service Plan is completed, and any subsequent changes to the policy are implemented. The costs associated with the administration and processing of applications for wheelchair accessible vehicles are to be subsidised by the Council's general fund. It is not recommended that any other amendments be made to the proposed fees.

3.0 Other options

- 3.1 The Council could choose to leave licence fees as they are in the traditional seven district authority areas. This is not recommended for the reasons detailed in paragraph 2.7.

4.0 Financial Implications

- 4.1 A local authority must keep separate accounts for the different types of licence set out in sections 53 and 70 of The Act. This is to ensure that surpluses from one type of licence are not used to subsidise a deficit in another. The proposed fees have been calculated to do this. Future fee setting will address any surplus or deficit identified as a result of the close down of the district authorities 2022/23 accounts. The proposed fees have been calculated in accordance with the legislative and common law requirements and would be robust on challenge. Any amendments to the proposed fees would need to be justifiable. If the fees are amended without lawful justification this could result in a successful challenge. This could, in turn, result in the Council having to pay back fees or having to subsidise the budget from other funds e.g. Council Tax.
- 4.2 In 2011 the Audit Commission reported that Councils should be able to demonstrate how it had set an appropriate fee sufficient to cover its costs, in accordance with the legislation. To do this they should be able to show:

Its estimated costs of issue and administration of drivers' licences. How it has estimated its reasonable costs in respect of:

- vehicle and operators' licences;
- inspections of vehicles;
- the provision of hackney carriage stands;
- the administration and other costs relating to vehicle and operators' licences and;
- control and supervision of vehicle licences.

5.0 Legal Implications

5.1 Sections 53 and 70 of the Act allow for the recovery of a reasonable fee for the grant of a driver, operator and vehicle licence. The fees must be set at a level which ensures that the Council does not make a profit and any deficit or surplus should be taken into consideration in subsequent fee reviews, to be recovered or refunded over a rolling three year cycle. Appendix A details the legal principles that should be adhered to when setting licence fees.

6.0 Consultation Undertaken and Responses

6.1 The proposed fees have been subject to a statutory 28 day consultation with the licensed trade and other interested parties. Section 70 of the Act sets out statutory advertising requirements in relation to vehicle and operator licences which require that an advert must be published within a local newspaper and at least 28 days provided for comments to be made. A copy of the public notice is attached at **Appendix D** for information.

6.2 Comments made to the proposed fees during the consultation period can be found in **Appendix E**, including summary officer commentary to the comments made.

7.0 Risk Management Implications

7.1 If licence fees are set too high risks the Council being challenged in the Courts by those licensed, while to set the fees too low would mean that the Council tax payer is subsidising local businesses (which is equally challengeable). The details in this report seek to make the process as transparent as possible. The proposed fees aim to integrate seven legacy districts to form one balanced for North Yorkshire in 2023/24. There is a risk that a balanced budget won't be achieved but the process which has been used to calculate the proposed fees is designed to minimise this risk as far as is possible with the information available at this stage. Budgets will be constantly monitored and kept under review and any necessary adjustments made in future years.

8.0 Equalities Implications

8.1 Lack of investment in standard and accessible Hackney Carriage and Private Hire vehicles impacts on the elderly and people with disabilities. These people may rely on licensed vehicles and find their availability limited should there be too few that are adapted to meet the needs of those with disabilities and wheelchair users in particular. Licence fees should be set at a level which does not discourage people from investing in good quality vehicles. However, licence fees are used to fund monitoring and supervision of vehicles which helps protect those with protected characteristics. See **Appendix F** for the Equalities Impact Assessment.

8.2 Fees should be set at an appropriate level and in compliance with the law. The proposed fees are set on a cost recovery basis and are not at a level that would discourage the trade investing in quality standard and accessible vehicles.

8.3 HC and PH licensing budgets are 'ring-fenced' and must be balanced and neutral by law. The proposed fees were originally calculated to have no impact on Council budgets.

However, the licence fee for new applications and renewals for wheelchair accessible vehicles is now proposed to be waived until such time as the Inclusive Service Plan (ISP) is completed and any subsequent changes to the policy are implemented. There is therefore a risk that the proposed fees won't fully recover costs until the ISP is completed and changes implemented. This reason for proposing the fee waiver is to encourage and support drivers in providing wheelchair accessible vehicles.

9.0 Climate Impacts

9.1 There are no impacts or benefits.

10.0 Community Safety Implications

10.1 Protecting and safeguarding vulnerable people – The licensed trade provide an important service in transporting members of the public, some of which are vulnerable due to their age or for other reasons. Taxi licence fees should be set at a level which ensures that all necessary checks and testing can be carried out to ensure that new applicants are “fit and proper” to hold a licence and for compliance checks and appropriate enforcement measures to be undertaken with existing licence holders where required.

11.0 Reasons for Recommendations

11.1 If licence fees are not harmonised for North Yorkshire, operators will legitimately be able to apply using the lowest fee available. This would then become the new fee by default and not by calculation. This may not recover the reasonable costs of administering the service.

12.0 Recommendation

12.1 The Executive is asked to:

- i. Agree the proposed fees to take effect on 1 April 2023
- ii. Waive the licence fee for new applications and renewals for wheelchair accessible vehicles until such time as the Inclusive Service Plan is completed and any subsequent changes to the policy are implemented.

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Background Documents: None

Appendices:

- Appendix A – Legal principles that apply to setting of fees for the Hackney Carriage and Private Hire licensing regime
- Appendix B – Table of existing fees charged in the district council areas
- Appendix C – Proposed new Hackney Carriage and Private Hire licensing fees for North Yorkshire Council for 2023/24
- Appendix D – Copy of Public Notice
- Appendix E – Consultation Responses including summary officer commentary
- Appendix F – Equality Impact Assessment

Harmonisation of Hackney Carriage and Private Hire Licensing Fees - The legal principles that apply to fees for the Hackney Carriage and Private Hire licensing regime.

Fees for driver's licences

Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 sets out the parameters:

“...a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.”

This limits the cost of a driver's licence to the council's administration costs associated with the “...the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle...”.

The judgment in the Court of Appeal case of R (Rehman) v Wakefield City Council (2019) EWCA Civ 2166 confirmed that administration costs can include the cost of enforcement or compliance against licensed drivers.

Fees for vehicle and operators' licences

Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 sets out the parameters:

“...a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part:

- (a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;
- (b) the reasonable cost of providing hackney carriage stands; and
- (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.”

The licensing costs recoverable in respect of vehicles and operators is limited to vehicle inspection costs for the specific purpose of determining their suitability to be licensed, reasonable cost of providing hackney carriage stands, reasonable administration costs for processing the licence application and reasonable costs associated with “...control and supervision of hackney carriages and private hire vehicles.”

Enforcement costs are therefore recoverable in these fees.

General principles

Fees cannot be used for revenue generation. They can only be used in the cost of delivery of the Hackney Carriage and Private Hire licensing regime. A series of court cases, starting with R v Manchester City Council (1991) 3 WLUK 439, established the principle that a district council must consider any previous surplus and, if they so choose, deficit and adjust the level of fees accordingly.

Cross subsidisation is not permitted. Charging higher fees to one group (ie drivers licences) to subsidise lower prices for another group (ie vehicles licences) is not allowed. Nor can fees be used to subsidise other licensing regimes such as animal licensing or scrap metal licensing.

In the case of R (Cummings) v. Cardiff City Council [2014] EWHC 2544, the High Court made the following Order:

“A local authority must keep separate accounts for and ensure when determining hackney carriage and private hire licence fees under sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 that any surplus and deficit accrued under each of the determining hackney carriage and private hire licensing regimes, and between each licence within those regimes, are only accounted for and taken into account within the regime under which they have accrued and a surplus from one licensing regime shall not be used to subsidise a deficit in another.”

Applying this the Council must establish three separate accounts for drivers, Hackney Carriage vehicles and Private Hire Vehicles and Operators.

Risks

Decisions can be subject to legal challenge. This can be by way of judicial review or via a complaint to the auditor.

Comparison of existing and proposed taxi licensing fees for 2023/24	Proposed fees	Scarborough Borough Council	Harrogate Borough Council	Hambleton District Council	Richmondshire District Council	Selby District Council	Craven District Council	Ryedale District Council
VEHICLE					Cost Recovery	Discretionary	Discretionary	
Hackney Carriage - Vehicle								
New 1 Year	350.00	320.00	319.00	370.00	419.00	224.50	243.21	330.00
Renewal	280.00	301.00	249.00	305.00	350.00	224.50		
New 6 months	NA						125.00	
Renewal 6 months	NA							
Private Hire - Vehicle								
New	330.00	283.00	319.00	340.00	299.00	209.60	210.94	330.00
Renewal	265.00	242.00	249.00	285.00	230.00	209.60		
New 6 months	NA						108.00	
Renewal 6 months	NA							
Driver Licence (both HC& PH) - New - *NB - The proposed fees will allow drivers to drive both Hackney and Private Hire vehicles (dual drivers licences).								
3 Years	400.00		407.00	205.00	225.00		212.83	380.00
1 Year	320.00	366.00	297.00	120.00	361.00		149.58	
Driver Licence (both HC & PH) - Renewal								
3 Years	265.00	366.00	270.00	180.00	285.00		212.83	249.00
1 Year	235.00		160.00	100.00	194.00		149.58	
Driver Licence (PH) - New								
3 Years	*NA - See above					257.20	151.31	
1 Year	*NA - See above						88.06	
Driver Licence (HC) - New								
3 Years	*NA - See above					257.20	173.83	
1 Year	*NA - See above						109.58	
PH Driver licence - Renewal								
PH Driver licence 3 years	*NA - See above					121.30	243.38	
PH Driver licence 1 year	*NA - See above						151.31	
							88.06	
HC Driver licence - Renewal								
HCD Driver licence 3 years	*NA - See above					121.30	265.90	
HCD Driver licence 1 year	*NA - See above						173.83	
							109.58	
External ID Validation check (where required)	At cost	24.00						
CRB (Criminal Record Bureau) enhanced disclosure	At cost		46.00			38.00	66.00	
DVLA check	At cost		6.00				4.00	
Phone call to DVLA (Premium rate line) per call	Removed		4.00					
Compliance Test / Retest per test	At cost		42.00					
Driver Knowledge Test	At cost			30.00	39.00		14.07	
Retest for either part of Knowledge & Locality test per test	At cost	26.00	46.00				14.07	
Vehicle test	At cost		42.00			65.00		
Referral for Medical	Removed							
Private Hire Operators - New								
Private hire Operator licence new 5 years (unlimited vehicles)						290.10	213.65	
5 Years - up to 2 vehicles	490.00		424.00	435.00	624.00			

Comparison of existing and proposed taxi licensing fees for 2023/24	Proposed fees	Scarborough Borough Council	Harrogate Borough Council	Hambleton District Council	Richmondshire District Council	Selby District Council	Craven District Council	Ryedale District Council
5 Years - 3 to 10 vehicles	690.00		527.00					
5 Years - 11 to 50 vehicles	850.00		787.00					
5 Years - 51+ vehicles	1170.00		1,222.00					
1 Years - up to 2 vehicles	370.00		164.00	140.00	275.00			
1 Years - 3 to 10 vehicles	530.00		176.00					
1 Years - 11 to 50 vehicles	690.00		237.00					
1 Years - 51+ vehicles	950.00		327.00					
Operator Licence - Renewal								
5 Years (unlimited number of vehicles)	As above			415.00	551.00	290.10	193.63	
1 Year (unlimited number of vehicles)	As above			120.00	193.00			
Variation of Private Hire Operator Licence					36.00	11.40		
Operators - 5 Year Licence								1,100.00
Private hire Operator's licence for up to 2 vehicles - new and renewal	Removed, see above	1,000.00						
Private hire Operator's licence for 3 to 15 vehicles - new and renewal	Removed, see above	1,300.00						
Private hire Operator's licence for 3 to 10 vehicles - new and renewal	Removed, see above							
Private hire Operator's licence for 16 or over vehicles - new and renewal	Removed, see above	1,830.00						
Private hire Operator's licence for 11 to 50 vehicles - new and renewal	Removed, see above							
Private hire Operator's licence for 50+ vehicles - new and renewal	Removed, see above							
Replacement of licence (copy requested or lost/stolen)	Removed, see above	24.00						
Operators - 1 Year Licence								
Private hire Operator's licence for up to 2 vehicles - new and renewal	Removed, see above							
Private hire Operator's licence for 3 to 10 vehicles - new and renewal	Removed, see above							
Private hire Operator's licence for 11 to 50 vehicles - new and renewal	Removed, see above							
Private hire Operator's licence for 50+ vehicles - new and renewal	Removed, see above							
General								
Licence amendment fee	Removed					11.40		50.60
Change of ownership	50	24.00			60.00		60.00	
Transfer of plate to new car / transfer of vehicle	50	242.00			161.00	11.40	102.35	50.60
Change of registration number (cost of plate and 30 mins admin)	50.00		58.00				20.00	
Change of vehicle and plate	50.00	48.00	91.00				60.00	146.30
Monthly rebate on licence for change of vehicle	Removed					13.40		
Private (personalised) Number Plate Change	50	320.00					20.00	
Transfer of Hackney Carriage plate ONLY to different licence holder inc. licensing different vehicle (existing L/Holder to pay)	Removed		107.00				20.00	
Inspections (failure / special / reinspection)	Removed		53.00					50.60
Failure to attend appointed vehicle inspection - taxi and private hire	Removed	13.00	53.00				75.00	50.60
Application for advertising on vehicle - taxi only	Removed	24.00						
Administration charge - surrender or cancellations of licences	Removed							14.70
Late payment of fees	Removed		53.00					
Reinstatement of suspended vehicle	Removed		69.00				10.00	
Reinstatement of suspended driver	Removed		69.00					
Re-inspection of unreported defective meters	Removed		69.00					
Re-inspection of reported defective meters	Removed		69.00					
Magnetic / Adhesive door panels	Removed		29.00					
Bracket for Exterior Licence Plate (front)	At cost	13.00	20.00			5.90	8.80	

Comparison of existing and proposed taxi licensing fees for 2023/24	Proposed fees	Scarborough Borough Council	Harrogate Borough Council	Hambleton District Council	Richmondshire District Council	Selby District Council	Craven District Council	Ryedale District Council
Bracket for Exterior Licence Plate (back)	At cost					10.50		
External Licence Plate (replacement each) - PH	At cost					24.30		
External Licence Plate (replacement each)- HC	At cost	24.00	33.00		32.00	16.80		
External Licence Plate (replacement each)- PH & HC combined	At cost						7.00	14.70
Internal Licence Plate (replacement each)	At cost	24.00			12.00	7.60	1.00	14.70
Executive plate (including C/O/V admin charge)	Removed		95.00					
Door Decals/Side panels (replacement each)	At cost				18.00			
Tarrif Cards (replacement)	Removed	22.00			7.00			
Driver Badge (replacement)	At cost		11.00		19.00	15.70	2.00	14.70
Pouch	Removed						1.50	
Door stickers	At cost						7.00	
Paper Licence (replacement)	Removed	22.00			13.00			14.70
Photocopy of Licence or other documents	Removed		1.10			1.00		
Issue of temporary vehicle licence plate plus compliance test	As per vehicle licence		91.00					
Additional copy of the Council's Taxi and Private Hire Policy	Removed	12.00						
Duplicate driver name badge	Removed		11.00			16.30		
Duplicate licence	Removed					15.10		
Window screen disk - Private Hire	Removed				19.50	20.30		
Self-adhesive plates	At cost					12.20		
Rulebook / Byelaws applications or licences	Removed		11.50					
Referred (bounced) cheques, admin charge per hour	Removed		23.00					
Admin charge for other requested services	Removed		46.00					
Admin fee for change of registration number etc.	Removed						20.00	
Cancellation charge per vehicle	Removed							14.70

Proposed Hackney Carriage and Private Hire licensing fees for North Yorkshire Council	Expected Annual Volume	Proposed Fee 23/24	Forecast 23/34 Income
Hackney Carriage Vehicle			
New 12 months	34	350	11,900
Renew 12 months	600	280	168,000
Private Hire Vehicle			
New 12 months	140	330	46,200
Renew 12 months	574	265	152,110
Driver Licence Hackney Carriage / Private Hire / Dual			
New 3 year	180	400	72,000
New 1 year	3	320	960
Renew 3 year	557	265	147,605
Renew 1 year	32	235	7,520
Private Hire Operators - New and renewal			
5 Years - up to 2 vehicles	27	490	13,230
5 Years - 3 to 10 vehicles	13	690	8,970
5 Years - 11 to 50 vehicles	4	850	3,400
5 Years - 51+ vehicles	1.5	1170	1,755
1 Years - up to 2 vehicles	0	370	-
1 Years - 3 to 10 vehicles	2	530	1,060
1 Years - 11 to 50 vehicles	0	690	-
1 Years - 51+ vehicles	0	950	-
General (for any licence type)			
Transfer of ownership of vehicle	57	50	2,850
Change of vehicle	85	50	4,250
Addition of or change of personalised number plate	11	50	550
General - charged at cost to buy item /service			
DBS and DVLA checks		at cost	
Compliance test / retest per test		at cost	
Driver knowledge test / retest per test		at cost	
Brackets for plates -		at cost	
Replacement door panels		at cost	
Replacement external licence plate		at cost	
Replacement internal licence plate		at cost	
Replacement driver badge		at cost	
Replacement tarrif cards		at cost	
Replacement paper licence		at cost	
Total forecast income			642,360

Public Notice

GENERAL NOTICES

THE COUNCIL OF NORTH YORKSHIRE PROPOSED MAXIMUM FEES FOR THE LICENCES OF HACKNEY CARRIAGE VEHICLES, PRIVATE HIRE VEHICLES, PRIVATE HIRE OPERATORS AND DUAL DRIVERS FOR 2023/24 NOTICE IS HEREBY GIVEN that the North Yorkshire County Council acting in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 and all other powers enabling in that behalf did at its meeting held on 19 January 2023 resolve that the following fees should apply, subject to public consultation and final approval. Any objections to the proposals may be made by letter to the undersigned no later than 28 days from the date of publication of this Notice. If no objections are received within the above-mentioned period the said fees will take effect on 1st April 2023. A copy of this Notice will be kept at the principle office of the Council at County Hall, Racecourse Ln, Northallerton DL7 8AD and will be open to public inspection without payment on any weekday during the usual office hours for 28 days from and after the date of publication of this notice. Please email any comments to taxiconsultation@northyorks.gov.uk

PROPOSED MAXIMUM FEES FOR NORTH YORKSHIRE COUNCIL (£)**Hackney Carriage Vehicle**

New 12 months	350
Renew 12 months	280

Private Hire Vehicle

New 12 months	330
Renew 12 months	265

Driver Licence Hackney Carriage / Private Hire / Dual

New 3 year	400
New 1 year	320
Renew 3 year	265
Renew 1 year	235

Private Hire Operators - New and renewal

5 Years - up to 2 vehicles	490
5 Years - 3 to 10 vehicles	690
5 Years - 11 to 50 vehicles	850
5 Years - 51+ vehicles	1170
1 Years - up to 2 vehicles	370
1 Years - 3 to 10 vehicles	530
1 Years - 11 to 50 vehicles	690
1 Years - 51+ vehicles	950

General (for any licence type)

Transfer of ownership of vehicle	50
Change of vehicle	50
Addition of or change of personalised number plate	50

General - charged at cost to buy item /service

DBS and DVLA checks	at cost
Compliance test / retest per test	at cost
Driver knowledge test / retest per test	at cost
Brackets for plates -	at cost
Replacement door panels	at cost
Replacement external licence plate	at cost
Replacement internal licence plate	at cost
Replacement driver badge	at cost
Replacement tariff cards	at cost
Replacement paper licence	at cost

Karl Battersby, Corporate Director, Environment

NORTH YORKSHIRE COUNTY COUNCILtaxiconsultation@northyorks.gov.ukc/o Gareth Bentley, Safer Communities, PO Box 787,
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Consultation comments

Comment 1

I would like to object to the increase in taxi licensing fees the fees are already too high. I believe the council would be making a profit from any increase i have held a taxi licence for 43 years and it is almost impossible to make a profit with massive increase in costs I would refuse to pay any increase I would rather hand the licence in regards.

Comment 2

I am writing to object about the new proposed fees as it's impossible to make ends meet as it is. You changed the badge price, and it went way above inflation rates then you changed the structure and pricing for compliance tests and then you told us it would work out fairer, but it's just been hyped up and up along with the cost of living. I'm interested to know where you think we can get this money as the meter pricing stays the same or reduces. We are now paying more tax and insurance, fuel. The tax man wants more and more. All you are managing to do is reduce the number of taxi drivers because it's not a viable job anymore and allow Uber to take over because they offer a better option.

If you don't step in and do something positive, then the taxi industry will keep on crumbling until it's too late to save.

We don't have any way of communicating with HLO they shut the Ripon office and we have to travel miles at our own expense to get a car it's compliance.

It really doesn't take a rocket scientist to realise the industry is at rock bottom and more expense just is not in anyone's interest.

Comment 3

In relation to the new proposed taxi fees, I would like to object. The price of the cost of living, the cost of vehicle parts and services is pushing the taxi trade out completely.

More and more drivers are giving up as the demand is getting lower and the prices hiking.

Even with the proposed 40p on a meter is a 11% rise yet the fees are going up 12%.

I was under the impression it wasn't a profitable organisation where the current proposals are.

The price of someone wanting to get their badge is near £500 no one has that sort of money in the current climate.

Kind regards

Comment 4

Hiking the renewal of licence fees and dropping the price of fares in the current economic climate seems to me to be an act of madness.

Drivers didn't have a rise since 2013. The price of literally everything has skyrocketed this last decade.

I have enjoyed driving in the Hambleton District for ten years but am now tempted by the districts of North Yorkshires fewer wealthy neighbourhoods whom local councils have considered the livelihoods of the good people working within the taxi industry.

Regards.

Comment 5

Dear Sirs

I must strongly object to the proposed fees that have been put forward.

1. Any fees charged to operate the licensing system must break even i.e.. not make a profit or loss.

2. No information or budget has been supplied to support how these fees have been achieved.

3. The joining up of the seven authorities would suggest that there are fast savings to be made. For example, on 1st April 2023 you will have seven of everything - seven offices, seven senior licensing officers, (and this is only a guess) 21-25 licensing staff. There are savings to be made by reducing the number of offices to 1, and the costs of running those offices. Having got one central office, one would assume that the estimated staff of 21-25 could be reduced by at least half.

So for me to support these increases, like everyone else, I would like further information to justify these increases.

Yours faithfully.

Comment 6

Re dual driver license

The difference in charge for a 1 year license to a 3 year is only £30

As I believe that due to my age (65) I will only be able to re license on a yearly basis this would be discriminatory, and loose many mature drivers from the business

Comment 7

No objection to the fees going up, as long as the fares go up to compensate.

Comment 8

Dear sir

I find this increase totally unacceptable.

With the cost of fuel insurance repairs being at

A all time high it is help that's need not a increase

Add the above to the lack of work due to the cost of living crises night clubs closing and Uber that now park freely in our area (that you do nothing about) and I see disaster looming ahead.

Comment 9

I am writing to ask how do you expect us all to incorporate these new prices. We barely make any money as it is. All this will do is make more people leave the trade and go get a more beneficial job.

There is nothing in these new proposals that actually help us. I think sometimes you forget we do need to earn some money. It's either paid to the authority or the tax man.

Comment 10

Dear Sir,

Having studied the above I wish to register my objection to these figures.

For me it would be an increase of 12.5% which is ridiculous.

I was under the impression this new authority was created to cut costs and save money, in this instance that is patently not true.

Will you publish the calculations that were used?

Kind regards

Comment 11

Morning,

It would be useful if we are able to decipher the proposed fees before passing comment!

When it comes to Operator licenses 'as above' isn't helpful.

What will a one year renewal cost me in July for up to 2 vehicles, 3 to 4 vehicles.

Comment 12

Dear Sir/Madam

I would like to make a formal objection to the proposed license fees. This would amount to an increase of 12.5%, and as such, is totally unacceptable in the current climate of cost-of-living crisis, high fuel prices, and maintenance costs, as well as an increase in vehicle insurance this year.

This proposal is unsustainable with the drop in trade since the pandemic, that has not returned to normal levels since. We have not had a tariff increase in the Harrogate District for nearly a year, and the previous one we had in May 2022, fell 6% below the fare formula recommendation.

The exercise of combining authorities was supposed to be to save money on services, this does not seem to be the case here, and whilst I recognise it is very difficult to balance the books at this early stage (as the Hackney carriage account is not allowed to make a profit) we should not, during these difficult times, be overcharged at this stage.

I therefore do not support these charges. I also note, that there is no fee listed for either just a Hackney carriage badge, or just a private hire badge? If a driver requests such an item, you cannot refuse to issue either.

Kind Regards

Comment 13

So do I have to renew the license I already paid for under Richmond.

Comment 14

Hi licensing what about side sticker and plate and Hackney tariff sheet if they will be change is well.

Comment 15

Hello

I have objections to the proposed table of fees. I believe the new proposed fees should be either the current lowest of any council within the merger or an average of the existing fees across the seven borough and district councils. This will be the fairest approach for each driver across the board.

Example:

Hackney carriage vehicle;

New (one year) - Proposed £350;

AVERAGE £317.95 or LOWEST £224.50

Thank you

Regards.

Comment 16

I appreciate we don't need to respond back to you but I am happy with the proposal's as it's my only form of income and after COVID and the energy crisis is very challenging and difficult times. Don't get me wrong plenty of work and opportunities within the industry and exiting future but financially think we are all getting through. I am an optimist and fighter as I love and take great pride in my business and working relationship with SDC Licensing.

No need to respond but thank you.

Kindest regards

Summary and officer comments

Summary of Consultation Response	Officers Comments
The proposed fees are too high for drivers to afford with cost of living, fuel price increases etc.	The Council is under a duty to recover the cost of administering the licensing service through fees as prescribed by law (see Appendix A). We cannot budget to make a profit or a loss.
The Council will make a profit from the proposed fees.	See the response above.
No budgetary information has been provided.	This proposal is on the basis of the amalgamation of seven district authority budgets into a harmonised new one for North Yorkshire Council. We will review the costs of the service as changes are made and make appropriate adjustments accordingly in future fee setting.
Combining the seven district authorities should save money.	This will not be realised in the first year. In fact, costs will be higher because of the work being carried out to harmonise policies and services. Despite this, we are doing everything to keep costs down. Until staffing structures are reviewed and revised and systems fully harmonised, the service will be delivered in the same way as it is currently through the seven district offices.
Proposed fees versus proposed maximum fare.	There is no direct correlation between licence fees and maximum fare (tariff). There is no reason why the proposed increases should be the same. Fares are subject to an ongoing review and are being reported separately.
The difference between a three year and a one year drivers licence is not charged at one third of three year.	Majority of the costs of administering a licence are in the processing of the application in the first two months. After that, the costs relate to ongoing monitoring and enforcement.
The fares are age discriminatory as you can only have a one year licence after age 65.	This is not the case. Three year licences are open to all unless there is another consideration such as right to work expiring or recommendation from the GP.
Will door plates and tariff cards be charged extra?	No, these are included in the proposed licence fees.
There were two comments in support of the proposed fees.	NA



Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated November 2021 – for LGR use)

Harmonisation of Hackney Carriage and Private Hire Licensing Fees

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs it is good practice to publish them. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Please note: The decision has been made to complete EIAs at LGR programme level, workstream level and individual project level. The EIAs must be updated throughout the process of reorganisation and transformation.

Name of Workstream	Licensing
Lead Officer and contact details	Gareth Bentley, Food, Licensing and Occupational Safety Manager, Harrogate Borough Council gareth.bentley@harrogate.gov.uk
Names and roles of other people involved in carrying out the EIA	Kevin Chin, Licensing Manager, Scarborough Borough Council kevin.chin@scarborough.gov.uk
How will you pay due regard? e.g. working group, individual officer	Hackney Carriage and Private Hire drivers and proprietors
When did the due regard process start?	July 2022

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

Sections 53 and 70 and of the Local Government (Miscellaneous Provisions) Act 1976 (The Act) set out the means for the local authority to recover fees for Hackney Carriage and Private Hire driver, vehicle and operator licensing.

Officers working in the district council licensing areas during the Local Government Reorganisation (“LGR”) process, established early on that there was a significant risk to the new North Yorkshire Council if a single Hackney Carriage (“HC”) and Private Hire (“PH”) licensing policy was not in place by day 1 of the new Council and that the Act had not been adopted. Due to this, the Council adopted a HC and PH licensing policy and the Act on 21 February 2023. The creation of the new Council will bring together 7 licensing authorities who previously had their own licence fees in place. One set of harmonised fees will be needed for the new North Yorkshire Council to provide consistency for the trade and for the Council.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The risk assessment carried out by officers involved in the LGR process showed risks to the Council and inconsistencies for the trade if one set of fees was not in place.

Now that the HC and PH policy for North Yorkshire has been adopted by the Council it is necessary to have one set of harmonised licence fees.

Section 3. What will change? What will be different for customers and/or staff?

Some legacy local authority areas will see an increase in licence fees, some a decrease. Overall, the changes will be neutral. Any impact will be upon the licensed trade.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The proposed fees have been subject to a statutory 28 day consultation with the licensed trade and other interested parties, including members of the public. Section 70 of the Act sets out statutory advertising requirements in relation to vehicle and operator licences which require that an advert must be published within a local newspaper and at least 28 days provided for comments to be made. A copy of the public notice is attached at Appendix D for information.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

HC and PH licensing budgets are ‘ring-fenced’ and must be balanced and neutral by law. The proposed fees were calculated to have no impact on Council budgets. However, the licence fee for new applications and renewals for wheelchair accessible vehicles is proposed to be waived until such time as the Inclusive Service Plan (ISP) is completed and any subsequent changes to the policy are implemented. There is therefore a risk that the proposed fees won’t fully recover costs until the ISP is completed and changes implemented. This reason for proposing the fee waiver is to encourage and support drivers in providing wheelchair accessible vehicles.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Disability	X			See section 5 above.
Sex		X		The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Race	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Gender reassignment	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Sexual orientation	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Religion or belief	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Pregnancy or maternity	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Marriage or civil partnership	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.

Section 7. How will this proposal affect people with the following characteristics	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Live in a rural area	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Have a low income	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Carers (unpaid family or friend)	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.
Health and wellbeing issues	X			The proposed licence fees are calculated to retain a balanced ring-fenced budget and it will only affect the trade.

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	X
Craven district	X
Hambleton district	X
Harrogate district	X
Richmondshire district	X
Ryedale district	X
Scarborough district	X
Selby district	X
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
All areas will be impacted equally.	

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.
No

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	X
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
The option proposed for the fee waiver is to encourage and support drivers in providing wheelchair accessible vehicles. All other fees aim to recover full costs.	

Section 11. If the proposal is to be implemented, how will you find out how it is really affecting people? (How will you monitor and review the changes?)

An Inclusive Service Plan (ISP) is to be completed and any subsequent changes to the licensing policy implemented within 12 months.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Approval for consultation	Gareth Bentley and Kevin Chin	March 2022	N/A	Consultation responses

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The proposals will have no adverse impacts on people with protected characteristics.

Section 14. Sign off section

This full EIA was completed by:

Name: Gareth Bentley

Job title: Food, Licensing and Occupational Safety Manager, Harrogate Borough Council

Signature: G Bentley

Completion date: 9 March 2023

Authorised by relevant senior officer (signature): P Thompson

Date: 8 March 2023