

**Committee:** Licensing  
**Date:** 5 November 2003  
**Agenda Item No:** 4  
**Title:** Reform of Licensing Laws  
**Author:** Geoffrey Smith (01799) 510582

## **Summary**

1 Further to the report to the Committee on the 10 September 2003 regarding the transition of liquor licensing responsibility to local authorities, a further draft Licensing Policy is attached for consideration and comment. In addition information has been received from the department of Culture, Media and Sport (DCMS) regarding the proposed timetable for the implementation of the licensing changes.

## **2 The Licensing Policy**

Attached as Appendix A is a further revised copy (version 5) of the draft Licensing Policy that has been jointly produced by the Essex Licensing Group. The Group consists of officers from all Essex local authorities and Essex Police.

Following some informal consultation with various trade groups, specialist solicitors, LACORS and the DCMS, the policy has been revised to take into account their comments. Regrettably, it will not be possible to produce a final version until both houses of Parliament have approved the guidance and regulations that are due to be published by the Government sometime in November. However no major changes are anticipated.

## **3 Timetable for introduction**

Recent advice from the Department for Culture, Media and Sport is indicating some slippage in the implementation dates of at least one month to the following :-

- (a) Before February/March 2004 each local authority to prepare and adopt a Licensing Policy.
- (b) May/June 2004 the first transitional date for existing licence holders to obtain new licences, including variations.
- (c) February/March 2005 the second transitional date when the new licensing system will be fully implemented.

It is possible that these dates could be delayed even further due to local and EU elections scheduled to be held in the Spring and June of next year.

- 4 Members views are invited on the attached draft Licensing Policy which should form the basis of the Uttlesford Licensing Policy for adoption by the full Council in February 2004

RECOMMENDED that Members consider the draft Licensing Policy and suggest any amendments for further consideration.

Background Papers:- Draft Essex Licensing Policy version 5

**Committee:** LICENSING COMMITTEE  
**Date:** 5 November 2003  
**Agenda Item No:** 5  
**Title:** HACKNEY CARRIAGE AND PRIVATE HIRE FEES  
**Author:** Richard Secker (01799) 510580

### **Summary**

- 1 This report reviews the process surrounding the recent increase in Hackney Carriage and private hire fees and recommends liaison with representative trade groups.

### **Background**

- 2 On 31 July 2003, the then Development Control and Licensing Committee received a report (copy attached) advising of the need to increase some Hackney Carriage and Private Hire fees to cover a budget deficit for this service. It had become clear earlier in 2003/04 that there would be a deficit, but because of factors mentioned in the July 2003 report, this was likely to rise to some £15,000 and therefore an increase from September 2003 was required.
- 3 The need for an increase had been raised by officers at their quarterly meeting with the trade. In fact, the actual fees likely to be effected were mentioned by the Head of Environmental Services.
- 4 The Committee resolved to implement the increases from 1 September 2003 and noted that the increased fees were still at or below the Essex average. As there is no statutory requirement to consult on these particular fees, public notices were placed in the local newspapers and 'Taxi Chat', which is this Council's trade newsletter to all drivers and operators.
- 5 Subsequently, on 10 September 2003, a petition signed by approximately 25% of the licensed drivers objecting to the increase was handed to the Licensing Committee Chairman.
- 6 A further issue was the desire of some drivers to form an Uttlesford Hackney Carriage Drivers Association and to be recognised by the Council.
- 7 There already exists the Uttlesford Taxi Drivers Association, which has membership from both Hackney Carriage and Private Hire sections of the trade. However, this group has had difficulty with members prepared to act as Chairman/Secretary, etc. Clearly it is preferable to only deal with one group, but officers have no difficulty with another group being formed.

- 8 The next quarterly meeting of officers with drivers and operators is scheduled for 18 November 2003 and representatives of the new group have been invited.
- 9 Finally it is quite understandable that no one is keen to pay extra charges, but local authorities do operate these services on the basis of full cost recovery.

RECOMMENDED that Members note the report and agree to liaise with any association representing Hackney Carriage and or Private Hire drivers/operators across the District.

Background Papers: Petition signed by 126 drivers.

**Committee:** Development Control and Licensing  
**Date:** 31 July 2003  
**Agenda Item No:** 6  
**Title:** Hackney Carriage and Private Hire Fees  
**Author:** Richard Secker (01799) 510580

### **Summary**

- 1 This report advises Members of the need to increase the scale fees in respect of driver's licences, vehicle transfers and vehicle testing to recover the costs incurred and recommends the revised fees to be charged from 1 September 2003.

### **Background**

- 2 The licensing function of local authorities does generally require that fees and charges are set to recover the costs associated, albeit over a period exceeding a single year.
- 3 Hackney Carriage and Private Hire fees are set by each local authority individually to achieve this objective. Over the last few years although the charges made by the trade to the users have increased this local authority has not needed to adjust their fees as the rapid increase in the numbers of both drivers and vehicles offered economies of scale. However this advantage has now been eroded by external charges and costs, which make a revision of fees essential.

### **Drivers Licence Fees**

- 4 The licence fee of £50 year is common to both hackney carriage and private hire drivers with £70 year being the fee for a joint licence. Originally criminal records checks were carried out free of charge via Essex Police but in 2002 the Criminal Records Bureau (CRB) was established and charged £12 for each enquiry. This did not directly impact on the local authority, as the driver was able to pay the CRB direct by either cheque or credit card.
- 5 Recently the CRB have without any consultation introduced a payment on account system whereby the local authority will be invoiced direct and the fee has increased to £29.
- 6 This significant change also increases the administration work/interviews now required to complete the documentation previously undertaken by the CRB. Therefore in order to cover the costs of increased administration and CRB fee (payable in first and every third year) it is suggested that the drivers licence fees are increased to £80 year for a single licence and £100 for a joint licence.

**Vehicle Transfers**

- 7 All hackney carriage and private hire vehicles are licensed annually with distinctive rear plates issued using white/black and yellow/black colours respectively. Each plate is vehicle specific giving vehicle details of registration number, model, colour and licence expiry date. However there is provision in the licence conditions for plates to be transferred to replacement vehicles to use any unexpired licence period. This option has over the last few years become more popular, often with some vehicles being replaced at 6 months from first registration.
- 8 This does involve the production of a new rear plate and supporting documentation equivalent to the original licence issued. Currently Uttlesford charges a fee of £20.50 whereas other Essex districts charge between £35 and £75 per transfer. Therefore it is suggested that the Uttlesford fee be increased to the Essex average fee of £50, which would then reflect the true costs incurred.

**Vehicle Inspections**

- 9 All hackney carriage and private hire vehicles are inspected for mechanical condition and safety by the council's vehicle workshop at Great Dunmow. Inspections are annually for vehicles under 5 years and six monthly for vehicles over 5 years.
- 10 This requirement ensures a consistent standard of vehicle inspection and one which recognises the higher than average use and mileage covered. Most vehicles licensed are basically normal family saloon/estate cars and not black cabs. Stretch limousines can also potentially be licensed and are often older vehicles imported from the USA.
- 11 The current inspection fee is £23 and does not now represent the time/costs involved. Other Essex districts charge between £30 and £50 per inspection with an average of £36. It is therefore suggested that the inspection fee be increased to £35, which again reflects actual costs.

RECOMMENDED that as from the 1 September 2003:

- (i) The hackney carriage and private hire drivers licence fee be increased to £80 year and the joint drivers licence be increased to £100 year.
- (ii) The vehicle transfer fee be increased to £50.
- (iii) The vehicle inspection fee be increased to £35.

Background papers: none.