
Licensing Fees and Charges 2025/26

Committee considering report:	Licensing Committee
Date of Committee:	04 November 2024
Portfolio Member:	Councillor Justin Pemberton
Report Author:	Moira Fraser
Forward Plan Ref:	JPPC

1 Purpose of the Report

- 1.1 To inform the Licensing Committee about the Public Protection Partnership’s Fees and Charges which were proposed by the Joint Public Protection Committee at its meeting on the 11 October 2024. Each partner Council is required to review the fees and charges on an annual basis. **Appendix A** details the fees and charges for 2025/26 proposed for the Public Protection Service.
- 1.2 To consider the proposals for the statutory consultation associated with the fees and charges for private hire operator, and hackney carriage and private hire vehicle licence fees.

2 Recommendations

The Licensing Committee:

- 2.1 Is informed about the 2025/26 fees and charges detailed in Appendix A
- 2.2 Agrees that the fees for Private Hire Operators and Hackney Carriage and Private Hire Vehicle licence fees are subjected to the statutory consultation period as described in [paragraph 4.11](#)

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The costs of producing this report and running the consultation exercise will be met from within the existing Public Protection Partnership budgets.</p> <p>Discretionary fees and charges relating to licences and registrations are based on cost recovery, and should they not</p>

	reflect the cost of providing the service, there is a risk of generating a surplus or deficit.
Human Resource:	There are no HR implications associated with the production of this report.
Legal:	<p>Fees for vehicle and operators' licences</p> <p>s.70 of the Local Government (Miscellaneous Provisions) Act 1976: "...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:</p> <ul style="list-style-type: none"> (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." <p>The licensing costs recoverable by a district authority 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 finally reasonable costs associated with "...control and supervision of hackney carriages and private hire vehicles."</p>
Risk Management:	The fees are potentially subject to legal challenge. It is therefore important the fees and methodology are subject to ongoing review.
Property:	None
Policy:	The Joint Public Protection Committee is required every autumn to propose a budget to partner authorities. This includes proposals in relation to discretionary fees and charges.

	<p>It is not the role of the Licensing Committee to set the fees for 2025/26. The Committee is being asked to consider the fees prior to them being considered by Executive and Council. The Committee may amend the proposals and put forward alternative fees for consideration., however as fees are set on a cost recovery basis any reductions may need to covered by a subsidy. The fees, with the exception of the private hire operator, and hackney carriage and private hire vehicle licence fees would be subject to the Council’s budget consultation process. The private hire operator, and hackney carriage and private hire vehicle licence fees have a separate statutory consultation process that must be adhered to.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
<p>A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?</p>		X		<p>There are no implications arising from the recommendation in this report.</p>
<p>B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?</p>		X		<p>There are no implications arising from the recommendation in this report.</p>

Environmental Impact:		x		<p>The service plays a significant role in the protection of the environment including air quality, land contamination, planning considerations and enforcement of green energy claims. The setting of fees on a cost recovery basis will help to maintain capacity in this area.</p> <p>The Council has previously agreed to the introduction of a subsidy for hybrid and electric hackney carriage and private hire vehicles.</p>
Health Impact:		x		<p>A significant number of the Partnership's Service Priorities relate to protecting and improving health. These include safe and healthy food chain, safety in the workplace, protecting consumers from fraud, improved living environment, protecting the environment and protecting animal welfare.</p> <p>The setting of fees on a cost recovery basis should continue to have a positive impact on the health of residents and visitors to West Berkshire.</p>
ICT Impact:		X		<p>There are no implications arising from the recommendation in this report.</p>
Digital Services Impact:		X		<p>The consultation will be published on the Council's website and the PPP website.</p>
Council Strategy Priorities:		X		<p>This work is business as usual within the service.</p>
Core Business:		X		<p>This work is business as usual within the service.</p>
Data Impact:		X		<p>Not applicable.</p>

Consultation and Engagement:	The fees for Taxis and Private Hire Vehicles and Private Hire Operators will be subject to statutory consultation. All other fees and charges will be subjected to any corporate consultation processes.
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4 Supporting Information

- 4.1 The Joint Public Protection Committee (JPPC) is required by the Inter-Authority Agreement (IAA) that set up the Public Protection Partnership (PPP) shared service to recommend a draft set of fees and charges to each of the member Councils.
- 4.2 It is noted that a significant number of fees within the licensing field are set by Government Regulation and cannot therefore be changed by the Council. These are identified in green on the fee schedule at **Appendix A**.
- 4.3 Members are asked to note that a significant proportion of the statutory fees have not been uplifted for more than ten years whilst costs have been rising significantly for the Service.
- 4.4 At the meeting of the JPPC in December 2017 (when it considered the 2018/19 fees and charges) a number of matters were decided. It was agreed that as a matter of principle that all fees and charges should be set on the basis of full cost recovery. Fees are calculated based on the time taken to complete the activity multiplied by the hourly rate. In initially calculating the hourly rate a range of factors were considered including the wide variety of council support service costs, staffing and associated costs, democracy and governance, contracts and the necessary training to maintain a competent workforce.
- 4.5 In 2021/22 the full cost of the service, including internal support service re-charges (as per Council budget build processes) and the current establishment lists were updated which resulted in a new rate of £59 p/h and these rates were retained for 2022/23. The hourly rate was increased to £64p/h for 2023/24 and £67 for 2024/25.
- 4.6 For the financial year 2025/26 the proposed hourly rate is £69, an increase of 3%. This increase relates to an increase in the cost base and assumptions on salary changes.
- 4.7 Members will recall that, following a discussion at the 22 September 2022 Executive meeting, the Council introduced a three year scheme that provided for a remittance for vehicle fees for fully electric (100%) and hybrid vehicles (50%). The numbers would not be limited but would be reviewed annually. The scheme was introduced from 01 April 2023 for vehicles that met the agreed criteria. The funding required to support the project would be set aside from the Council's budget and drawn down as required.
- 4.8 We currently have six fully electric and 38 hybrid vehicles that have taken up the scheme. The scheme was reviewed at the 08 July 2024 Licensing Committee meeting during the discussion on the annual report where Members agreed to retain the scheme in the current format, in year two of the three year scheme.

Licensing Fees and Charges 2025/26

- 4.9 It is worth noting that due to the impact of Covid and competition on the licensed taxi and private hire trade and the alignment of street trading fees between the two partner authorities the Service has seen a significant fall off in fee income. As stated above this issue has been compounded by the stagnation on statutory fees. At the time of writing the Service is expecting a licensing income shortfall of £144k. A review of the Service has taken place, and a staffing structure has been put in place to reflect the fall in income. As a result of holding vacancies in the Service it is expected that the budget will be brought in online at year end.
- 4.10 It is not permissible for one aspect of the licensing regime to subsidise another.
- 4.11 The Council is required to undertake a statutory consultation in respect of the hackney carriage and private hire vehicles and private hire operator's fees. It is proposed that:
- a) the fees for Private Hire Operators and Hackney Carriage and Private Hire Vehicle licence fees are subjected to the statutory consultation period from 21 November 2024 to 19 December 2024.
 - b) a public notice pertaining to the Taxi and Private Hire Vehicles and Private Hire Operators fees be placed in the Newbury Weekly News.
 - c) a consultation letter is posted to all Taxi and Private Hire Drivers and Private Hire Operators in the District.
 - d) a copy of the consultation is posted on the Public Protection Partnership website, on the West Berkshire Council Consultation Hub and in the reception area at the Market Street Offices.
 - e) If no objections are received, the charges for operators and vehicle licence fees are included in the February 2025 Executive and Council papers for approval; or if objections are received they be considered by the Licensing Committee at the meeting on 20 January 2025 and any changes be recommended to full Council for approval.
- 4.12 The proposed fees were discussed at the Joint Public Protection Committee meeting on the 11 October 2024. The Committee were supportive of the proposals set out in that report and reflected in Appendix A. The Committee were supportive of ongoing lobbying of Central Government on the statutory fees.

5 Proposals

- 5.1 The Licensing Committee is asked to note the proposed fees and comment on the statutory consultation process.
- 5.2 The Council is required to undertake a statutory consultation in respect of the Hackney Carriage and Private Hire Vehicles and Private Hire Operator's fees and the proposed mechanism and timescales are set out in paragraph 4.11 for Members to consider and approve.

6 Other options considered

- 6.1 None. It is a requirement of the Inter Authority Agreement for the JPPC to consider the fees and charges and make a recommendation to the individual authorities. There is a requirement to set fees and charges annually and there is a statutory requirement to undertake consultation on the proposed charges for operators and vehicle licence fees.

7 Conclusion

7.1 Members of the Licensing Committee are asked to note the proposed fees and charges and the consultation proposals and agree a way forward.

8 Appendices

8.1 Appendix A – Proposed Fees and Charges for 2025/26

Background Papers:

Joint Public Protection Committee Report (11 October 2024) can be found here: [West Berkshire Council - Agenda for Joint Public Protection Committee on Friday 11 October 2024, 1.00 pm](#)

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>

Wards affected: All

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