



FEES TOOLKIT – LEGISLATION OVERVIEW

Subject heading	PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE LICENCES FEES
<p>Legislation</p>	<p>LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</p> <p>S 70 (1) ‘...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> <p>(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;</p> <p>(b) the reasonable cost of providing hackney carriage stands, and</p> <p>(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> <p>Recent examples and legal opinion suggest that S.70 (1) does not allow ancillary charges (transfers/replacement licences/replacement plates/door signs) to be made during the term of the licence i.e after the grant. These costs may however be recovered as part of the grant fee itself</p> <p>Case law has established that pre-licensing requirements such as vehicle tests and hpi checks may be charged at a separate cost.</p> <p>S70 Fees for vehicle and operators’ licences requires that if the fees exceed £25 that they must be advertised.</p> <p>EU SERVICES DIRECTIVE – Taxi Licensing not currently in Scope.</p>
<p>Checklist of possible charges to be included (at discretion of each Authority)</p> <p>These will be entered into the ‘Central Recharges (excluding direct</p>	<p><u>Central Recharges</u></p> <ul style="list-style-type: none"> • Accommodation • Internal Recharges (contact centre, finance, I.T, Legal, Democratic, etc) • Welsh Translation costs

<p>costs') field in the cost summary worksheet.</p>	
<p>Checklist of possible charges to be included (at discretion of each Authority)</p> <p>These will be entered into the 'Direct Costs' field in the cost summary worksheet.</p>	<p><u>Direct Costs</u></p> <ul style="list-style-type: none"> • IT Provisions • Supplies (excluding 'materials' as they are included in the process maps) • Services • Subscriptions/Membership • Stationary/Printing • Training cost • Mileage / Subsistence • Advertising fees
<p>Overview of what activities the legislation allows for cost recovery e.g. admin, processing, monitoring compliance, enforcement etc.</p> <p>These will be entered into the 'Other Charges' worksheet.</p>	<p><u>Other Charges – within normal working hours</u></p> <p>General administration</p> <ul style="list-style-type: none"> • General Photocopying e.g. application packs • Ordering goods or services in relation to subject area • Web development • Budget work • Audit/reconciliation • Management functions relevant to the licence <p>Service Requests/Enquiries</p> <ul style="list-style-type: none"> • Pre application enquiries • Business expansions • Clarifications of licences <p>Compliance and enforcement (licensed)</p> <ul style="list-style-type: none"> • Inspections (licensed) • Surveillance • Travel time <p>Projects/policies/strategies</p> <ul style="list-style-type: none"> • Casework • Meetings including travel time

	<ul style="list-style-type: none"> • Reports <p>Meetings/Team Meetings/Regional Meetings</p> <ul style="list-style-type: none"> • Administration time • Meeting time • Venue cost • Travelling <p>Training Time (excluding cost of training as this is a 'direct' cost)</p>
<p>Checklist of what charges/activities the legislation allows for cost recovery. These charges will be split between relevant applications only. (see guidance)</p> <p>These will be entered into Table 2 – Specific charges table in the 'other charges' worksheet.</p>	<p><u>Specific Charges</u></p> <ul style="list-style-type: none"> • Previous Surplus • Previous Deficit • Partnerships E.G. Taxi Marshalls/Cab safe • Rank provisions associated costs including engineers and legal • 'Out of hours' travel, surveillance, compliance and enforcement (licensed) time • Advertising ranks / fares • Transfer (person to person) • Replacement Licence/ door signs / plate • Change of address / number plate • Mid term retest of vehicle
<p>Checklist of possible charges to be excluded</p> <p>These will be entered into the 'non chargeable' worksheet.</p>	<p><u>Non Chargeable</u></p> <ul style="list-style-type: none"> • Freedom of Information requests • Data Protection Act requests <p>Enforcement (unlicensed only)</p> <ul style="list-style-type: none"> • Enforcement Action • Travel and surveillance time • Actions relating to the Enforcement eg updating, letters, up to the point of start of prosecution file
<p>Process map</p>	<p>Application Process (more detail in process map)</p>