



WORTHING BOROUGH
COUNCIL

31 January 2023

Worthing Licensing and Control Committee

Date:	8 February 2023
Time:	6.30 pm
Venue:	Worthing Town Hall, Gordon Room

Committee Membership: Councillors Roy Barraclough, Mike Barrett, Russ Cochran, Cathy Glynn-Davies, Lionel Harman, Kevin Jenkins, Richard Mulholland, Richard Nowak, Jon Roser, Dawn Smith, Sally Smith (Chair), Samuel Theodoridi, Hazel Thorpe, Andy Whight and Rosey Whorlow (Vice-Chair)

Agenda

Part A

1. Declarations of Interest / Substitute Members

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

2. Public Question Time

To receive any questions from Members of the public in accordance with Standing Order 11.2

(Note: Public Question Time will operate for a maximum of 30 minutes.)

3. Members Questions

Pre-submitted Members questions are pursuant to rule 12 of the Council & Committee Procedure Rules.

Questions should be submitted by **midday** on **Friday 3 February 2023** to Democratic Services, democratic.services@adur-worthing.gov.uk

(Note: Member Question Time will operate for a maximum of 30 minutes.)

4. Confirmation of Minutes

To approve the minutes of the Licensing and Control Committee A meeting of held on the 23 January 2023, copies of which have been previously circulated.

5. Items Raised Under Urgency Provisions

To consider any items the Chairman of the meeting considers to be urgent

6. Worthing 2023/24 Fees and Charges Report (Pages 3 - 16)

A report by the Director for Communities, attached as item 6.

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Katy McMullan Democratic Services Officer 01903 221006 katy.mcmullan@adur-worthing.gov.uk	Shelley-Ann Flanagan Lawyer 01903 221095 Shelley-Ann.Flanagan@adur-worthing.gov.uk

Duration of the Meeting: Three hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.



WORTHING BOROUGH
COUNCIL

Licensing & Control Committee
8 February 2023

Ward: All in Worthing

Key Decision: No - Not Executive

Approval of Hackney Carriage and Private Hire Licensing Fees

2023/24

Report by Director for Communities

1.0 Summary

- 1.1 Licensing Fees should be set by the Licensing Committee as it is not an executive function of the Council.
- 1.2 Councillors were asked to consider all licensing fees to apply from 1st April 2023 on 23 January 2023. Subsequent errors have been identified in the Hackney Carriage and Private Hire element of the Fees following the Committee which are required to be resolved.
- 1.3 Councillors are requested to approve the revised scale of fees for Hackney Carriage and Private Hire within Appendix 1 to apply from 1st April 2023.

2.0 Background

- 2.1 Fees were considered by the Licensing Committee on 23rd January 2023. Appendix 2 of that report contained the correct calculation breakdown of costs for Hackney Carriage and Private Hire but Appendix 1 fees contained outdated calculations.

3.0 Proposals

- 3.1 Hackney Carriage and Private Hire fees have undergone a thorough cost analysis to ensure the costs of the licence reflect the cost of producing and administering the service. A breakdown of the taxi fee analysis can be found in Appendix 2.

- 3.2 The figures in Appendix 2 were correct at 23 January 2023 meeting but regrettably Appendix 1 was not updated and contained incorrect figures for Hackney Carriage and Private Hire fees.
- 3.3 Appendix One has been updated for Hackney Carriage and Private Hire to match the fee calculations in Appendix 2. This has resulted in a number of different fees from those agreed on 23rd January 2023.
- 3.4 Officers are mindful that the situation may cause confusion to the Hackney Carriage and Private Hire Trade and therefore following the Committee each Licence Holder will be contacted and made aware of the final fee structure.
- 3.4 If Councillors are minded to change the Hackney Carriage and Private Hire Operator fees as detailed in Appendix 1, the Council shall place a notice in a local newspaper setting out the changes to the fees and inviting representations on those changes within 28 days. A copy of the notice shall also be available at Council Offices for inspection. Should objections be received the Council should consider these and set the fee with or without modification. It is proposed that the Public Health and Regulation Manager be delegated to set the fee in consultation with the Chair of the Licensing Committee not later than 2 months after the notice expires.

4.0 Legal

- 4.1 Licensing authorities may only set fees which are reasonable and proportionate to the cost of the licensing process and the issuing of the licence. (*R(Hemming) v Westminster City Council (2017)*). Further, licensing authorities' entitlement to recover from the licensing fee the costs of the licensing regime are governed by the empowering statutes, often limited to cost recovery only, or a reasonable amount. If any set fees are considered unreasonable, the Council could be liable to challenge by way of Judicial Review.

5.0 Financial implications

- 5.1 Setting of discretionary fees and charges is delegated to the Head of Service in consultation with the Head of Finance and the relevant Executive Member/Committee
- 5.2 The proposed changes to fees set out in Appendix 1 is expected to result in a small increase in annual discretionary fee income compared to 2022/23. It is not expected that this review will have a significant impact on the number of discretionary licences in issue.

6.0 Recommendation

- 6.1 To approve the scale of licensing fees proposed within Appendix 1 to apply from 1 April 2023.
- 6.2 To delegate the Public Health and Regulation Manager to set the fee in consultation

with the Chair of the Licensing Committee following advertisement in the local newspaper for Hackney Carriage and Private Hire Operator fees as detailed in Appendix 1.

Director for Communities

Tina Favier

Background Papers: [Worthing Licensing and Control Committee - Monday, 23rd January, 2023 6.30 pm](#)

Principle Author & Contact Officer: Ed Hele

**Public Health and Regulation Manager Portland House Richmond Road Worthing
BN11 1HS Tel: 01273263330 Email: ed.hele@adur-worthing.gov.uk**

Schedule of Other Matters

1.0 Council Priority

1.1 Matter considered and will have a positive impact on Council Priorities.

2.0 Specific Action Plans

2.1 Matter considered and no significant issues identified.

3.0 Sustainability Issues

3.1 The proposal will result in a reduction in use of natural resources.

4.0 Equality Issues

4.1 Matter considered and no significant issues identified.

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no significant issues identified.

6.0 Human Rights Issues

6.1 Matter considered within the body of the report.

7.0 Reputation

7.1 Matter considered within the body of the report.

8.0 Consultations

8.1 Matter considered and no consultation requirements identified

9.0 Risk Assessment

9.1 Matter considered and no significant issues identified

10.0 Health & Safety Issues

10.1 Matter considered and no significant issues identified

11.0 Procurement Strategy

11.1 Matter considered and no significant issues identified

12.0 Partnership Working

12.1 Matter considered and no significant issues identified

Worthing Borough Council Fees and Charges proposals 2023/2024										
VAT charge types: i = inclusive of VAT @ 20%, e = non-business or exempt from VAT, s = standard plus VAT @ 20%					APPENDIX 1					
					2022/2023	2023/2024	2023/2024			
					Current	Incorrect	Corrected			
1	TAXI LICENSING				Charge	Charge	Charge		Increase	Increase %
					£pence	£pence	£pence	VAT	£pence	
2	1 Year Hackney Carriage Vehicle				219.00	320.75	307.50	e	88.50	28.78%
3	1 Year Private Hire Vehicle				199.00	275.75	262.50	e	63.50	24.19%
4	Drivers Licence New Application Fee (inc 1st knowledge test)				85.00	121.25	122.50	e	37.50	30.61%
5	Hackney Drivers 3 Year Licence				288.00	295.00	282.50	e	(5.50)	-1.95%
6	Private Hire Drivers 3 Year Licence				288.00	295.00	282.50	e	(5.50)	-1.95%
7	1 Year Driver (extenuating circumstances)				96.00	120.00	120.00	e	24.00	20.00%
8	Private Hire Operator First Application Fee				88.00	125.00	110.00	e	22.00	20.00%
9	New 5 Year Private Hire Operator	1-2 vehicles			New	417.50	412.00	e		
10	New 5 Year Private Hire Operator	3-5 vehicles			New	1,042.50	877.00	e		
11	New 5 Year Private Hire Operator	6-10 vehicles			New	1,917.50	1,602.00	e		
12	New 5 Year Private Hire Operator	11-20 vehicles			New	4,367.50	3,632.00	e		
13	New 5 Year Private Hire Operator	21-30 vehicles			New	8,567.50	7,112.00	e		
14	New 5 Year Private Hire Operator	31+ vehicles			New	9,967.50	8,272.00	e		
15	New 1 Year Private Hire Operator (Exceptional Circumstances)	1-2 Vehicles			New	217.50	204.00	e		
16	New 1 Year Private Hire Operator (Exceptional Circumstances)	3-5 Vehicles			New	342.50	297.00	e		
17	New 1 Year Private Hire Operator (Exceptional Circumstances)	6-10 Vehicles			New	551.00	472.40	e		
18	New 1 Year Private Hire Operator (Exceptional Circumstances)	11-20 Vehicles			New	1,041.00	878.40	e		
19	New 1 Year Private Hire Operator (Exceptional Circumstances)	21-30 Vehilces			New	1,881.00	1,574.40	e		
20	New 1 Year Private Hire Operator (Exceptional Circumstances)	31+ Vehicles			New	2,127.50	1,776.00	e		
21	Rear Plate				25.50	25.00	25.60	e	0.10	0.39%
22	Door Signs Pair				25.50	30.00	30.80	e	5.30	17.21%
23	Door Sign Single				12.75	17.50	18.00	e	5.25	29.17%
24	Internal plate/sign				12.00	17.50	18.00	e	6.00	33.33%
25	Change of Vehicle				60.00	60.50	62.00	e	2.00	3.23%
26	Copy of Licence				25.00	25.75	26.50	e	1.50	5.66%
27	Temp Vehicle Hackney Carriage (3 Months)(Inc new plates, licence, materials, vehicle checks)				155.80	135.00	117.00	e	(38.80)	-33.16%
28	Temp Vehicle Private Hire (3 Months)(Inc new plates, licence, materials, vehicle checks)				145.00	135.00	117.00	e	(28.00)	-23.93%
29	Additional Knowledge Test each				48.00	55.00	55.00	e	7.00	12.73%
30	Additional Drivers Licence (inc DBS/Medical check)				51.00	67.50	67.50	e	16.50	24.44%
31	Replacement Badge				16.50	18.25	18.25	e	1.75	9.59%
32	DBS				44.00	56.50	56.50	e	12.50	22.12%

33	Child Exploitation Training (external)			10.00	25.00	25.00	e	15.00	60.00%
34	Total Estimated Annual Income (Taxi Licensing)			108,000.00	130,000.00	130,000.00			

APPENDIX 2

Vehicle New	Time taken (hours)	Who (A/O/M)	Hourly Rate	Hours x Cost ph	Materials	Total Cost £
Application received Assessed/Scanned/ IT /Directed to Licensing Team	1	A	£ 26.00	£ 26.00		£ 26.00
Process payment (Non online)	0.25	A	£ 26.00	£ 6.50		£ 6.50
Licensing Team Assess Application	0.25	A	£ 26.00	£ 6.50		£ 6.50
Mid Term vehicle inspection inc enqs for missing/incomplete docs update Tascomi etc	0.75	A	£ 26.00	£ 19.50		£ 19.50
Assess Insurance docs inc enqs for missing/incomplete docs update Tascomi etc	0.75	A	£ 26.00	£ 19.50		£ 19.50
Mid Term MOT inc enqs for missing/incomplete docs update Tascomi etc	0.75	A	£ 26.00	£ 19.50		£ 19.50
Officer consideration, enquiries	0.5	O	£ 29.00	£ 14.50		£ 14.50
Grant/refuse (to include time for report writing and preparing reasons) update IT	0.5	O	£ 29.00	£ 14.50		£ 14.50
Prepare and issue licence paperwork	0.25	A	£ 26.00	£ 6.50		£ 6.50
10 year inspection, inputting Tascomi and letter to advise	1	M	£ 45.00	£ 45.00		£ 45.00
Print and despatch all documents	0.25	A	£ 26.00	£ 6.50	£ 7.00	£ 13.50
12mnths/Compliance monitoring and enforcement	2	O	£ 29.00	£ 58.00		£ 58.00
Advise renewal required in writing 2 months prior to expiry	0.5	A	£ 26.00	£ 13.00		£ 13.00
					Total	£ 262.50
					PH	£ 262.50
Hackney Carriage Tariff Variation + Advert + Consultation = Meter adjustment	1	M	<u>£ 45.00</u>	<u>£ 45.00</u>	HC	£ 45.00
					Total	<u>£ 307.50</u>

					Materials	
Rear Plate	0.6	A	£ 26.00	£ 15.60	£ 10.00	£ 25.60
Door Signs Pair	0.8	A	£ 26.00	£ 20.80	£ 10.00	£ 30.80
Door Sign Single	0.5	A	£ 26.00	£ 13.00	£ 5.00	£ 18.00
Internal plate/sign	0.5	A	£ 26.00	£ 13.00	£ 5.00	£ 18.00
Change of Vehicle	1.5	A	£ 26.00	£ 39.00	£ 23.00	£ 62.00
Copy of Licence	0.75	A	£ 26.00	£ 19.50	£ 7.00	£ 26.50
Temp Vehicle (3 Months)(Inc new plates, licence, materials, vehicle checks)	3	O	£ 29.00	£ 87.00	£ 30.00	£ 117.00

Drivers	Time taken (hours)	Who (A/O/M)	Hourly rate	Hours x Cost ph	Materials	Cost £
New Application					Materials	
First Application - Produce application form, process payment, post	1	A	£ 26.00	£ 26.00	£ 5.00	£ 31.00
Printing and postage	0.25	A	£ 26.00	£ 6.50	£ 5.00	£ 11.50
1st Knowledge Test	2	A/O	£ 29.00	£ 60.00	£ 5.00	£ 65.00
					Total	£ 122.50
Driver 3 Year						
Application Assessed/Scanned/ IT /Directed to Licensing Team	1	A	£ 26.00	£ 25.00		
Process payment (Non online)	0.25	A	£ 26.00	£ 6.50		
Licensing Team Assess Application	0.25	A	£ 26.00	£ 6.50		
Assess initial DBS inc enqs for missing/incomplete docs update Tascomi etc	0.75	A	£ 26.00	£ 19.50		

Assess References inc enqs for missing/incomplete docs update Tascomi etc	0.75	A	£ 26.00	£ 19.50		
6 mth DBS inc enqs for missing/incomplete docs update Tascomi etc (3 yr lic x 6)(1 yr = 60mins)	1.5	A	£ 26.00	£ 39.00		
Assess Medical inc enqs for missing/incomplete docs update Tascomi etc	1	A	£ 26.00	£ 26.00		
Officer consideration, enquiries , enforcement and administration post issue (1yr = 60 mins)	3	O	£ 29.00	£ 87.00		
Grant/refuse (to include time for report writing and preparing reasons) update IT	0.25	A	£ 26.00	£ 6.50		
Prepare and issue licence paperwork	0.25	A	£ 26.00	£ 6.50	£ 5.00	
Advise renewal required in writing 2 months prior to expiry	0.5	A	£ 26.00	£ 13.00		
Taxi Supervisor Time - Determinations Advice etc 30mins	0.5	M	£ 45.00	£ 22.50		
Total	9.5					
				Cost of licence		
				Total		£ 282.50
					Materials	
Additional Knowledge Test each	2	A	£ 26.00	£ 52.00	£ 3.00	£ 55.00
Additional Drivers Licence (inc DBS/Medical check)	2.5	A	£ 26.00	£ 65.00	£ 2.50	£ 67.50
Replacement Badge	0.25	A	£ 26.00	£ 6.50	£ 11.75	£ 18.25
DBS	0.5	A	£ 25.00	£ 12.50	£ 44.00	£ 56.50
Child Exploitation Training (external)	-	-	-	-	-	£ 25.00
					Total	£ 227.00
Application Assessed/Scanned/ IT /Directed to Licensing Team	0.75	A	25	£ 18.75		
Process payment (Non online)	0.25	A	25	£ 6.25		
Licensing Team Assess Application	0.25	A	25	£ 6.25		

Assess initial DBS inc enqs for missing/incomplete docs update Tascomi etc	0.5	A	25	£ 12.50		
Assess References inc enqs for missing/incomplete docs update Tascomi etc	0.5	A	25	£ 12.50		
6 mth DBS inc enqs for missing/incomplete docs update Tascomi etc (3 yr lic x 6)(1 yr = 60 mins)	0.5	A	25	£ 12.50		
Assess Medical inc enqs for missing/incomplete docs update Tascomi etc	0.5	A	25	£ 12.50		
Officer consideration, enquiries , enforcement and administration post issue (1yr = 60 mins)	1	O	35	£ 35.00		
Grant/refuse (to include time for report writing and preparing reasons) update IT	0.25	A	25	£ 6.25		
Prepare and issue licence paperwork	0.25	A	25	£ 6.25	£ 5.00	
Advise renewal required in writing 2 months prior to expiry	0.5	A	25	£ 12.50		
Taxi Supervisor Time - Determinations Advice etc 30mins	0.5	M	45	£ 22.50		
Total	5.75					
					Cost of licence	
					Total	£ 168.75
1 Year Driver extenuating circumstances					Total Adj	£ 120.00

Private Hire Operator Application	Time taken (hour)	Who (A/O/M)	Hourly rate	Hours x Cost ph	Materials	Cost £		
First Application - Produce application form, process payment, post	1.25	A	£ 26.00	£ 32.50		£ 32.50		
Printing and postage					£ 5.00			
Assess DBS inc enqs for missing/incomplete	1.5	O	£ 29.00	£ 43.50		£ 43.50		

docs update Tascomi etc								
Planning /call centre/address/site visit check/tax/processors	1	O	£ 29.00	£ 29.00		£ 29.00		
total	3.75				Total	£ 110.00		
Child Exploitation Training						£ 25.00		
Private Hire Operator								
Application received Assessed/Scanned/ IT /Directed to Licensing Team	1	A	£ 26.00	£ 26.00				
Process payment	0.25	A	£ 26.00	£ 6.50				
Licensing Team Assess Application	0.25	A	£ 26.00	£ 6.50				
Assess DBS inc enqs for missing/incomplete docs update Tascomi etc	0.5	A	£ 26.00	£ 13.00				
Officer consideration, enquiries and arrange appt	1	O	£ 29.00	£ 29.00				
Grant/refuse (to include time for report writing and preparing reasons) update Tascomi etc	2	O	£ 29.00	£ 58.00				
Prepare and issue licence paperwork	0.25	A	£ 26.00	£ 6.50				
Advise renewal required in writing 2 months prior to expiry	0.25	A	£ 26.00	£ 6.50				
Total	5.5					£ 152.00		
Post Issue Compliance Visits see categories below (5 year licence) inc 30 min e/w travel							Total £ Cost 5 yrs	Total £ Cost 1 yrs
Suggested categories								
1-2 Vehicles (+2 hr/12mnth x 5 yr monitoring and enforcent due to size)	10	O	£ 26.00	£ 260.00		£ 260.00	£ 412.00	£ 204.00
3-5 Vehicles (+5 hr/12mnth x 5 yr monitoring and	25	O	£ 29.00	£ 725.00		£ 725.00	£ 877.00	£ 297.00

enforcent due to size)								
6-10 Vehicles (+10 hr/12mnth x 5 yr monitoring and enforcent due to size)	50	O	£ 29.00	£ 1,450.00		£ 1,450.00	£ 1,602.00	£ 472.40
11-20 Vehicles (+20 hrs/12mth x 5 yr monitoring and enforcing due to size)	120	O	£ 29.00	£ 3,480.00		£ 3,480.00	£ 3,632.00	£ 878.40
21-30 Vehilces (+48hrs/12mth x 5 yr monitoring and enforcing due to size)	240	O	£ 29.00	£ 6,960.00		£ 6,960.00	£ 7,112.00	£ 1,574.40
31+ Vehicles (+56hr/12mth x 5 yr monitoring and enforcement due to size)	280	O	£ 29.00	£ 8,120.00		£ 8,120.00	£ 8,272.00	£ 1,776.00

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