



GUILDFORD
BOROUGH

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Tom Horwood
Joint Chief Executive
of Guildford and Waverley
Borough Councils

Contact Officer:

Sophie Butcher, Democratic Services Officer

12 July 2022

Dear Councillor

Your attendance is requested at a meeting of the **LICENSING COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **WEDNESDAY 20 JULY 2022 at 7.00 pm.**

Yours faithfully

Tom Horwood
Joint Chief Executive

MEMBERS OF THE COMMITTEE

Chairman: Councillor David Goodwin

Vice-Chairman: Councillor Catherine Young

The Mayor, Councillor Dennis Booth
Councillor Tim Anderson
Councillor Gillian Harwood
Councillor Jan Harwood
Councillor Nigel Manning
Councillor Ted Mayne
Councillor Ann McShee

Councillor Bob McShee
The Deputy Mayor, Councillor Masuk Miah
Councillor Marsha Moseley
Councillor Maddy Redpath
Councillor James Steel
Councillor Keith Witham

QUORUM 5



THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

Our Mission:

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

Our Values:

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

Our strategic priorities:

Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

AGENDA

1 APOLOGIES FOR ABSENCE

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, the councillor must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3 MINUTES (Pages 5 - 8)

To confirm the minutes of the meeting of the Licensing Committee held on 24 November 2022.

4 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

5 LICENSING COMMITTEE ITEMS

5.1 **Taxi and Private Hire Fees and Charges 2022-23** (Pages 9 - 36)

5.2 **Hackney Carriage Fares Review** (Pages 37 - 62)

5.3 **Taxi and Private Hire Legislation Update** (Pages 63 - 72)

5.4 **Extension to Pavement Licensing** (Pages 73 - 94)

5.5 **Taxi and Private Hire Policy - Vehicle Glazing Requirement** (Pages 95 - 102)

6 LICENSING COMMITTEE WORK PROGRAMME (Pages 103 - 108)

**PLEASE CONTACT US TO REQUEST THIS DOCUMENT IN
AN ALTERNATIVE FORMAT**

LICENSING COMMITTEE

Councillor David Goodwin (Chairman)

* The Deputy Mayor, Councillor Dennis Booth (Vice-Chairman)

Councillor Tim Anderson	* The Mayor, Councillor Marsha Moseley
* Councillor Gillian Harwood	Councillor Maddy Redpath
* Councillor Nigel Manning	Councillor Will Salmon
* Councillor Ted Mayne	Councillor James Steel
* Councillor Ann McShee	* Councillor Keith Witham
* Councillor Bob McShee	Councillor Catherine Young
* Councillor Masuk Miah	

*Present

L1 APOLOGIES FOR ABSENCE

Apologies were received from the following Councillors Tim Anderson, David Goodwin, Maddy Redpath, Will Salmon, James Steel and Catherine Young. The Deputy Mayor, Councillor Dennis Booth acted as Chairman in Councillor David Goodwin's absence.

L2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

Councillor Keith Witham declared a non-disclosable pecuniary interest in item 5.2 'Fit and Proper Testing for Managers of Licenced Caravan Sites' owing to the fact that he was a resident on one of the borough's licenced caravan sites which was covered by the relevant legislation.

L3 MINUTES

The minutes of the Licensing Committee held on 29 September 2021 were approved and signed by the Chairman.

L4 ANNOUNCEMENTS

The Chairman had no announcements to make.

L5 GAMBLING ACT 2005: STATEMENT OF PRINCIPLES 2022-25

The Committee received a report from Chris Woodhatch, Licensing Food and Safety Lead. The Committee noted that the current statement was due to expire and an updated draft was approved for public consultation by the Licensing Committee on 26 May 2021. The consultation was held between 5 July – 1 October 2021 and no material comments were made.

The Committee having considered the report;

RESOLVED to recommend that Full Council approved the draft Gambling Act 2005 Statement of Principles 2022-25 at its meeting on 7 December 2021.

L6 FIT AND PROPER TESTING FOR MANAGERS OF LICENCED CARAVAN SITES

The Committee received a report from Sean Grady, Private Sector Housing and Pollution Lead. The Committee noted that the new legislation required relevant and responsible persons of caravan sites and those sites that required a licence, to operate lawfully to be fit and proper. The mobile homes requirement was for a manager to be a fit and proper person and those regulations 2020, required those managing or in control of relevant protected sites to make an application for inclusion on the fit and proper register. The regulations also required the Council to assess fit and proper applications, to publish and maintain a public register and publish a fees policy which was found in Appendix 1. This justified the costs charged for fit and proper applications and provided the overall policy to process the applications and make decisions upon them. Within Schedule 1, the fit and proper fee calculation could be observed along with the variation to the Annual Caravan Site licensing fees. The Register was completed and published on the Council's website and already listed the sites that needed applications. The Council had created a procedure to assess applications and recorded them on its database, the policy and procedure was based upon the policy as found in appendix 1 and would enable a consistent approach to application assessments and decisions, working in line with the government guidance, subject-specific training, access to specialist forums, legislation, consultation with local authorities, its own policy and subject-specific study groups which would enable the Council to approach those assessments in a balanced manner against other authorities across England and Surrey.

Fit and proper regulations required a fee to be made with the application and was mandatory. The fit and proper regulations give the Council choice to charge an additional fee in relation to fit and proper applications as the annual fee was to only be charged in response to additional enforcement time spent on sites that were not complying with for example conditions imposed on their application. The fit and proper annual fee would not be charged to sites until a full review of the fees in twelve months-time and obviously a better understanding of the situation at that time in terms of enforcement and compliance. Those sites would generally only be charged that fee in accordance with the conditions on their licence. Schedule 1 table 1 referred to the general site licence fee that was paid yearly by all sites with a caravan licence and this fee was not in relation to fit and proper managers specifically and required revision to account for the frequency of visits.

The Committee noted comments made that these Fit and Proper Testing for Managers of Licenced Caravan sites had been long awaited since 2013 and followed a long series of changes in legislation going back to 1983. The question was raised that if there was an application from a person to be a Fit and Proper Manager of a licenced caravan site, that person may have a completely unblemished background, but what investigations would be made by officers into the owners of the sites. Given that there might be site owners who could be less scrupulous than others who put forward a nominee who in fact would have little power but was the

named person. The Committee was interested to know how this process would be managed. In addition, the referral to caravan sites was sometimes misleading, when frequently retired people would move into static caravan sites which were more akin to bungalows than caravans but yet the legislation would apply to such properties too.

Sean Grady, Private Sector Housing and Pollution Lead confirmed that the Mobile Homes Act went back to 1963 and was a broad piece of legislation. In relation to who we would include on the register and who we would expect to apply, guidance would be followed, and the most appropriate person selected. It could be both a manager and an owner and judging from the applications received so far, more people were listed than needed, so the most appropriate person was selected according to what officers already know about the site as well as looking at the management plans and the management structures. The applicant as well as anyone named on the licence would have to complete a DBS check. If anyone managing the site had been left off the application that would amount to falsification of information and further enforcement action could be taken.

The Committee asked that if a licence holder had a conviction subsequent to obtaining a licence what was the procedure? Sea Grady, Private Sector Housing and Pollution Lead confirmed that the licence holder would be duty bound to inform the Licensing Authority. Licence holders could only reapply every 5 years in relation to their DBS and therefore if they failed to report a conviction it would again amount to falsification and enforcement action could be taken. If the Council had to at any point take over the management of a site, they could reclaim those costs directly.

The Committee having discussed the report;

RESOLVED that the Executive are recommended to approve a proposed charging structure for Fit and Proper applications at its meeting on 4 January 2022. In addition, the Licensing Committee approved the following:

- Caravan Licensing Fees Policy;
- Amended Annual Caravan Site Licensing Fee;
- Fit & Proper Application Fee for Inclusion in the Register and;
- Annual Fit & Proper Fee.

L7 LICENSING COMMITTEE WORK PROGRAMME

The Committee noted its work programme.

The meeting finished at 7.20 pm

Signed

Date

Chairman

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Licensing Committee Report

Ward(s) affected: All

Report of the Director of Service Delivery

Author: Mike Smith, Senior Specialist for Licensing and Community Safety

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Lead Councillor responsible: James Steel

Tel: 07971 525298

Email: james.steel@guildford.gov.uk

Date: 20 July 2022

Taxi and Private Hire Fees and Charges 2022-23

Executive Summary

On 14 September 2016, the Licensing Committee approved a methodology for setting the taxi and private hire fees and charges.

Officers have calculated the taxi and private hire fees and charges for 2022-23. The Licensing Committee must consider and approve the taxi and private hire fees and charges for 2022-23 to take effect from 3 October 2022.

Recommendation to Licensing Committee

That the Taxi and Private Hire Fees and Charges for 2022-23, as set out in Appendix 3 to this report, be approved for public consultation as per the legal requirements, to take effect from 3 October 2022 should no objections be received.

Reason for Recommendation:

The Council is entitled to set the fees and charges for taxi and private hire licences detailed in Appendix 3 to this report in order to recover its reasonable costs.

1. Purpose of Report

- 1.1 To enable the Licensing Committee to approve the taxi and private hire fees and charges for 2022-23 to take effect on 3 October 2022.

2. Strategic Priorities

- 2.1 The process of setting taxi and private hire fees and charges will contribute to our fundamental themes and priorities as follows:

Homes and Jobs: Support the business community by setting transparent licensing fees based upon cost recovery.

3. Background

- 3.1 Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 (“the Act”) allow the Council to charge fees for the grant of licences in respect of hackney carriage and private hire drivers, vehicles and operators. The legislation specifies the elements that can be included in the cost of the licence fee.
- 3.2 The cost of issue and administration can be recovered in drivers’ licence fees. In respect of vehicle and operator licences, the reasonable cost of inspecting vehicles, providing hackney carriage stands and any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles can be included in the fees.
- 3.3 The Council cannot make a profit from licence fees and there must be a carry forward of any surplus. There can also be recovery of any deficit.

4. Fees and Charges Methodology

- 4.1 On 14 September 2016 the Licensing Committee endorsed a methodology for calculating taxi licence fees, which has been used to produce the fees for each subsequent financial year since 2017/18.
- 4.2 The methodology specifies that all fees and charges are reconciled in a three-year rolling programme to ensure full cost recovery for the Council.
- 4.3 The methodology used to calculate Private Hire Operator fees was updated for 2019/20 using the last five years of support and officer time costs divided across the current total number of licensed operators. The methodology intends to revert back to the previous calculation for Operator fees for 2022-23 as the number of operators has reduced considerably.
- 4.4 The calculations for the fees and charges are shown at appendix 2. Elsewhere there are marginal increases to some fees and reductions to others. The fees for a replacement drive badge and replacement vehicle plate show reductions as only a small amount of time is coded to these applications, resulting

in a low fee. Furthermore there has been a large number of applicants take the hackney knowledge test, again resulting in a low fee. Consequently it is proposed not to alter these fees.

- 4.5 In accordance with the methodology, audit and finance reviewed the draft fees and charges against the methodology and the findings were discussed. As per the methodology a joint meeting was held with legal, finance, audit and licensing to sign off on the fees after the audit.
- 4.6 After approval by Licensing Committee, as required by Section 70 of the Act, a notice will be published in a local newspaper advertising the fees and charges and confirming the date by which any objections must be made. The fees will take effect on that date if no objections are made. The licensed trade will also be notified of the proposed fees and charges via our newsletter.
- 4.7 If there are objections following the advertisement, the Licensing Committee will consider those objections at its meeting on 28 September, approve the taxi and private hire fees and charges for 2022-23, with or without modification, and set a further date for their implementation.

5. Equality and Diversity Implications

- 5.1 There are no equality and diversity implications arising from the taxi and private hire fees and charges.

6. Financial Implications

- 6.1 The report sets out the calculation of the taxi and private hire fees and charges for 2022-23, which have been calculated with the aim of recovering the Council's reasonable costs.
- 6.2 The Council cannot make a profit and must carry forward any surplus. Any deficit is carried forward and will be recovered in subsequent years. Surpluses or deficits will be considered when fee setting in future years with the objective of recovering or refunding any surplus or deficit over a rolling three-year cycle.

7. Legal Implications

- 7.1 The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to charge for the grant of licences in respect of hackney carriage and private hire drivers, vehicles and operators. The fees must be set at a level which ensures that the Council does not make a profit.

- 7.2 Section 53(2) of the Act states, in relation to drivers' licences for hackney carriage and private hire vehicles:

“Notwithstanding the provisions of the Act of 1847, 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.”

- 7.3 Section 70 of the Act states, in relation to vehicle and operators' licences:

“(1) Subject to the provisions of subsection (2) of this section, 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.”

- 7.4 Fees set must be published by means of a notice in a local newspaper setting out the fees and allowing a period of at least 28 days for objections to be made. A copy of the notice must be available for inspection at the Council offices for the same period.

- 7.5 If no objection is made or all objections made are withdrawn, the fees come into effect at the end of the period allowed for objection or the date of withdrawal of the last objection if later. Any objections made during the period allowed for must be considered and a further date set, being not later than two months after the first date, for the fees to come into force with or without modification.

8. Human Resource Implications

- 8.1 There will no additional human resource implications because of the taxi and private hire fees and charges.

9. Conclusion

- 9.1 The Licensing Committee must consider the proposed taxi and private hire fees and charges for 2022-23.
- 9.2 The fees and charges set out in Appendix 3 are recommended for approval. These fees recover the Council’s costs in line with the legislation.

10. Background Papers

[Minutes of Licensing Committee 14 September 2016](#)

[Local Government \(Miscellaneous Provisions\) Act 1976](#)

[Councillor Handbook: Taxi and PHV Licensing](#)

11. Appendices

- Appendix 1: Taxi and Private Hire Fees and Charges Methodology 2022/23.
- Appendix 2: Fees and charges calculated as per the approved Methodology
- Appendix 3: Taxi and Private Hire Fees and Charges for 2022/23 recommended for approval.

<i>Service</i>	<i>Sign off date</i>
Finance / 151 Officer	<i>20 June 2022</i>
Legal / Governance	<i>10 June 2022</i>
HR	<i>17 June 2022</i>
Equalities	<i>17 June 2022</i>
Lead Councillor	
CMT	<i>22 June 2022</i>
Committee Services	<i>22 June 2022</i>

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Taxi and Private Hire Fees and Charges Methodology for 2022-23

Scope

The scope of this methodology is the fees and charges setting process for the activities below to achieve full cost recovery:

- A. Taxi vehicle (including plate) – 1 year
- B. Private hire vehicle (including plate) – 1 year
- C. Taxi vehicle change
- D. Private hire vehicle change
- E. Taxi temporary vehicle change - 3 months
- F. Private hire vehicle change - 3 months
- G. Vehicle plate
- H. Private hire vehicle signs
- I. Private Hire Operator – 5 years
- J. Taxi driver – 3 years
- K. Private hire driver – 3 years
- L. Taxi knowledge test
- M. Private hire knowledge test
- N. Driver Replacement badge
- O. Convert from private hire driver to taxi driver

Taxi and Private Hire Fees and Charges Methodology for 2022-23

Fees Setting Process - Timetable for fees and charges 2022-23

No.	Action	Date	Officer/Department
1	Annual Timesheet data prepared and analysed	October 2021	Business Support
2	Hourly rate prepared	October 2021	Finance
3	Vehicle, private hire and operator activity data collated Identify cost of plates and door signs	October 2021	Licensing
4	Draft budget sheets produced.	End May 2022	Finance
5	Draft fees prepared in accordance with approved methodology using information collated in 1-4	Beginning June 2022	Licensing and Finance
6	Budget reviewed against predicted income and salary allocations Internal recharges reviewed for 2018/19	Beginning June 2022	Licensing and Finance
7	Draft fees audited by Audit	June 2022	Audit
8	Meeting Licensing, Audit and Finance to discuss audit findings and agree fees and charges	June 2022	Licensing, Finance and Audit
9	Make any adjustments to budgets, salary allocations and fees and charges finalised after meeting at No. 8	June 2022	Licensing and Finance
10	CMT	22 June 2022	Licensing
11	Executive Liaison	29 June 2022	Licensing
12	Fees and Charges approved by Licensing Committee	20 July 2022	Licensing
13	Fees and Charges advertised in Newspaper	July/August 2022	Licensing
14	Objections and responses collated and prepared to be heard by Licensing Committee	August 2022	Licensing
15	CMT - objections	August 2022	Licensing
16	Objections heard by Licensing Committee and set of Fees and Charges Approved	September 2022	Licensing
17	Approved Fees and Charges implemented	October 2022	Licensing

Taxi and Private Hire Fees and Charges Methodology for 2022-23

No.	Action
1	<p><u>Annual Timesheet data prepared and analysed</u></p> <p>Timesheet data for officers in business support, licensing, and the environmental health manager to be collated for previous 52 week period using date range 1 October 2020 to 30 September 2021. Total time spent by licence type to be calculated by the above officer groups.</p> <p>(During the year timesheet data will be reviewed on a monthly basis by the business support and licensing team leader to check for accuracy and completion)</p> <p>(Officers are provided with a guidance document on completion of timesheets which provides assistance on categorising activities)</p>
2	<p><u>Hourly rate prepared</u></p> <p>The average officer hourly rate for business support and licensing officers is required plus the hourly rate for customer services and the regulatory services manager.</p> <ol style="list-style-type: none"> 1. Identify the current licensing and business support posts to be included in each group. 2. Calculate the average hourly rate as at 30 September 2021 including officer salaries plus on-costs. <p>Officer: Finance</p>
3	<p><u>Vehicle, private hire and operator activity data collated</u></p>

Taxi and Private Hire Fees and Charges Methodology for 2022-23

	<p>The number of activities below is obtained from the computer system for the period 1 October 2020 to 30 September 2021.</p> <ol style="list-style-type: none">1. Taxi vehicle applications2. Private hire vehicle applications3. Taxi vehicle change4. Private hire vehicle change5. Taxi temporary vehicle change (3 months)6. Private hire vehicle change (3 months)7. Private hire operators applications8. Taxi driver applications9. Private hire applications10. Taxi knowledge test11. Private hire knowledge test12. Convert from private hire driver to taxi driver13. Driver replacement badge <p><u>Identify cost of plates and private hire door signs</u></p> <p>Identify cost of purchasing plates and private hire door signs for the forthcoming year.</p>
4.	<p><u>Draft budget sheets produced</u></p> <p>Version 1 of draft budgets for cost centres H1104, H1107, H1108 and H1109 are produced in July - budgets will be reviewed by Finance and Licensing.</p> <p>Version 2 of draft budgets for cost centres H1104, H1107, H1108 and H1109 are produced in Mid-Sept – draft salary allocations will be entered in the budget for the previous 12 months (1 September to 31 August). Timesheet data analysed will be used to adjust salary allocations in budget for forthcoming year as appropriate.</p> <p>Version 3 of draft budgets for cost centres H1104, H1107, H1108 and H1109 are produced in late-October/early-November for financial year 2019/20 – final salary allocations for period 1 October 2020 to 30 September 2021 are included. Timesheet data analysed will be</p>

Taxi and Private Hire Fees and Charges Methodology for 2022-23

	used to adjust salary allocations in budget for forthcoming year as appropriate.							
	Identify budget for private hire door signs and taxi rank maintenance separately.							
5.	<p><u>Draft fees prepared by Licensing and Finance in accordance with approved methodology using information collated in No. 1-4 above</u></p> <p>Methodology for:</p> <ul style="list-style-type: none"> A. Taxi vehicle applications B. Private hire vehicle applications I. Private hire operators applications J. Taxi driver applications K. Private hire applications <p>The driver, vehicle and operator licence fees are calculated by adding together four categories:</p> <ul style="list-style-type: none"> • Business support and licensing officer, licensing team leader, management time, customer service time for the specific activity • Other time related to administration of taxi and private hire by officer group • Senior management time • Support costs <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 30%;">Category</th> <th style="width: 40%;">Method of data collection</th> <th style="width: 30%;">Notes</th> </tr> </thead> <tbody> <tr> <td>Business support and licensing team, customer service officer and management time for processing applications and other activities related to the administration of licence by type</td> <td> To calculate the cost of business support and licensing team plus management time for processing driver, vehicle and operator applications per process the following steps are followed: <ol style="list-style-type: none"> 1. Divide the time spent for each officer type by the number of processes completed in each category. 2. Multiply the time spent per process by the hourly rate per officer type to identify the cost per </td> <td> To include time spent: Processing applications To include: Officer and Member training Compliance checks Officer transport related expenditure Complaints/information about </td> </tr> </tbody> </table>		Category	Method of data collection	Notes	Business support and licensing team, customer service officer and management time for processing applications and other activities related to the administration of licence by type	To calculate the cost of business support and licensing team plus management time for processing driver, vehicle and operator applications per process the following steps are followed: <ol style="list-style-type: none"> 1. Divide the time spent for each officer type by the number of processes completed in each category. 2. Multiply the time spent per process by the hourly rate per officer type to identify the cost per 	To include time spent: Processing applications To include: Officer and Member training Compliance checks Officer transport related expenditure Complaints/information about
Category	Method of data collection	Notes						
Business support and licensing team, customer service officer and management time for processing applications and other activities related to the administration of licence by type	To calculate the cost of business support and licensing team plus management time for processing driver, vehicle and operator applications per process the following steps are followed: <ol style="list-style-type: none"> 1. Divide the time spent for each officer type by the number of processes completed in each category. 2. Multiply the time spent per process by the hourly rate per officer type to identify the cost per 	To include time spent: Processing applications To include: Officer and Member training Compliance checks Officer transport related expenditure Complaints/information about						

Taxi and Private Hire Fees and Charges Methodology for 2022-23

			process for the specific activity.	licensed drivers and vehicles Licensing compliance action Advice and guidance
	Business support and licensing team and management time allocation for all other activities connected to the licensing function.	<p>The time spent by business support, licensing officers, team leader and management conducting activities such as reviewing fees and charges, developing policy and communicating with the trade is recorded in the appropriate category. The time has been allocated by:</p> <ol style="list-style-type: none"> 1. Multiplying the hours spent in conducting these allocation category by officer type by the hourly rate per officer type to determine total costs. 2. Dividing the total cost by the total number of applications in each category. This results in the cost per application. 		To include time spent: Setting and reviewing fees Development, determination and production of policy Liaison with interested parties Collating registers and national reporting
	Support costs	<p>The support costs are determined from the financial estimates for 202/21. The methodology and background for determining support costs is provided in Appendix A.</p> <p>The support cost per process is calculated by dividing the total cost of support services by the number of processes in each category.</p> <p>A number of elements are removed or allocated separately:</p> <p>Taxi rank maintenance is to be highlighted and only charge to taxi vehicles.</p>		<p>Supplies and Services Accommodation, stationery, IT Equipment Advertising External legal advice Third party costs - Medical checks</p> <p>Support Costs Public offices Debtors section Office services Accountancy Legal Services</p>

Taxi and Private Hire Fees and Charges Methodology for 2022-23

			Paymaster – salaries, creditors, insurance Human resources Business Systems Customer Technical Support Information Systems Support Office Cleaning Performance Management Transport Plan Health and Safety	
<p>Methodology for:</p> <p>C. Taxi vehicle change</p> <p>To calculate the cost of a taxi vehicle change the following steps are followed:</p> <p>Divide the time spent for each officer type by the number of taxi vehicle change processes completed. Multiply the time spent per process by the hourly rate per officer type to identify the cost.</p> <p>Methodology for:</p> <p>D. Private hire vehicle change</p> <p>To calculate the cost of a taxi vehicle change the following steps are followed:</p> <p>Divide the time spent for each officer type by the number of private hire vehicle change processes completed. Multiply the time spent per process by the hourly rate per officer type to identify the cost.</p>				

Taxi and Private Hire Fees and Charges Methodology for 2022-23

Methodology for:

E. Taxi temporary vehicle change - 3 months

To calculate the cost of a taxi vehicle change for 3 months the following steps are followed:

Add the cost to process a taxi vehicle application for a licensing officer and a business support officer and add a quarter of the annual cost of other costs (amend/change/general costs) for business support officers, licensing officers and management.

Methodology for:

F. Private hire vehicle change - 3 months

To calculate the cost of a private hire vehicle change for 3 months the following steps are followed:

Add the cost to process a private hire vehicle application for a licensing officer and a business support officer and add a quarter of the annual cost of other costs (amend/change/general costs) for business support, licensing officers and management.

Methodology for:

G. Vehicle plate

The vehicle plate cost is determined by adding 2 elements:

1. The cost of a vehicle plate on the 30 September 2021 and
2. The cost to produce a replacement vehicle plate (calculation is below)

(Divide the time spent for each officer type by the number of processes completed.

Multiply the time spent per process by the hourly rate per officer type to identify the cost per process for the specific activity.)

Taxi and Private Hire Fees and Charges Methodology for 2022-23

Methodology for:

H. Private hire vehicle signs

The private hire door sign cost is determined by adding 2 elements:

- 1. The cost of a door sign (per pair) on the 30 September 2021 and
- 2. The cost to produce a replacement vehicle sign (calculation is below)

(Divide the time spent for each officer type by the number of processes completed.
Multiply the time spent per process by the hourly rate per officer type to identify the cost per process for the specific activity.)

Methodology for:

- L. Taxi knowledge test**
- M. Private hire test**

Taxi and private hire knowledge tests fees are calculated by:

Divide the total number of knowledge tests in each group by the time spent by officer type in each category then multiple by the hourly rate for each officer type to determine the cost per test.

Methodology for:

N. Driver Replacement badge

To calculate the cost of a driver badge replacement the following steps are followed:

Divide the time spent for each officer type by the number of processes completed.
Multiply the time spent per process by the hourly rate per officer type to identify the cost.

Taxi and Private Hire Fees and Charges Methodology for 2022-23

Methodology for:

O. Convert from private hire driver to taxi driver

To calculate the cost of converting from private hire driver to taxi drive the following steps are followed:

Divide the time spent for each officer type by the number of processes completed.

Multiply the time spent per process by the hourly rate per officer type to identify the cost.

Reconciliation

All fees and charges are reconciled in three-year rolling programme to ensure full cost recovery for the Council.

The rolling programme of reconciliation would subsequently have the following timescale:

Year 1 2016/17 final account – reconciled Year 3, 4, 5 (2018/19 – 2020/21)

Year 2 2017/18 final account – reconciled Year 4, 5, 6 (2019/20 – 2021/2022)

Year 3 2018/19 final account – reconciled Year 5, 6, 7 (2020/21 – 2022/2023)

And continue into future years.

The end of year closing figure for each cost centre has been divided by 3 and will be recovered equally over a three year period.

The amount to be reconciled will be added or subtracted equally by the number of licences as appropriate in the categories below:

- A. Taxi vehicle applications
- B. Private hire vehicle applications
- I. Private hire operators applications
- J. Taxi driver applications
- K. Private hire applications

Taxi and Private Hire Fees and Charges Methodology for 2022-23

	Once finalised the end of year accounts will be published on the Council's website. The 50% subsidy paid for wheelchair accessible vehicles will be added to the final year accounts.

Review Period

- The methodology will be subject to an annual review with any amendments documented and approved by Regulatory Services Manager.

Reference documents

- Local Government – Open for Business – LGA guidance on locally set fees

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Licence Type								
	2021/22	Total Processes	Applications Total	Cost Centre & GL Code	Proposed Fee 2022/23	Proposed Income 2022/23		
Taxi/Private Hire Vehicles								
HC Vehicle Appl new and renew Fees	£196.04	121	£23,720.84	H1108 K4991	£268.13	£32,443.94		
HC Licence Vehicle Change	£12.04	3	£96.11	H1108 K5219	£29.88	£77.64		
Replacement Licence Plates	£22.32	2	£44.64	H1108 K5219	£5.24	£10.48		
PH Vehicle Appl new and renew Fees	£172.02	181	£11,244.22	H1108 K4993	£262.45	£47,502.61		
Private Hire Vehicle Change	£12.04	4	£102.24	H1108 K5219	£29.88	£105.29		
Private Hire Signage	£21.93	30	£657.90	H1108 K5211	£25.80	£773.89		
Hackney Carriage - Temporary 3 month vehicle	£80.08	0	£0.00	H1108 K4991	£111.70	£0.00		
Private Hire - Temporary 3 month vehicle	£74.22	0	£0.00	H1108 K4993	£110.29	£0.00		
Total		343	£55,896			£80,963.84		

307 total applications and renewals
9 total vehicle changes

total support costs	Private hire support costs	hackney support costs	taxi rank maintenance	
Employee related expenditure	£ 818.00			
Transport Related Expenditure	£ 950.00		0	123 total hackney vehicles
Supplies & Services (minus the cost of private hire door signs)	£ 10,520.00		£ -	£ - cost per hackney vehicle
Support Services	£ 8,721.00			
Total Support costs	£ 21,009.00			
support cost per process	£ 69.57	£ 69.57		

Officer costs	Total Hours	Time per process (h:mm)	Hourly rate	cost per process
Customer Services - application/renewal		0:00	£18.76	£0.00
Business Support Officer - application/renewal	739.20	2:26	£20.40	£49.94
Business Support Officer - amend/general/transfer	13.35	0:02	£20.40	£0.92
Business Support Officer - Vehicle HC	46.24	0:33	£20.40	£12.29
Business Support Officer - Vehicle PH	71.94	0:33	£20.40	£8.10
Licensing Officer - application/renewal	8.00	0:01	£29.53	£0.78
Licensing Officer - amend/general	0.00	0:00	£29.53	£0.00
Licensing Officer - Vehicle HC	71.94	0:35	£29.53	£17.53
Licensing Officer - Vehicle PH	119.20	0:39	£29.53	£19.47
Licensing TL - application/renewal	24.00	0:04	£45.18	£3.58
Licensing TL - amend/general	0.00	0:00	£45.18	£0.00
Licensing TL - Vehicle HC	28.15	0:14	£45.18	£10.55
Licensing TL - Vehicle PH	24.15	0:08	£45.18	£6.09
Management		0:00	£59.50	£0.00
Total	1167.00			10 costs 9,337.66

Officer Costs - Hackney carriage 1 year licence	Cost per process
Customer Services	£0.00
Business Support Officer	£62.08
Licensing Officer	£18.31
Licensing TL	£14.14
Management	£0.00
TOTAL	£94.54

Officer Costs - Private Hire 1 year licence	Cost per process
Customer Services	£0.00
Business Support Officer	£58.96
Licensing Officer	£20.25
Licensing TL	£9.64
Management	£0.00
TOTAL	£88.85

Vehicle Change applications				
Total	Total Hours	Time per process (h:mm)	Hourly rate	cost per process
Customer Services		0:00	£18.76	£0.00
Business Support Officer	8.00	0:53	£20.40	£18.13
Licensing Officer	0.00	0:00	£29.53	£0.00
Licensing TL	0.00	0:00	£45.18	£0.00
Management	0.1	0:00	£59.50	£0.00
Total	8.30	0:56		£20.64

Hackney vehicle/Temporary vehicle change (3 months)	
Customer Service	£0.00
Business Support Officer cost to process application	£49.94
licensing cost to process application	£4.37
admin officer amend	£3.04
licensing officer amend	£7.02
plat amend	£0.00
Total	£64.37

Private hire Temporary vehicle change (3 months)	
Customer Services	£0.00
admin cost to process application	£49.94
licensing cost to process application	£4.37
admin officer amend	£2.25
licensing officer amend	£6.38
plat	£0.00
Total	£62.95

Replacement plate				
Total	Total Hours	Time per process (h:mm)	Hourly rate	cost per process
Business Support Officer	0.00	0:00	£20.40	£0.00
Licensing Officer	0.00	0:00		£0.00
Licensing TL	0.00	0:00		£0.00
Management	0	0:00		£0.00
Total	0.00	0:00		£0.00

Replacement PHV Doorsignage				
Total	Total Hours	Time per process (h:mm)	Hourly rate	cost per process
Business Support Officer	31.25	0:43	£29.40	£14.56
Total	31.25	0:43		£14.56

Licence Type	Fee 2021/22	Total Processes	Applications Total	Cost Centre & GL Code	Proposed Fee 2022/23	Proposed Income 2022/23
	Taxi and Private Hire Drivers					
Taxi Drivers Knowledge Test	£44.60	127	£5,664.20	H1104 K5213	£4.73	£600.19
Taxi Drivers Application and renewal	£454.69	78	£35,465.82	H1104 K5222	£371.44	£28,972.02
PH Drivers Knowledge Test	£24.82	23	£570.86	H1104 K5213	£14.58	£335.45
PH Drivers Application and renewal	£454.69	76	£34,556.44	H1104 K5222	£371.44	£28,229.14
Replacement Badge	£13.66	0	£0.00	H1104 K5224	#DIV/0!	#DIV/0!
Convert from PH Driver to Taxi Driver	£18.60	37	£688.20	H1104 K5222	£18.64	£689.52
Total		341	£76,946			#DIV/0!

Driver new/renewals

154

Support costs

Employee related expenditure	£ 697.00
Transport Related Expenditure	£ 850.00
Supplies & Services	£ 8,570.00
Support Services	£ 6,222.00
Total Support costs	£ 16,339.00
support cost per process	£ 106.10

Officer costs	Total Hours	process		cost per	
		(h:mm)	Hourly Rate	process	process
Customer Services		0:00	£18.76		£0.00
Business Support Officer - application	492:50	3:12	£20.40		£65.28
Business Support officer - amendment/changes/general	155:00	1:00	£20.40		£20.53
Licensing Officer - application	2:35	0:01	£29.53		£0.50
Licensing Officer - amendment/changes/general	208:40	1:21	£29.53		£40.01
Licensing TL - application	17:15	0:06	£45.18		£5.06
Licensing TL - amendment/changes/general	35:15	0:13	£45.18		£10.34
Management	0:00	0:00	£59.50		£0.00
Total	911:35:00	5:55			£141.73

Private Hire Knowledge Test	Total tests	Total Hours	process		cost per	
			(h:mm)	Hourly Rate	process	process
Business Support Officer	23	3:15	0:08	£20.40		£2.88
Licensing Officer		3:20	0:08	£29.53		£4.28
Licensing TL		3:30	0:09	£45.18		£6.88
Management		0:01	0:02	£59.50		£0.55
Total			0:59			£14.58

Combined KT	Total tests	Total Hours	process		cost per	
			(h:mm)	Hourly Rate	process	process
Business Support Officer	150	16:45	0:06	£20.40		£2.28
Licensing Officer		7:05	0:02	£29.53		£1.39
Licensing TL		4:15	0:01	£45.18		£1.28
Management		0:04	0:01	£59.50		£0.34
Total			0:31			£5.29

Hackney Carriage Knowledge Test	Total tests	Total Hours	process		cost per	
			(h:mm)	Hourly Rate	process	process
Business Support Officer	127	13:30	0:06	£20.40		£2.17
Licensing Officer		3:45	0:01	£29.53		£0.87
Licensing TL		3:45	0:01	£45.18		£1.33
Management		0:45	0:21	£59.50		£0.35
Total			0:31			£4.73

Convert from Private Hire Driver to Hackney Carriage Driver	Total applications	Total Hours	Time per process		cost per	
			(h:mm)	hourly	process	process
Business Support Officer	37	30:50	0:50	£20.40		£17.00
Licensing Officer		0:15	0:00	£29.53		£0.20
Licensing TL		1:00	0	£45.18		£0.00
Management		0:00	0	£59.50		£0.00
Total						£17.20

Driver replacement badge	Total tests	Total Hours	Time per process		cost per	
			(h:mm)	hourly	process	process
Business Support Officer	0	0:00	#DIV/0!	£20.40		#DIV/0!
Cost badge						£1.44
						#DIV/0!

Licence Type						
	Fee 2021/22	Total	Applications Total	Cost Centre & GL Code	Proposed Fee 2022/23	Proposed Income 2020/21
Private Hire Operators						
Operators Application - 5 year licence	£970.97	9	£8,738.73	H1107 K4944	£2,223.10	£20,007.87
Total		9	£8,739			£20,007.87

Support costs	
Employee related expenditure	£ 131.00
Transport Related Expenditure	£ 240.00
Supplies & Services	£ 1,540.00
Support Services	£ 3,822.00
Total Support costs	£ 5,733.00
support cost per process	£ 637.00
support cost per process over 5 year licence term	£ 3,185.00

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Officer costs	Total Hours	Time per process (h:mm)	Hourly rate	cost per process
Customer Services		0:00	£18.76	£0.00
Bussines Support Officer - application/renewal	12:25	0:06	£20.40	£28.14
Business Support Officer - amend/general	2:15	0:15	£20.40	£5.10
Licensing Officer - application/renewal	2:30	0:16	£29.53	£8.20
Licensing Officer - amend/general	30:50	3:25	£29.53	£101.17
Licensing TL - application/renewal	3:00	0:20	£45.18	£15.06
Licensing TL - amend/general	4:30	0:30	£45.18	£22.59
Management	0:00	0:00	£59.50	£0.00
Total				£180.26



Hourly Rates

Customer Services	£18.76
Average Case Officers	£20.40
Average Compliance Licensing Officer	£29.53
Senior Specialist	£45.18
Head of Service	£59.50

Lead Officer	£45.90
Senior Specialist	£45.18
Compliance LO	£29.53
Compliance Officer	£38.13
Case Officer	£20.40
Head of Service	£59.50
Case Services Team Leader	£30.31

General Time (Diver, vehicle and operator)

Number of licence applications (driver new/renew;
vehicle new/renew; operator new/renew)

465

Total	Total Hours	Time per process (h:mm)	Hourly rate	cost per process
Business Support Officer	162:10	0:20	£20.40	£7.11
Licensing Officer	45:20	0:05	£29.53	£2.88
Licensing TL	118:50	0:15	£45.18	£11.55
Management	6:35	0.00	£59.50	£0.84
Total	332:55	0:42		£22.38

Calculation of Taxi and Private Hire Licensing Fees and Charges 2022-23

	Support Services	Business Support, Licensing and Management Time	General Time	Rolling Programme Adjustment	Sundry Costs (plate, badge)	Calculated 2022/23 Fee	2021/22	Variance
H1108 HC/PH Vehicles - 1 year licence								
hackney carriage vehicle	£69.57	£94.54	£22.38	£76.41	£5.24	£268.13	£196.04	£72.09
private hire vehicle	£69.57	£88.85	£22.38	£76.41	£5.24	£262.45	£172.62	£89.83
Hackney Licence Vehicle Change		£20.64			£5.24	£25.88	£32.04	-£6.16
Private Hire Vehicle Change		£20.64			£5.24	£25.88	£32.04	-£6.16
hackney carriage temporary vehicle (3 months)	£17.39	£64.37	£5.60	£19.10	£5.24	£111.70	£80.08	£31.62
Private Hire temporary vehicle (3 months)	£17.39	£62.95	£5.60	£19.10	£5.24	£110.28	£74.22	£36.06
Vehicle Licence Plates		£0.00			£5.24	£5.24	£22.32	-£17.08
Private Hire Vehicle signs (pair)		£14.56			£11.23	£25.80	£21.93	£3.87
H1104 HC/PH Drivers - 3 year licence								
HC/PH drivers	£106.10	£141.73	£22.38	£99.79	£1.44	£371.44	£454.69	-£83.25
Hackney Carriage - Knowledge test		£4.73				£4.73	£44.60	-£39.87
Private Hire - knowledge test		£14.58				£14.58	£24.82	-£10.24
Convert from Private Hire Driver to Hackney Carriage Driver		£17.20			£1.44	£18.64	£18.60	£0.04
Private Hire Replacement Badge		#DIV/0!			£1.44	#DIV/0!	£13.66	#DIV/0!
H1107 Operators - 5 year licence								
PH Operators Application and Renewal	£637.00	£180.26	£22.38	£1,383.45		£2,223.10	£970.97	£1,252.13

Agenda Item 5(1)
Appendix 2

Appendix 3 – Fees and Charges 2022/23 for Approval

	Proposed Fee for 2022/23	Current Fee	Variance
HC/PH Vehicles			
Hackney Carriage Vehicle (new/renew)	£268.13	£196.04	£72.09
Private Hire Vehicle (new/renew)	£262.45	£172.62	£89.83
Hackney Licence Vehicle Change	£25.88	£32.04	-£6.16
Private Hire Vehicle Change	£25.88	£32.04	-£6.16
Hackney carriage temporary vehicle (3 months)	£111.70	£80.08	£31.62
Private Hire temporary vehicle (3 months)	£110.28	£74.22	£36.06
Vehicle Licence Plates	£22.32	£22.32	£0
Private Hire Vehicle signs (pair)	£25.80	£21.93	£3.87
Vehicle Test	£58.00	£58.00	£0
HC/PH Drivers			
HC/PH Drivers Licence (new/renew)	£371.44	£454.69	-£83.25
Hackney Carriage Driver Knowledge test	£44.60	£44.60	£0
Private Hire Driver Knowledge test	£24.82	£24.82	£0
Convert from Private Hire Driver to Hackney Carriage Driver	£18.64	£18.60	£0.04
Private Hire Replacement Badge	£13.66	£13.66	£0
Private Hire Operators			
PH Operators Licence (new/renew)	£2,223.10	£970.97	£1,299.13

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Licensing Committee Report

Ward(s) affected: All Wards

Report of Director of Service Delivery

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Date: 20 July 2022

Hackney Carriage Fare Review 2022

Executive Summary

Ensuring that Hackney Carriage fares are reviewed regularly in line with the costs of providing the services allows drivers to cover the costs of running a taxi and providing a service to the public when it is needed whilst ensuring that fares are reasonable for the public to pay.

The report seeks to inform Licensing Committee of the 2022 review of Hackney Carriage Fares set by the Council for journeys undertaken in licensed taxis in the Borough.

Recommendation to Committee

That the Committee notes the review of Hackney Carriage Fares and decision to adopt a new fare structure following public consultation.

Reason(s) for Recommendation:

To ensure the Committee is briefed on the review of Hackney Carriage Fares for 2022.

Is the report (or part of it) exempt from publication?

No

1. Purpose of Report

1.1 The purpose of this report is to update the Licensing Committee on the work to review Hackney Carriage Fares for 2022 following well publicised price rises.

2. Strategic Priorities

Updating the Policy will contribute to our fundamental themes as follows:

- **Homes and jobs** – supporting local businesses by ensuring they are able to cover the cost of providing a service, which is capped by the Council.
- **Environment** – improving transportation in the Borough through a well-regulated private hire service.
- **Community** – tackling ensuring customers are able to access the transport services they need.

3. Background

- 3.1 Hackney carriages (taxis) are a vital form of local transport. Local Authorities have the power to set the fares of taxis which they licence.
- 3.2 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that “a district council may fix the rates or fares within the district for time as well as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.”
- 3.3 By fixing the fares, the Council is effectively setting the maximum fare that hackney carriage drivers can charge. Legally, taxi drivers may charge less than this rate but may not charge more.
- 3.4 The fares set by the Council include provisions for taxi drivers to earn a wage, cover the costs of running a taxi and providing a service to the public when it is needed whilst ensuring that fares are reasonable for the public to pay for such a service.
- 3.5 Due to the fluctuating costs of running a vehicle, it is good practice for the Council to review fares regularly to ensure that there is not an imbalance between the costs of running a vehicle for the trade against the fares charged to the public.
- 3.6 The Department for Transport Best Practice Guidance (2010) indicates that it is good practice for a local authority to use a simple formula to calculate taxi fares.
- 3.7 In 2013, the Executive approved a methodology which provided a transparent process for calculating taxi fares. This was further reviewed again in 2016. The formula takes costs, such as vehicle purchasing, depreciation and running costs, fuel, insurance, licensing costs, together with driver’s earnings and provides a

unit price for these costs per metered mile travelled, over the number of metered miles a vehicle travels with a fare paying passenger on-board.

- 3.8 In 2016 fares were reduced and the Council was challenged by way of Judicial Review on its method of setting fares. The challenge was dismissed with the Council's calculator considered a robust method of setting fares.
- 3.9 It is intended that the calculator should be run annually, or more frequently if there are significant changes to the costs such as fuel. The Council last reviewed taxi fares in 2019, with reviews in 2020 and 2021 not taking place due to the Council focusing on responding to the Coronavirus pandemic and restrictions considerably reducing the available work for taxis.

4. Consultations

- 4.1 The fare review began in February 2022 by sending a questionnaire seeking the taxi trades inputs into to the data to be used for the fare review. A copy of the questionnaire is included as Appendix 1.
- 4.2 Over 200 questionnaires were sent to all licensed hackney carriage drivers and vehicle proprietors. Only one partially completed reply was received with no data provided to support the Council with its review.
- 4.3 A trade forum meeting was held on 12 May and taxi fares were discussed amongst other matters. The trade were advised that fares were currently being reviewed and a formal public consultation would begin in the near future.
- 4.4 The initial fare setting process is delegated to the Head of Environment and Regulatory Services, who in consultation with the Lead Councillor for Environment, approved the inputs for the fare review and approved the formal public consultation of a revised table of fares, as shown at Appendix 2.
- 4.5 The trade were informed of the public consultation of an updated fare table via an email sent on 1 June. On this date a notice was placed in the Council's Reception and on 3 June a public notice was published in the Surrey Advertiser in accordance with the statutory consultation requirements.
- 4.6 Nine consultation responses were received from members of the trade. The responses mainly centred around a concern that the updated table of fares was too high, with some different ideas suggested.
- 4.7 In line with delegated arrangements, the Lead Councillor for Environment considered the objections and considered to implement the fare table as

consulted upon. Details of the objections received, together with the Lead Councillors consideration are included at Appendix 3.

- 4.8 The consideration of the objections outlined that the Council's adopted fare calculation methodology indicated that this rise was needed due to increased costs incurred by the trade and less mileage completed, meaning that costs are recovered over fewer journeys, putting the price per journey up. If the methodology were not followed, there was a concern that any other increase would mean that the trade were not able to cover their costs and may have to work longer hours in order to do so, potentially placing themselves and others at risk. Whilst the concerns from a small number of the trade around the new increased fares were acknowledged, the fares are however the maximum which may be charged. This means that whilst the trade cannot charge more, they are perfectly entitled to charge less than the set fares should they wish to.
- 4.9 Details of the decision and the implementation date of the fares were communicated to the licensed trade.

5. Key Risks

- 5.1 It is important to ensure that Hackney Carriage fares are reviewed in line with the costs of providing the service, as this allows drivers to cover the costs of running a taxi and provide a service to the public when it is needed whilst ensuring that fares are reasonable for the public to pay. Failing to review fares may affect the ability of drivers to cover their costs and earn a living or may result in the public not being able to access the service.

6. Financial Implications

- 6.1 The Local Government (Miscellaneous Provisions) Act 1976 allows the Council to recover the costs of advertising associated with the setting of Hackney Carriage Fares through the fees for vehicle licences.

7. Legal Implications

- 7.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 states that "a district council may fix the rates or fares within the district for a time as well as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a "table of fares") made or varied in accordance with the provisions of this section."

- 7.2 When the fares are varied, the Council is required to publish a notice in a local newspaper setting out the variation. Objections can be made to the variation and any such objections must be considered before the table of fares is brought into force with or without modifications.
- 7.3 The Department for Transport Best Practice Guidance (2010) indicates that it is good practice for a local authority to use a simple formula to calculate taxi fares. The Council has such a formula which has been scrutinised by way of Judicial Review and found to be robust.

8. Human Resource Implications

- 8.1 The review and implementation of taxi fares has been managed from within the current resource.
- 8.2 The setting of fares is a process which nearly all local taxi licensing authorities have chosen to do, as this provides the trade and public with an approved system of charges, based upon the time and distance of any journey taken in a licensed taxi. Not fixing the fares, whilst a possibility, could lead to a considerable confusion for the public through competition and considerable increase in officer time in resolving complaints.

9. Equality and Diversity Implications

- 9.1 Under the general equality duty as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.
- 9.2 The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.
- 9.3 The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had due regard to the aims of the equality duty.
- 9.4 The review of taxi fares will ensure that all customers are charged a fair price for the taxi service. Furthermore the recently enacted Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 will ensure that disabled people can access

transport services, free from the fear of discriminatory treatment or being faced with additional charges.

10. Climate Change/Sustainability Implications

10.1 The Council's current Taxi and Private Hire Licensing Policy sets out a vehicle age and emissions criteria in order to help improve air quality in the Borough. There are no changes to this position.

11. Summary of Options

11.1 The report is presented to the Committee for information.

12. Conclusion

12.1 A thorough review of taxi fares has taken place to ensure the taxi trade are able to cover their costs and earn a wage over the number of miles they complete with a fare paying customer.

12.2 Consultation has taken place with all members of the taxi trade on the data used in the fare methodology and costs associated with running a licensed taxi.

13. Background Papers

[Department for Transport Taxi Licensing Best Practice Guidance \(2010\)](#)

[Hackney Carriage Fare Review – Executive Report 28 March 2013](#)

[Hackney Carriage Fare Review – Executive Report 27 September 2016](#)

[High Court Judgement \(Taxi Fares\) – R \(on the application of Rostron\) v Guildford Borough Council](#)

[Guildford Method of Setting Taxi Fares – Institute of Licensing Link Magazine Autumn 2020](#)

14. Appendices

None

Please ensure the following service areas have signed off your report. Please complete this box and do not delete.

<i>Service</i>	<i>Sign off date</i>
<i>Finance / S.151 Officer</i>	<i>1 July 2022</i>
<i>Legal / Governance</i>	
<i>HR</i>	
<i>Equalities</i>	
<i>Lead Councillor</i>	
<i>CMT</i>	<i>6 July 2022</i>
<i>Committee Services</i>	<i>30 June 2022</i>

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www.guildford.gov.uk

Name	Our Ref:	Taxi Fare Review 2020
Address	Your Ref:	
Address	Contact:	Licensing
Address	Direct Line:	01483 505050
Post Code	Email:	regulatoryservices@guildford.gov.uk

February 2022

Dear Sir/Madam

Review of Hackney Carriage Fares

The Council is commencing its review of Hackney Carriage Fares for 2022.

The Council has a methodology for setting fares which takes costs, such as vehicle running costs, depreciation, fuel, insurance, licensing costs, together with drivers earnings and provides a unit price for these costs per metered mile travelled, over the number of metered miles a vehicle travels. The fares set include provisions for taxi drivers to earn a wage, cover costs of running a taxi and provide a service to the public when it is needed; balanced against what is reasonable for the public to pay for such a service.

The questionnaire enclosed with this letter seeks to consult the taxi trade on the data and costs used to calculate the Borough’s taxi fares. Please read the questionnaire and take the time to complete it. The higher response rate will ensure that the views of the trade are taken into account when calculating the fares.

Historically, we have had a very poor response during consultation, yet we deal with considerable concerns from the trade who did not participate but do not like the fares calculated based upon the data used. It is therefore essential that you take this opportunity to respond to the consultation with your views. It is also important to provide as much detail and evidence as possible with your response such as copies of receipts and journey records in order to substantiate any figures given.

To ensure that your views are taken into account, please read and complete the attached questionnaire, returning it to Guildford Borough Council Licensing, Millmead House, Millmead, Guildford, Surrey, GU2 4BB by 17:00 on the 28 February 2022.

Should you have any questions then please do not hesitate to contact the Licensing Team.

Yours sincerely,



www.guildford.gov.uk

Mike Smith
Senior Specialist for Licensing and Community Safety
Environment and Regulatory Services



GUILDFORD
BOROUGH

Guildford Borough Council Licensing
Millmead House, Millmead, Guildford,
Surrey, GU2 4BB
Tel: 01483 50 50 50
Email: regulatoryservices@guildford.gov.uk
Web: www.guildford.gov.uk/taxi

Hackney Carriage Fare Review 2022 – Trade Consultation

Overview

Guildford Borough Council licenses and regulates taxi and private hire services in the Borough. As part of this we set the maximum fares which taxis (Hackney Carriages) can charge. These fares are normally reviewed each year and reflect the costs of operating a taxi in Guildford, against what it is reasonable for the public to pay for the service.

In 2013 the Council approved a methodology of calculating taxi fares which allows the costs of running a vehicle and providing the service to be recovered over the number of miles licensed vehicles complete.

The date input into the methodology is reviewed every year and this questionnaire seeks to consult the taxi trade on the data and costs used to calculate the Borough's taxi fares. Please read the questionnaire and take the time to complete it. The higher response rate will ensure that the views of the trade are taken into account when calculating the fares. It is also important to provide as much detail and evidence as possible with your response such as copies of receipts and journey records in order to substantiate any figures given.

Consultation

Please participate constructively in this consultation and let us know your views by 17:00 on the 28 February 2022. Anonymous responses, historical submissions or challenges to the approved methodology will not be considered.

The responses to this consultation will be considered and taken into account when deciding what changes should be made to taxi fares and tariffs.

We will update the trade on progress through our newsletters.

Any responses may be published by the Council.

Any enquiries about this consultation can be made to the Licensing Team.

Section 1: Figures used to Calculate Fares

The table below shows the annual average mileage, annual average salary and annual average cost figures used to calculate the current fares in effect. Please use the space provided in order to make any comment on these figures for this years review. Comments can include views on what the figure should be, or if the figure should not be included.

Please provide as much evidence as possible in order to justify your comments and substantiate any figures given, for example if you spend £600 on tyres per year, record this figure and provide a copy of the receipt. Figures provided without supporting evidence cannot be considered.

Item	Current Figure	Comments for 2022 Fares
Annual average salary for Guildford	£31,537	
The average annual mileage for a Guildford taxi	23,220 miles	
The amount of mileage without a fare paying passenger	10,449 miles	
The amount of mileage with a fare paying passenger	12,771 miles	
The average mileage travelled for each fare paying journey in Guildford	2.5 miles	
The average number of journeys travelled with a fare paying passenger	5108.4	
Dead mileage* rate	45%	
Annual vehicle depreciation	£3692.35	
Cost of capital	£592.22	
Annual cost of insurance	£1157.92	
Cost of Road Tax	£190	

Average breakdown cover	£54.73	
Average cost of fuel per litre over past 12 months, plus an additional 5 pence	137.0 pence	
Annual cost of tyres	£513.16	
Annual service labour costs	£568.89	
Annual cost of replacement parts	£759.29	
Annual cost of parking and tolls	£508.52	
Annual station rank permit	£1038	
Annual Hackney Carriage Licence fee	£249.74	
Vehicle test fees	£114 (£57 x 2)	
Driver Licence fee (pro rata)	£127.85	
Cost of providing a roof sign and meter	£60	
One off cost of applying Hackney Carriage Livery (over 10 years)	£1200	
One off cost to remove Hackney Carriage Livery at the end of a vehicle's life (over 10 years)	£300	
Annual cost of Hackney Carriage Livery maintenance	£300	
Cost of card payment terminal (per year)	£500	

* Dead mileage is defined as the percentage of the distance that is travelled without a fare paying passenger aboard. It does not include any distance travelled on a fare where the meter is not used (for example a school contract or airport run), any distance travelled in the vehicle for personal (social, domestic, pleasure) use, or distance travelled to and from home to work.

Section 2 – Proposals for 2022 Review

We are proposing to take the vehicle running cost figures previously used, and adjust these for inflation for the period since publication, so that they are up to date for 2022. We propose to use government RPI inflation figures to adjust the data.

We are proposing to include an annual allowance of £100 for the cost of installing and maintaining a CCTV system as required under the new Policy. This is based upon an estimated installation cost of £600 and up to £400 to cover servicing and maintenance costs, over the 10 year life of a vehicle.

We are not proposing to amend the times affecting the current tariffs.

We are pleased to hear views from the trade on the inclusion or removal of any costs associated with running a vehicle or amending the times affecting the tariff. Please use the space below to make any suggestions, for example other costs associated with running a taxi in Guildford which you would like included in the fare calculator.

Please make any comments in the section below and include as much evidence as possible in order to justify your comments. Figures provided without supporting evidence cannot be considered.

Section 3 – Any other comments

Finally, we are pleased to hear views from the trade on any other items relevant to taxi fares which would benefit both the licensed trade and passengers.

Please use the space below to make any other relevant suggestions or comments.

Section 4 – Consultee Details

Please note that anonymous responses will not be considered.

Name			
HC Driver Licence No		HC Vehicle Licence No	

Please return to Licensing at the address above by 17:00 on 28 February 2022.

Thank you for taking the time to complete this questionnaire.

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**GUILDFORD BOROUGH HACKNEY CARRIAGE FARE CHART effective 13 July 2022
FARES FOR DISTANCE & TIME**

All distance and time charges include uncompleted parts thereof.

Tariff 1: DAYTIME RATES: (except where rates 2 or 3 apply)		Tariff 2: NIGHT AND HOLIDAY RATE:		Tariff 3: DOUBLE DAYTIME RATE:		4. EXTRA CHARGES:	
Rate for the first mile: £6.36 Mon - Sat and £7.36 Sun		Rate for the first mile: £8.54		Rate for the first mile: £12.72			
Rate for each mile thereafter: £3.56		Rate for each mile thereafter: £5.34		Rate for each mile thereafter: £7.12			
HIRINGS BETWEEN 7am and 11pm		HIRINGS BETWEEN 11PM AND 7AM AND NATIONAL PUBLIC HOLIDAYS (except where Double Day Rate applies)		HIRINGS BETWEEN:			
£3.00 (Mon – Sat)	Maximum charge up to 99 yards or 17 seconds	£3.50 (Mon-Sun)	Maximum charge up to 99 yards or 17 seconds	1) 11pm on Christmas Eve and 5am on 27 December; and 2) 11pm on 31 December and 7am on 1 January	For each passenger in excess of One:	50p	
£4.00 (Sun)							
20p	For each additional 99 yards or 17 seconds.	30p	For each additional 99 yards or 17 seconds.		Soiling the carriage leaving it unfit for immediate subs hiring:	£100	
ALL LUGGAGE CARRIED INSIDE OR OUTSIDE THE PASSENGER COMPARTMENT IS FREE OF CHARGE. ANY ASSISTANCE DOG IS CARRIED FREE OF CHARGE. PAYMENT BY CREDIT/DEBIT CARD IS FREE OF CHARGE.							
IMPORTANT							
If the journey takes the taxi outside the Guildford Borough area, the driver MUST still charge in accordance with the above scale unless he/she has agreed otherwise with the hirer before the journey has started. These are the maximum fares chargeable.							
COMPLAINTS							
Any complaints about a taxi or driver should be directed to: Licensing Team, Guildford Borough Council, Millmead House, Millmead, Guildford, Surrey, GU2 4BB or (01483) 505050, regulatoryservices@guildford.gov.uk ; quoting, if possible, the taxi plate number and/or the driver's badge number.							
Environment and Regulatory Services Manager, Guildford Borough Council							

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Guildford Borough Council
 Hackney Carriage Fare Review 2022
 Objection Received to Advertised Fares

The Council adopted a taxi fare calculator in 2013. This is used to calculate fares based on the cost of running a taxi and takes into account relevant elements in this.

We consulted with all the trade between asking for information on running costs prior to using the calculator to set new fares. We asked over 200 drivers and operators and received 1 incomplete response. Using this information we amended the calculator and we then consulted upon these.

The following table sets out the objection received and the response to these.

Objection received and consideration given

No	Name	Objection	Consideration
1	Zulfiqar Ali Received on 6 June 2022 at 00:39	<p>I have reviewed the 'Amendment to Hackney Carriage Fares' below and I believe that at this time, the fares should stay the same as the current fares and shouldn't be increased as per the chart below.</p> <p>I believe this because in the current climate, cost of living has increased and customers will be unable to afford these new fares. We as Taxi Drivers will receive no benefit from this fare increase but instead, we will end up losing business. Also, because of Covid, business hasn't revived to pre-covid levels and this fare increase could further damage business.</p>	<p>The fares are set using an adopted methodology which seeks to allow drivers recover the costs of running a taxi and earn the average wage for Guildford; balanced against what it is reasonable for the public to pay.</p> <p>Fares were last reviewed in 2019 and costs have increased considerably in this time. Furthermore the average number of mileage completed by licensed vehicles has reduced, meaning that costs need to be recovered over fewer journeys</p>

			<p>resulting in a higher fare under the methodology.</p> <p>The fares are a statutory maximum. The trade cannot charge more than this rate but may choose to charge less should they wish for any reason, including to encourage custom/competition.</p>
2	<p>Nasar Hussain Received on 3 June 2022 at 09:42</p>	<p>Thank you for the update below.</p> <p>I have taken the opportunity to review the fare rates below. The rates have increased significantly and this will have an impact on our trade. With cost of living and inflation soaring it is very likely that we will see a significant loss of trade as the new rates will be deemed to be too expensive for customers.</p> <p>We do acknowledge there is a requirement for the rates to be adjusted and therefore a rate increase of 15% is reasonable.</p>	<p>As above.</p> <p>The methodology was developed as the Council did not wish to have fares reviewed with arbitrary increases which have no basis.</p>
3	<p>Alison Wood Received on 2 June 2022 at 14:29</p>	<p>I would like to object to the proposed increase of Hackney Carriage fares, I believe that in the current economic climate this increase would be suicidal for the trade. I believe, with the astronomical fuel prices which continue to rise, a fuel surcharge would be more appropriate at this time.</p>	<p>As above.</p> <p>A fuel surcharge was previously removed as can increase confusion and is difficult to implement due to the varying price of fuel between filling stations. No suggestion about what level the fuel surcharge should be set at is provided.</p>
4	<p>roy mallyon Received on 2 June 2022 at 14:05</p>	<p>We only want 10% don't want to be greedy we're losing trade to Uber</p>	<p>The Council sets fares to allow the trade to recover their costs. Greed is not a factor.</p>

<p>5</p>	<p>sajad Hussain Received on 2 June 2022 at 13:54 and 15 June at 10:23</p>	<p>I cannot understand how this is calculated. Already the rates are ok. The increase is way to high I therefore object to this increase. It should only increase with the rate of inflation which is 7-10%</p> <ol style="list-style-type: none"> 1. Your robust methodology from my opinion is not fit for purpose, reason being firstly as you have stated that only one person has filled out the questionnaire (partially), so how did you work that out? 2. Also because people can't be bothered to fill it the questionnaire out how have based the increase on? 3. Also we are in a living squeeze, we should be helping people and not making it worse for the customer. 4. Correct me but GBC meter rates are already one of the highest in the country? 5. Rate of inflation is between 7-10% Rate should be based upon that. Not the rates you have made up from thin air, which in my opinion are about 30-40 %. Therefore in my opinion each job should only increase by £1 or 10% to cover the inflation etc 6. We have competition in Uber and other private hire companies, we are currently competitive with them, with the new rates you have suggested, you will kill off any business we have. Also have done a survey and all customers are not happy with this big increase. 	<p>As above. The number of new drivers and other points below this are not relevant to the fare review.</p>
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	<p>7. As suggested by yourselves, that we can negotiate lower rates etc, then why have the meter, purpose of the meter is to give the customer satisfaction that we are not robbing them, and these fares should reflect that, and give the customer peace of mind, stress free and security.</p> <p>These are my reasons, please reflect on this and do not raise the rates so high, I object...</p> <p>I also believe the council has other pressing matters eg.</p> <p>1. Number of new drivers? As you know they are all doing these tests on line without revision and cheating it is very easy when you are at home with an Atlas opened etc or having a friend do it etc I have had a number of customers refusing to go with taxi drivers that don't know the way or have to put it in the GPS etc</p> <p>2. Why is it that no new drivers have printers for their card machine, when the council made it compulsory on us old drivers to purchase printers, have the council checked on this, I don't think so.</p> <p>3. CCTV, council have given no guidelines as to how they will tackle GDPR, how it will affect school runs with children in it, how it will affect, when we will have our families and children in it and who will supply and fit and costs associated etc</p>	
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		4. Security guards on Friday and Saturday night, they turn up late always, only work till 2am, as you know all trouble starts after 2am to 3:30am, why are we paying for them? When we need them they're not there!	
6	Carl Van Wyk Received on 8 June 2022 at 12:21	I'm objecting to the new taxi fares as I believe it's too much of an increase. I have a lot of elderly customers that couldn't afford those prices. I think a fuel surcharge would be more appropriate but we should not change the current fares.	As above.
7	Mohammed Nabi Received on 10 June 2022 at 07:26	Please note my rejection to the proposed fare increase. My opinion would be an increase of 50p fuel charge on each job why fuel is high and an increase of no more than 10%	As above.
8	Andrew Cox Received on 14 June 2022 at 10:45	I am objecting to the proposed fare increase, I think it is too much, we do need an increase but I think a smaller amount would be better accepted by the public.	As above. No figure for an increase is suggested.
9	Ian Brennan Received on 20 June 2022 at 12:26 and 13:04	Most of our drivers would like £1 extra pull off and £1 fuel charge on extra. The £1 on the pull off is enough increase for our fares and £1 on the extras until fuel prices drop back down to a normal price and we represent all drivers myself naheem reg steve as a committee	As above. No indication is given about what a 'normal' fuel price is, and there is no evidence that this is the view of all drivers.

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Licensing Committee Report

Ward(s) affected: All Wards

Report of Director of Service Delivery

Author: Mike Smith

Tel: 01483 444387

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Lead Councillor responsible: James Steel

Tel: 07518 995615

Email: james.steel@guildford.gov.uk

Date: 20 July 2022

Taxi and Private Hire Legislation Update

Executive Summary

The Council in its role as the Licensing Authority for the hackney carriage and private hire vehicle trades has a paramount obligation to ensure the safety of the public.

There have been two important recent updates to peripheral legislation concerning a Licensing Authorities duty regarding the reporting of safeguarding concerns; and duties on both Licensing Authorities and the Licensed Trade concerning the carriage of disabled customers. This report seeks to brief Licensing Committee on the changes.

Recommendation to Committee

That the Committee notes the updates to legislation and actions taken to communicate changes to the Licensed Trade.

Reason(s) for Recommendation:

To ensure the Committee is briefed on legislative updates affecting the Taxi and Private Hire Vehicle Licensing function.

Is the report (or part of it) exempt from publication?

No

1. Purpose of Report

- 1.1 The purpose of this report is to brief the Committee on updates to two recent updates to legislation affecting the licensing of the Hackney Carriage and Private Hire trades.

2. Strategic Priorities

Updating the Policy will contribute to our fundamental themes as follows:

- **Homes and jobs** – supporting local businesses by ensuring they are aware of legislative changes.
- **Environment** – improving transportation in the Borough through a well-regulated private hire service.
- **Community** – tackling inequality in communities by ensuring customers with a disability are able to access the transport services they need.

3. Background

- 3.1 The Council in its role as the Licensing Authority for the hackney carriage and private hire vehicle trades has a paramount obligation to ensure the safety of the public. The current Hackney Carriage and Private Hire Licensing Policy approved in April 2021, reflecting Guidance issued by the Department of Transport in July 2020, introduced positive changes to the licensing function reflecting this obligation.
- 3.2 There have been two recent legislative updates which are relevant for both the Council and Licensed Trade which this report seeks to brief Members of the Licensing Committee upon.
- 3.3 The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022

This Act received Royal Assent on 31 March 2022 and places new duties on taxi and private hire vehicle licensing authorities in England only.

From 31 May 2022, if any licensing authority has certain road safety or safeguarding concern about a driver licensed by another authority, they must provide relevant information to the authority that issued the licence.

In turn, any licensing authority provided with such information must consider whether to suspend or revoke the driver's licence as a result of that information.

The Act defines a relevant concern as the driver having:

- committed a sexual offence (regardless of whether the person was charged with, prosecuted for or convicted of the offence)
- harassed another person
- caused physical or psychological harm to another person (regardless of whether the person was charged with, prosecuted for or convicted of the offence)
- committed an offence that involves a risk of causing physical or psychological harm to another person
- committed an offence under section 165, 168 or 170 of the Equality Act 2010 (regardless of whether the person was charged with, prosecuted for or convicted of the offence)
- did anything that constitutes unlawful discrimination or victimisation against another person for the purposes of the Equality Act 2010
- threatened, abused or insulted another person
- poses a risk to road safety while driving
- may be unsuitable to hold a taxi or PHV driver's licence for other reasons related to the safeguarding of passengers or road safety

Furthermore, attempting to or conspiring to commit the above offences also constitutes a valid safeguarding or road safety concern.

It is important to note that before 31 May 2022 any licensing authority could have already provided information/concerns about a licence holder to the home authority to act upon. The aim of this legislation is to improve co-operation between local authorities when responding to drivers and vehicles working outside of their licensed area.

This Act also creates a two-way flow of information, as it requires the licensing authority receiving the information not only to consider whether to suspend or revoke the driver's licence, but also within 20 working days of receiving the concerns, the licensing authority must inform, the licensing authority that reported the concerns whether it has suspended or revoked the driver's licence (or intends to take this action) together with their reasons.

In due course, the Act will also require licensing authorities in England to input, into a central database, instances where the authority has refused, suspended, or revoked a taxi or PHV driver's licence because of certain safeguarding or road safety concerns.

The Act places a further requirement for a licensing authority to check the register before deciding whether to grant or renew a driver licence, and if there is a relevant entry, the authority will be required to contact the recording

authority to request the relevant information. The decision-making licensing authority is then required to have regard to the information provided when making their decision.

The recording and checking of refusals and revocation is already possible using the National Anti Fraud Network (NAFN) NR3 database and is something which Guildford has been undertaking for some time. This duty serves as a vital tool to ensure that drivers refused/revoked in one area are not applying to a different area to work.

3.4 The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022

The second Act came into force on 28 June and is designed to ensure that all disabled people can access transport services, free from the fear of discriminatory treatment or being faced with additional charges. It provides specific rights and protections for 13.7 million disabled people across the country so that they can travel with the confidence that they will receive the assistance they require when accessing taxi and private hire vehicle services.

The Act conveys several key actions which Licensing Authorities will need to take from 28 June:

- Lists of Wheelchair Accessible Vehicles (WAVs)
All licensing authorities now must maintain and publish a list of licenced taxis and PHVs they designate as being wheelchair accessible. This will identify the vehicles whose drivers are subject to the duties at section 165 of the Equality Act on providing assistance to wheelchair users and refraining from charging extra for this. Previously, whilst it was good practice to maintain a list of designated WAV list, it was not a legal requirement.
- Exemptions
Previously, drivers of designated WAVs may apply for an exemption certificate on medical grounds or where their physical condition makes it impossible or unreasonably difficult to perform the section 165 duties. As a result of the new Act, All taxi and PHV drivers may apply for an exemption certificate and notice on medical grounds or where their physical condition prevents them from performing the mobility assistance duties at sections 164a and 165.
The Department for Transport recommends that Authorities have an appropriate and transparent policy in place for inviting applications and then issuing exemption certificates and notices, where the Authority is satisfied that it is appropriate to do so on medical or physical grounds. It is

recommended that drivers provide evidence to support their application, preferably from an independent medical professional.

The Act also places new requirements for drivers and operators:

The previous legislation required drivers of designated wheelchair accessible vehicles to accept the carriage of wheelchair users, provide them with reasonable mobility assistance, and refrain from charging them more than other passengers. From 28 June, all taxi and PHV drivers and operators – regardless of whether the vehicle is wheelchair accessible – will be subject to duties under the Equality Act.

The main changes are as follows:

- Taxi and PHV drivers will be required to:
 - Accept the carriage of any disabled person, provide them with reasonable mobility assistance, and carry their mobility aids, all without charging any more than they would for a non-disabled passenger.
 - Provide any disabled passenger who requests it with assistance to identify the vehicle, at no extra charge.
- PHV operators will be required to:
 - Accept bookings for or on behalf of any disabled person if they have a suitable vehicle available.

These protections to all customers are much welcomed and now give a legal duty to all drivers to carry a passenger with any mental or physical impairment affecting their day-to-day activities and creates a specific offence of failing to do so.

There will be a number of actions for the trade and licensing authorities to take from 28 June, notably around the awareness of health conditions which are now covered. Not all disabilities are visible many disabled passengers show no outward sign of their condition, so drivers and operators will need to know how to speak to the passenger about their condition and ascertain their specific needs, without causing offence.

In the longer term, as the Council currently requires disability awareness training for drivers (which is included in the Level 2 Qualification requirement), consideration will need to be given as to whether this is sufficient to cover the duties under the new Act, rather than just covering wheelchair and assistance dog users where duties now go beyond this. It is envisaged that the next Policy

Review will follow the publication of the updated Best Practice Guidance which the Department for Transport recently consulted upon.

4. Consultations

4.1 These are changes in National legislation which have been introduced through Parliament via Private Members Bills.

4.2 Members of the licensed trade have been updated via the Council's Taxi and Private Hire Trade Newsletters.

5. Key Risks

5.1 There are no Key Risks associated with this report.

6. Financial Implications

6.1 The Council levies a fee for driver, vehicle and operator licences as per sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976. Fees are reviewed annually and calculated using an approved methodology in order to recuperate the Council's legally recoverable costs.

6.2 There are no financial implications associated with this report.

7. Legal Implications

7.1 The Council in its role as the Licensing Authority for the hackney carriage and private hire vehicle trades has a paramount obligation to ensure the safety of the public.

7.2 The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 placed a new mandatory duty on Licensing Authorities to report and act upon relevant concerns involving licensed drivers. The Act will also require, in due course, to utilise and check a central database for recording licensing decisions.

7.3 The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 amends the Equality Act 2010 to introduce new, and amend existing, duties for local authorities and taxi and private hire vehicle drivers and operators. This Act aims to ensure that disabled people can use taxi and PHV services with confidence that they will not be discriminated against, and local authorities have an important role to play in ensuring the requirements are implemented effectively.

8. Human Resource Implications

- 8.1 The legislative update can be managed from within the current resource.

9. Equality and Diversity Implications

- 9.1 Under the general equality duty as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.

- 9.2 The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.

- 9.3 The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had due regard to the aims of the equality duty.

- 9.4 The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 will ensure that disabled people can access transport services, free from the fear of discriminatory treatment or being faced with additional charges. It will provide specific rights and protections for 13.7 million disabled people across England, Scotland, and Wales so that they can travel with the confidence that they will receive the assistance they require when accessing taxi and private hire vehicle services.

10. Climate Change/Sustainability Implications

- 10.1 The Council's current Taxi and Private Hire Licensing Policy sets out a vehicle age and emissions criteria in order to help improve air quality in the Borough. There are no changes to this position.

11. Summary of Options

- 11.1 The report is presented to the Committee for information.

12. Conclusion

- 12.1 These two new Acts, whilst not providing much needed wholesale reform, provide must welcomed safeguards to all taxi users to ensure that standards can be maintained for the safety and accessibility of all users.

13. Background Papers

[Taxi and Private Hire Licensing Policy 2021](#)

[Statutory Taxi and Private Hire Vehicle Standards \(Department for Transport, 2020\)](#)

[Taxi and Private Hire Vehicle Licensing: Best Practice \(Department for Transport, 2010\)](#)

[Taxi and Private Hire Vehicle Licensing: Councillor Handbook \(Local Government Association, 2021\)](#)

[The Taxis and Private Hire Vehicles \(Safeguarding and Road Safety\) Act 2022](#)

[The Taxis and Private Hire Vehicles \(Disabled Persons\) Act 2022](#)

[Access to Taxi and Private Hire Vehicles for Disabled Users \(Department for Transport, 2022\)](#)

14. Appendices

None

Please ensure the following service areas have signed off your report. Please complete this box and do not delete.

Service	Sign off date
<i>Finance / S.151 Officer</i>	<i>1 July 2022</i>
<i>Legal / Governance</i>	<i>05 July 2022</i>
<i>HR</i>	
<i>Equalities</i>	
<i>Lead Councillor</i>	

<i>CMT</i>	<i>6 July 2022</i>
<i>Committee Services</i>	<i>29 June 2022</i>

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Licensing Committee Report

Ward(s) affected: All Wards

Report of the Director of Service Delivery

Author: Mike Smith, Senior Specialist for Licensing and Community Safety

Tel: 01483 444387

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Lead Councillor responsible: James Steel

Tel: 07518 995615

Email: james.steel@guildford.gov.uk

Date: 20 July 2022

Extension to Pavement Licensing

Executive Summary

The Business and Planning Act 2020 enacted in July 2020 sought to assist the hospitality industry recover from the first Covid19 'lockdown' by making it easier for premises serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing. The legislation was introduced with an original end date of 30 September 2021.

On 23 September 2020 Licensing Committee considered a report and agreed a Policy concerning the Pavement Licensing function. The Policy was agreed with an end date in line with the legislation. On 20 July 2021 the Government extended Pavement Licences until 30 September 2022 under the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021 and Licensing Committee on 29 September 2021 subsequently agreed to extend the approved Policy until this date.

On 16 June 2022 a Statutory Instrument was laid in Parliament to extend the provisions for a further year, pending the creation of a permanent new Pavement Licensing regime under the Levelling Up and Regeneration Bill.

Recommendation Committee

That the Committee notes the extension of the Business and Planning Act for the Licensed trade, and subject to the passing of the necessary Statutory Instrument, Approves the extension of the current Pavement Licensing Policy at Appendix 1 for a further 12 months.

Reason(s) for Recommendation:

Approval of the policy will assist the Council with consistent decision making and provide guidance for applicants.

Is the report (or part of it) exempt from publication?

No

1. Purpose of Report

- 1.1 The purpose of this report is to brief the Licensing Committee on the extension of the Business and Planning Act (the Act), which came into force on 22 July 2020, and to approve an extension to the current Policy for determining Pavement Licence applications issued under the Act.

2. Strategic Priorities

- 2.1 The Pavement Licensing Policy will contribute to our fundamental themes as follows:

- **Homes and Jobs** – regenerating and improving Guildford town centre and other areas across the Borough through well-regulated licensed establishments.
- **Environment** – enhancing recreational facilities through well-regulated licensed establishments.
- **Key Programmes** – Regenerating Guildford Town Centre creating employment opportunities and high-quality public spaces.

3. Background

- 3.1 On 25 June 2020, the Government announced relaxations to planning and licensing laws to help the hospitality industry recover from the coronavirus lockdown. The Business and Planning Act received Royal Assent on 22 July 2020 and came into force immediately. It introduced measures to make it easier for premises serving food and drink such as bars, restaurants and pubs to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing.
- 3.2 The legislation was set to expire on 30 September 2021 but has been extended until 30 September 2022 under the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021 in order to further support the sector.

- 3.3 Furthermore, under the Levelling Up Bill the Government has also committed to making the Pavement Licence regime (issued by Districts and Boroughs) permanent.
- 3.4 However, whilst the Levelling Up Bill makes its way through Parliament, on 16 June 2022 a Statutory Instrument was laid to extend the current regime for a further 12 months.
- 3.5 In order to provide guidance for applicants and a framework for consistent decision making, a Policy concerning the Pavement Licensing function was approved by Licensing Committee on 23 September 2020 and on 20 September 2021 subsequently extended to September 2022.
- 3.6 The Pavement Licence process has proven popular in Guildford, with currently 35 Licences in effect.

4. Consultations

- 4.1 The Policy covers the temporary permissions for Pavement Licences under the Business and Planning Act 2020, which were originally scheduled to expire on 30 September 2021 but have now been extended for an additional year.
- 4.2 The Policy was drafted in consultation with the consultees listed in section 3.3 of the Policy and consulted upon with the appropriate lead councillors and the Leader of the Council at the time of adoption. Following its use in determining applications received since its adoption officers do not believe that the Policy requires further review at this time.
- 4.3 Feedback received during the current operation of the Policy have not given Officers any cause to make any changes, which provides a framework for consistent decision making.

5. Key Risks

- 5.1 Not having a Policy concerning Pavement Licensing may lead to inconsistent decision making and potential legal challenge to the Council.

6. Financial Implications

- 6.1 The Business and Planning Act was introduced to support the hospitality industry to recover from the coronavirus pandemic. Many of these businesses are licence fee payers under the Licensing Act 2003.
- 6.2 The application fee for Pavement Licensing is capped by legislation at £100 and it is unlikely that the full costs of setting up the function, processing of applications and enforcement of licences will be recovered through the fee.
- 6.3 The Council has however received a new burdens payment contribution to assist with the costs of implementing the legislation.

7. Legal Implications

- 7.1 There is no statutory requirement to have a Pavement Licensing Policy, although having a transparent Policy guides applicants and enables consistent decision making.

8. Human Resource Implications

- 8.1 The introduction of Pavement licensing administered by Guildford Borough Council has required Licensing officers to divert and prioritise resources into setting up and administering this regime.

9. Equality and Diversity Implications

- 9.1 Under the public sector equality duty as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.
- 9.2 The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.
- 9.3 The law requires that this “duty to have due regard” be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public

authorities can demonstrate that they have had due regard to the aims of equality duty.

- 9.4 The Act requires authorities to have regard to the needs of disabled people when considering whether to grant a pavement licence. Adopting a Policy will assist in this decision making.

10. Climate Change/Sustainability Implications

- 10.1 Potential effects of litter arising from an increase in outside food and beverage consumption can be managed via conditions attached to Pavement Licences. The Act requires Licence holders to make reasonable provision for outside seating where smoking is not permitted.

11. Summary of Options

- 11.1 After considering the report, the Committee may either:
- Approve an extension of the current Policy at Appendix 1, or
 - Approve an extension of the current Policy at Appendix 1 with amendments.

12. Conclusion

- 12.1 The Covid-19 pandemic affected businesses across the economy causing many to cease trading for several months while others have had to significantly modify their operations. Unfortunately some businesses have not reopened. For the hospitality industry the measures in the Business and Planning Act have provided some much-needed flexibility as they seek to reopen fully following Covid and social distancing requirements.
- 12.2 The Pavement Licence has proven successful to the extent that the government has further extended the legislation and consequently a request is made of the Committee to approve an extension of the current policy.

13. Background Papers

- 13.1 [The Business and Planning Act](#)
- 13.2 [Ministry of Housing, Communities and Local Government - Guidance: Pavement Licences](#)
- 13.3 [The Business and Planning Act 2020 \(Pavement Licences\) \(Coronavirus\) \(Amendment\) Regulations 2021](#)

13.4 [Ministry of Housing, Communities and Local Government – Build Back Better High Streets](#)

14. Appendices

Appendix 1 – Guildford Borough Pavement Licensing Policy 2020-23

Please ensure the following service areas have signed off your report. Please complete this box and do not delete.

<i>Service</i>	<i>Sign off date</i>
<i>Finance / S.151 Officer</i>	<i>01 July 2022</i>
<i>Legal / Governance</i>	<i>04 July 2022</i>
<i>HR</i>	
<i>Equalities</i>	
<i>Lead Councillor</i>	
<i>CMT</i>	<i>06 July 2022</i>
<i>Committee Services</i>	<i>28 June 2022</i>



GUILDFORD
BOROUGH



Pavement Licensing Policy 2020-23



Effective: (23 September 2020)
Version 3 – Updated for extension of legislation
28 June 2022

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1. Introduction

The COVID-19 pandemic has affected businesses across the economy causing many to cease trading for several months while others have had to significantly modify their operations.

As the economy starts to re-open, on 25 June 2020 the Government announced a further and urgent relaxation to planning and licensing laws to help the hospitality industry recover from the coronavirus lockdown by removing some requirements and expediting others.

The Business and Planning Act 2020 makes it easier for premises serving food and drink such as bars, restaurants and pubs, as lockdown restrictions are lifted but social distancing guidelines remain in place, to seat and serve customers outdoors through temporary changes to planning procedures and alcohol licensing.

The measures included in the Act modify provisions in the Licensing Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to allow for off-sales. It will be a temporary measure to boost the economy.

The Act also introduces a temporary fast-track process for these businesses to obtain permission, in the form of a "pavement licence", from Guildford Borough Council for the placement of furniture such as tables and chairs on the pavement outside their premises which will enable them to maximise their capacity whilst adhering to social distancing guidelines.

Currently, tables and chairs permissions are granted as Pavement licences by Surrey County Council, the Highways Authority, under Part 7A of the Highways Act 1980. The fee varies between local authorities and there is a 28 day consultation period.

The new temporary measure places a cap on the application fee for businesses, and introduces a new 14-day determination period, ensuring that businesses can obtain licences in a timely and cost effective manner aiding their financial recovery.

The original Pavement Licensing provisions were set to expire on 30 September 2020 however have been extended further, until 30 September 2023.

2. Scope

2.1 Definition of pavement café

A pavement licence is a licence granted by the local authority, or deemed to have been granted, which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes.

2.2 Eligible Businesses

A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.

A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

2.3 Eligible Locations

Licences can only be granted in respect of highways listed in section 115A(1) Highways Act 1980.

Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Highways maintained by Network Rail or over the Crown land are exempt (so a licence cannot be granted).

2.4 Type of furniture permitted

The furniture which may be used is:

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.

This furniture is required to be removable, which in principle means it is not a permanent fixed structure, and is able to be moved easily, and stored away of an evening.

The Council would also expect the type of furniture to be 'in keeping' with the local area.

2.5 Planning Permission

Once a licence is granted, or deemed to be granted, the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid.

2.6 Interaction with Part 7A of the Highways Act 1980

Part 7A of the Highways Act 1980 already provides a mechanism for local authorities to grant businesses permission to place objects or structures on the highway for any of the following:

- (i) for a purpose which will result in the production of income;
- (ii) for the purpose of providing a centre for advice or information; or
- (iii) for the purpose of advertising.

In Guildford Borough Council's area, permissions to put tables and chairs on the highway under Part 7A of the Highways Act 1980 are dealt with by Surrey County Council Highways.

The new pavement licence regime runs alongside the provisions in Part 7A of the Highways Act 1980, which remain in place.

Any existing permissions issued under Part 7A of the Highways Act 1980 remain valid.

3. Application and Determination of Pavement Licences

3.1 Submission of the Application

An application for a Pavement Licence must be made to the Council, and the following will be required to be submitted with the application:

- a completed Application Form
- the required fee of £100, paid by credit or debit card
- proof of the applicant's identity and right to work
- a plan showing the location of the premises shown by a red line, so the application site can be clearly identified
- a plan clearly showing the proposed area covered by the licence in relation to the highway, if not to scale, with measurements clearly shown. The plan must show the positions and number of the proposed tables and chairs, together with any other items that the applicant wishes to place on the highway. The plan shall include clear measurements of, for example, pathway width/length, building width and any other fixed item in the proposed area.
- the proposed days of the week on which, and the times of day between which, it is proposed to put furniture on the highway,
- the proposed duration of the licence (for e.g. 3 months, 6 months, or a year);
- photos or brochures showing the proposed type of furniture and information on potential siting of it within the area applied for;
- (if applicable) reference of existing pavement licence currently under consideration by the local authority;
- (if applicable) evidence of consent from neighbouring frontager(s) to use footway space outside their property
- evidence that the applicant has met the requirement to give notice of the application (for example photographs of the notice outside the premises and of the notice itself);
- a copy of a current certificate of insurance that covers the activity for third party and public liability risks, to a minimum value of £10 million, and
- any other evidence needed to demonstrate how the Council's local conditions, and any national conditions will be satisfied.

3.2 Fees

The fee for applying for a licence under the new process is set locally but is capped at £100. Using the established methodology the Council has determined that the fee for applications will be £100.

Application fees must accompany the application in order for the application to be considered valid and for the consultation period to commence.

The fee is an 'application' fee for the processing of the application. The fee will not be refunded if the application is withdrawn, refused or if a licence is surrendered or revoked before expiration.

3.3 Consultation

Applications are consulted upon for 7 days, starting with the day after the day on which a valid application was made to the Council.

The Council will publish details of the application on its website at www.guildford.gov.uk/pavementcafe

The Council is required by law to consult with the Highways Authority. In addition, to ensure that there are no detrimental effects from the application the Council will consult with:

- Guildford Borough Council Economic Development
- Guildford Borough Council Regulatory Services (including Environmental Control and Food and Safety Teams)
- Guildford Borough Council Estate Management
- Guildford Borough Council Parking
- Guildford Borough Council Planning
- Guildford Borough Council Street Scene Team
- Guildford Borough Council Town Centre Management
- Surrey Fire & Rescue Service
- Surrey Police
- The appropriate Local Ward Councillor(s)
- The appropriate Parish or Town Council
- The Guildford Business Improvement District

Members of the public and others listed above can contact the Council to make representations.

The Council must take into account representations received during the public consultation period and consider these when determining the application.

3.4 Site Notice

An applicant for a pavement licence must on the day the application is made, fix a notice of the application to the premises so that the notice is readily visible to, and can be read easily by, members of the public who are not on the premises. The notice must be constructed and secured so that it remains in place until the end of the public consultation period. Evidence of compliance with the site notice requirement must be supplied to the Council. The Council would also expect the applicant serves a copy of the site notice on immediate neighbours to make them aware of the application.

The Site Notice must:

- state that the application has been made and the date on which it was made;
- state the statutory provisions under which the application is made;
- state the address of the premises and name of the business;
- describe the proposed use of the furniture;
- indicate that representations relating to the application may be made to the Council during the public consultation period and when that period comes to an end;
- state the Council's website where the application and any accompanying material can be viewed during the consultation period;
- state the address to which representations should be sent during the consultation period; and
- the end date of the consultation (7 days starting the day after the application is submitted to the authority).

A template Site Notice is shown as Appendix 1.

3.5 Site Assessment

The following matters will be taken into account by the Council in considering the suitability of the proposed application:

- public health and safety – for example, ensuring that users conform with latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening;
- public amenity – will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour, excessive noise and litter; and
- accessibility – taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made, taking account of:
 - any other temporary measures in place that may be relevant to the proposal, for example, the reallocation of road space. This could include pedestrianised streets and any subsequent reallocation of this space to vehicles,
 - whether there are other permanent street furniture or structures in place on the footway that already reduce access,
 - the impact of access and egress to the premises
 - the impact on any neighbouring premises
 - the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#), and
 - other users of the space, for example if there are high levels of pedestrian or cycle movements.

Applicants are strongly encouraged to talk to neighbouring businesses and occupiers prior to applying to the local authority, and take any issues around noise, and nuisance into consideration as part of the proposal.

3.6 Determination

Once the application is submitted the Council has 14 days from the day after a valid application is made (excluding public holidays) to consult on and determine the application. This consists of 7 days for public consultation, and then 7 days to consider and determine the application after the consultation period has ended.

If the local authority determines the application before the end of the determination period, the local authority can:

- grant the licence in respect of any or all of the purposes specified in the application,
- grant the licence for some or all of the part of the highway specified in the application,
- impose conditions on any licence granted, or
- refuse the application.

If the local authority does not determine the application within the 14 day period, the application will be deemed to have been granted subject to any published local or national conditions.

3.7 Approval of Applications

Guildford Borough Council supports the aims of the Business and Planning Act and wishes to help promote economic recovery and growth in its area and will therefore seek to grant applications for licences where possible.

However this aim has to be balanced with the need to ensure the issuing of pavement licences does not put public health or safety at risk, does not lead to antisocial behaviour or public nuisance and ensures that the public, particularly those with disabilities such as sight impairment are unhampered when walking along streets.

The Council will consider the criteria contained within these guidelines in determining applications and will treat each case on its merits.

On approving the application, the Council will issue a Pavement Café Licence to which conditions will be attached. The licence will also contain specific terms such as days and hours when tables and chairs are permitted and appearance and location of the furniture corresponding to the application.

A copy of the Council's standard conditions, which will be attached to all Pavement Café Licences are shown at Appendix 2. Additional conditions may be attached if the Council considers it appropriate in the circumstances of any particular case.

The Council generally will only permit Pavement licences between 09:00 and 22:00.

Applications outside these hours will be assessed in terms of the criteria detailed above. The Council however retains the right to specify permitted hours of trading that are less than those specified above in appropriate circumstances.

3.8 Licences Deemed to be Granted

The Council aims to determine all applications within the determination period provided by the Act. That means that applications will be granted or refused within the period of 7 days beginning with the first day after the public consultation period.

If the Council does not make a determination by the end of the determination period, section 3 (8) of the Act provides that the licence for which the application was made is deemed to be granted by the Council to the applicant.

3.9 Licence Duration

If the Council determines an application before the end of the determination period (which is 7 days, beginning with the first day after the end of the public consultation period, excluding public holidays) the duration of the licence will be specified, subject to a minimum duration of 3 months.

The expectation from the Government is that local authorities will grant licences for 12 months or more unless there are good reasons for granting a licence for a shorter period, such as plans for future changes in use of road space. As such, the Council will normally grant applications for 12 months.

If a licence is 'deemed' granted because the authority does not make a decision on an application before the end of the determination period, then the licence will be valid for a year.

3.10 Refusal of Applications

If the site is deemed unsuitable for a Pavement licence, or if relevant representations are made which cannot be mitigated by imposing conditions, then the application may be refused.

The Council may refuse an application on other grounds including (but not limited to) where the granting of the licence would put at risk public health or safety, lead to antisocial behaviour or public nuisance or unreasonably hamper pedestrian's ability to move freely.

The Council will notify applicants of the reasons for refusal following determination.

There is no statutory appeal process against a decision to refuse an application.

4. Conditions

The Council's standard conditions are set out at Appendix 2. In some cases, extra measures may be required. This will be determined when assessing any application, on a case by case basis.

Where a local authority sets a local condition that covers the same matter as set out in national published conditions, then the locally set condition takes precedence over the national condition to the extent that it is inconsistent with it.

The national conditions relating 'no obstruction' and provision of 'no smoking' areas applies to all Licences. The National conditions are shown in Appendix 3.

5. Enforcement

The Council aims to work closely with other enforcement authorities to enforce the provisions of all appropriate legislation. The case remains that an obstruction of the Highway is an offence under The Highways Act 1980 and will be dealt with by the Highways Authority or the Police. The Council will normally seek to rectify any issues arising as a consequence of the activities authorised by a pavement licence by engaging in informal discussions with the licence holder in the first instance.

Obtaining a Pavement Licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, and Social distancing controls, and applicants must ensure all such permissions, etc. are in place prior to operating.

If the Council considers that a licence-holder has breached any condition of the licence, the authority may:

- revoke the licence, or
- serve a notice on the licence-holder requiring the taking of such steps to remedy the breach as are specified in the notice within such time as is so specified.

If a licence-holder on whom an enforcement notice is served fails to comply with the notice, the Council may:

- revoke the notice, or
- take the steps itself and recover the costs of doing so from the licence holder.

The Council may revoke a licence in the following circumstances:

1. For breach of condition, (whether or not a remediation notice has been issued) or
2. Where:
 - There are risks to public health or safety – for example by encouraging users to breach government guidance on social distancing by placing tables and chairs too close together;
 - the highway is being obstructed (other than by anything permitted by the licence);
 - there is anti-social behaviour or public nuisance – for example, the use is increasing the amount of noise generated late at night or litter is not being cleaned up;
 - it comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed; or
 - the applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
3. The Council may also revoke the licence where all or any part of the area of the relevant highway to which the licence relates has become unsuitable for any purpose for which the licence was granted or deemed to be granted. For example, the licensed area (or road adjacent) is no longer to be pedestrianised. The Council will give reasons where these powers are used.

All enforcement activity will be undertaken in line with the principles set out in the Regulator's Code and the Council's Enforcement Policy.

6. Review Procedures

This Policy covers the Temporary Permissions for Pavement Licences under the Business and Planning Act 2020, which are scheduled to expire on 30 September 2023.

The Policy has been drafted in consultation with the consultees listed in section 3.3, the appropriate lead councillors and will be presented for adoption by Licensing Committee on 27 September 2020.

This Policy will be reviewed from time to time should changes occur in relevant legislation, the nature of Pavement licences generally, relevant social distancing measures or as a result of local considerations within the Guildford Borough.

Appendix 1

Site Notice Template for display by an applicant for a Pavement Licence.

[Section x] of the Business and Planning Act 2020.

I/We *(name of applicant)*,

do hereby give notice that on *(date of application)* [I/we] have applied to Guildford Borough Council for a 'Pavement Licence' at:

(postal address of premises)

known as

(name premises known by)

The application is for:

(brief description of application (e.g outdoor seating to the front of the premises for serving of food and drink)

Any person wishing to make representations to this application may do so by writing, preferably by email, to:

Regulatory Services
Guildford Borough Council
Millmead House
Millmead
Guildford
GU2 4BB
regulatoryservices@guildford.gov.uk

by: *(last date for representations being the date 7 days after the date the application is submitted to the local authority (excluding public holidays))*

The application and information submitted with it can be viewed on the Council's website at: www.guildford.gov.uk/pavementcafe

Signed

Dated *(date the notice was placed which must be the same date as the date of application)*

Standard Pavement Licence Conditions

1. Permission to operate a pavement café does not imply an exclusive right to the area of public highway. The licence holder must be aware that Guildford Borough Council and others (e.g. police, highways authority, statutory undertakers) will need access at various times (including emergencies) for maintenance, installation, special events, improvements etc or any other reasonable cause and it is a condition of this licence to provide such access. This may mean that the pavement licence will need to cease operating and/or be removed for a period of time. On these occasions there would be no compensation for loss of business.
2. The licence holder must hold Public Liability Insurance for the operation of the Pavement Café. This must indemnify Guildford Borough Council and Surrey County Council against all claims for injury, damage or loss to users of the public highway, arising from the use of the highway for the permitted purpose. The minimum level of indemnity must be £10 million in respect of any one incident. Evidence of the insurance must be provided to Guildford Borough Council on request.
3. Tables and chairs must not be placed in position outside of the permitted times stated on the licence. When the licence is not in use, all tables and chairs and other furniture must be stored securely inside a premises away from the highway.
4. Guildford Borough Council and/or Surrey County Council are empowered following the service of the appropriate statutory notice, to remove and store or dispose of furniture from the highway, at the cost of the licensee, if it is left there outside the permitted hours, or should any conditions of the licence be ignored. The Council will not be responsible for its safekeeping.
5. An unimpeded pedestrian route must be maintained at all times for people wishing to use the footway as per the National Licence Conditions.
6. The method of marking the boundary of the licensed area must be agreed between the licence holder and the Licensing Department. Whatever method is agreed a 2 metre clear walkway must be maintained for the use of pedestrians.
7. Emergency routes to the premises and adjacent buildings must not be obstructed by the Pavement Café, which should not, unless otherwise agreed, extend beyond the width of the premises frontage.
8. Tables and chairs should be of an approved type and should be kept in a good state of repair. Furniture should be placed so as not to obstruct driver's sightlines, or road traffic signs. Placement of tables and chairs must allow pedestrians to use the footway parallel to the frontage of the premises. Care should be taken in the use of hanging baskets, awnings, protruding umbrellas etc. Alternative items may not be used without first seeking the written authority of the Council. Patio heaters must not be used.
9. All potential obstructions must be removed from the public highway when the premises are closed to prevent a safety hazard to pedestrians, particularly during the hours of darkness.

10. The licence holder shall not use or allow to be used any music playing, music reproduction or sound amplification apparatus or any musical instruments, radio, or television receiving sets in the area of the highway covered by the licence.
11. The licence holder must not allow customers using the area to engage in anti-social or disorderly behaviour.
12. The operation of the area must not interfere with highway drainage arrangements.
13. During the hours of darkness, suitable and sufficient lighting must be provided to ensure safe use of the area. Any proposals to provide additional lighting to the licensed areas must be agreed with the Highway Authority.
14. All detritus (food and drink remnants, spillages, bottles, cans, wrappers etc) must be regularly removed from the footway surface to reduce hazards to pedestrians. The licence holder must make arrangements to regularly check for and remove litter and rubbish on pedestrian walkways, left by persons using the premises, for a distance of up to 10 metres from the boundary of the premises. The licence holder must ensure that any tables are cleared in an efficient manner during the hours of operation. The licence holder must ensure the licensed area and surrounding highway is washed down at the completion of each day's usage using a method sufficient to remove food debris, grease and other spillages that may occur.
15. The licence holder is not permitted to affix any fixtures, or make excavations of any kind, to the surface of the highway without prior written approval.
16. The Licensee of a premises not licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor within the licensed area.
17. The Licensee of a premises licensed under the Licensing Act 2003 or any modification or re-enactment thereof, must not allow the consumption of alcoholic liquor within the premises outside the hours in force for the premises itself.
18. The licence must be displayed on the premises with a plan of the agreed layout of the pavement café.
19. The licence holder must remove any tables, chairs and other furniture immediately at the end of the licence period or on revocation of the licence.
20. The licence holder must complete a risk assessment demonstrating how they will manage social distancing and the conflict between pedestrians using the footway, those using the tables and those queuing to access the premises, and provide a copy of this to the Council upon request.
21. The licence holder must ensure that the area covered by the licence is monitored regularly by staff to ensure that the conditions above are being adhered to.

NOTES

These conditions should be read in conjunction with any mandatory national conditions concerning pavement licences, if the premises is licenced under the Licensing Act 2003, any relevant conditions attached to the premises licence, the latest government

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Appendix 1

requirements concerning coronavirus and social distancing and any other relevant requirement of the Business and Planning Act 2020.

The licence holder is responsible for ensuring that the conditions of the licence and any other necessary permissions and regulations are adhered to. The Licence holder is to use the highway solely for the purpose of the licence in line with the provisions of this licence and for no other purpose whatsoever.

Guildford Borough Council reserves the right to revoke this licence at any time if any of the above conditions are not complied with.

National Conditions

The Secretary of State publishes this condition in exercise of his powers under [Section 5(6)] of the Business and Planning Act 2020:

1. Condition relating to clear routes of access:

It is a condition that clear routes of access along the highway must be maintained, taking into account the needs of disabled people, and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#).

Guidance on the effect of this condition

- To the extent that conditions imposed or deemed to be imposed on a pavement licence do not require the licence holder to require clear routes of access to be maintained, taking into account the needs of disabled people and the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people as set out in Section 3.1 of [Inclusive Mobility](#), the licence is granted subject to those requirements.
- To the extent that a licence is granted subject to a condition which imposes requirements to maintain clear routes of access that are inconsistent with the requirements set out in this condition this condition is not imposed on the licence.

2. Condition relating to smoke-free seating

The national smoke-free seating condition seeks to ensure customers have greater choice, so that both smokers and non-smokers are able to sit outside, in order to protect public health by reducing risks of COVID transmission.

It is important that businesses can cater to their customers' preferences. The Business and Planning Act 2020 imposes a smoke-free seating condition in relation to licences where seating used for the purpose of consuming food or drink has been, (or is to be) placed on the relevant highway. The condition requires a licence-holder to make reasonable provision for seating where smoking is not permitted. This means that where businesses provide for smokers, customers will also have the option of sitting in a non-smoking area.

Ways of meeting this condition could include:

- Clear 'smoking' and 'non-smoking' areas, with 'no smoking' signage displayed in designated 'smoke-free' zones in accordance with Smoke-free (signs) regulations 2012 which can be viewed [here](#).
- No ash trays or similar receptacles to be provided or permitted to be left on furniture where smoke-free seating is identified.
- Licence holders should provide a minimum 2M distance between non-smoking and smoking areas, wherever possible.

Further, business must continue to have regard to smoke-free legislation under The Health Act 2006, and the subsequent Smoke-free (Premises and Enforcement) Regulations 2006.

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Licensing Committee Report

Ward(s) affected: All Wards

Report of Director of Service Delivery

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Date: 20 July 2022

Taxi and Private Hire Policy – Vehicle Glazing Requirement

Executive Summary

The Council in its role as the Licensing Authority for the hackney carriage and private hire vehicle trades has a paramount obligation to ensure the safety of the public.

Following the updates to the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy in 2021 and the consultation upon the Department for Transport's new draft Best Practice Guidance recently, a local issue is emerging of vehicles with 'privacy glazing' fitted which do not meet the adopted criteria. This is creating problems of applicants not being able to licence vehicles and having to replace factory fitted glazing, often at significant cost.

In response to this issue, Officers are proposing a minor change to the Council's Licensing Policy which seeks to allow 'privacy glass' to be permitted.

Many vehicles are still fitted with this style of glazing with it having been allowed under the previous Policy. Officers believe safety is not compromised as all vehicles will be required to be fitted with CCTV next year.

Recommendation to Committee

That the Committee considers the issue identified in the report and recommends that a minor change to the Council's Taxi and Private Hire Licensing Policy is introduced under delegated powers. This change is to permit the licensing of vehicles with 'privacy glazing' which is installed at the time of manufacture, as permitted previously.

Reason(s) for Recommendation:

To improve the range of vehicles available for licensing and to reduce costs to the licensed trade should glazing installed in a vehicle at the time of manufacture not meet the Council's specification.

Is the report (or part of it) exempt from publication?

No

1. Purpose of Report

- 1.1 The purpose of this report is to brief the Committee on the issue of vehicles fitted with 'privacy glazing' at the time of manufacture following the update to the Hackney Carriage and Private Hire Licensing Policy. It asks the Committee to consider a recommendation to amend the Policy under delegation, returning to the previous position, to address the concerns.

2. Strategic Priorities

Updating the Policy will contribute to our fundamental themes as follows:

- **Homes and jobs** – supporting applicants into the process to licence a vehicle as a taxi or private hire vehicle.
- **Environment** – improving transportation in the Borough through a well regulated private hire service.
- **Community** – ensuring that all taxi and private hire vehicle users are still able to travel safely.

3. Background

- 3.1 The Council in its role as the Licensing Authority for the hackney carriage and private hire vehicle trades has a paramount obligation to ensure the safety of the public. The current Hackney Carriage and Private Hire Licensing Policy approved in April 2021, reflecting Guidance issued by the Department of Transport in July 2020, introduced positive changes to the licensing function reflecting this obligation.

- 3.2 The Policy updated the glazing requirement for licensed vehicles as follows:

The Council's Policy on glazing states:

"the vehicle's windscreen and front side windows comply with national legal tint specifications. All other windows let enough light through for a person 20 meters away to be able to see the number of passengers in the vehicle in daylight and have no additional 'tint' applied".

The vehicle licence conditions also state the vehicles glazing must have:

“A minimum light transmission value of 70% shall be maintained in all windows except a windscreen, which shall have a minimum light transmission value of 75%”

- 3.3 This was an update on the previous position which permitted factory fitted ‘privacy glass’ in the rear windows. Privacy glass is glazing which is darker in appearance and allows a light transmission of less than 70%, in some cases less than 20%. Many vehicles are manufactured with glass that is darker than the Council’s Policy limit fitted to windows rear of the driver, especially in luxury, estate and people carrier style vehicles.
- 3.4 The original rationale for this update was one of public safety. Customers want to be confident when entering a vehicle that there are no potential dangers awaiting them in the vehicle. Similarly, potential attacks on drivers can be reduced if the actions of customers in the rear of the vehicle can be easily seen. Transparent glazing also allows Officers and the Police to quickly check that the vehicle is not carrying more passengers than permitted.
- 3.5 However, following the Policy update the Council has received approximately a dozen applications where a vehicle has non-complaint glazing installed. This glazing is installed at the time of manufacture and costly to replace. This is having an implication for the licensed trade who are having a limited choice of vehicles to present for licensing, or are having to replace glazing vehicles installed in vehicles at the time of manufacture at a considerable cost, often several thousand pounds.
- 3.6 The issue of privacy glazing is discussed in the recent draft Taxi and Private Hire Licensing Best Practice Guidance consulted on by the Department for Transport. The position of the consultation draft was that:

“If the objective of the authority’s prohibition of tinted windows is to address a concern that illegal activity is taking place in a vehicle, the evidence for this should be established and alternative options should be considered, for example, CCTV in vehicles. When licensing vehicles, authorities should be mindful of this as well as the significant costs and inconvenience associated with changing glass that conforms with the requirements of vehicle construction regulations.

In the absence of evidence to show that a requirement for the removal of factory fitted windows is necessary and proportionate, licensing authorities should not require their removal as part of vehicle specifications.”

- 3.7 After considering the above draft guidance, together with the consideration that from April 2023 all licensed vehicles must be fitted with CCTV, Officers recommend to return to the previous Policy requirement which allowed privacy glass installed at the time of manufacture in licensed vehicles which had a light transmission at a lower level than the 70% stipulated by conditions.
- 3.8 There are still a number of vehicles licensed at the time of the previous Policy which have 'privacy glazing' installed, with these vehicles set to become compliant with the current Policy at the time the vehicle is changed.
- 3.9 In addition, as the trade seek to licence new vehicles as trade picks up following the pandemic vehicles are being presented with glazing that does not meet requirements. Vehicles have already been purchased in order to assist, in a number of cases Officers have allowed these vehicles to be licensed, on the basis that they become compliant within 6 months.
- 3.10 As a consequence, there are a number of vehicles licensed which do not meet the current Policy, although would be required to do so.
- 3.11 Without compromising public safety, this change would likely be welcomed by the trade and provide them with a wider number of vehicles to present for licensing, or reduce costs for those who have purchased a vehicle which does not meet requirements. Similarly, if the trade are not required to spend thousands of pounds on replacing windows, they are likely to be in a better position to adopt the CCTV policy (costing between £600-£700) at an earlier date.
- 3.9 Under the Council's Constitution (page 3-70, paragraph 10), the Head of Environment and Regulatory Services, in consultation with the Lead Councillor for Environment, has delegation to make minor changes to the Taxi and Private Hire Licensing Policy. As such, should Licensing Committee agree, this change has been made under delegation with immediate effect.

4. Consultations

- 4.1 It is clear having received feedback from a number of applicants that the factory fitted privacy glass is an issue for many, with approximately a dozen vehicles being found to be non-compliant with this specification.
- 4.2 The issue of glazing is clearly also of national concern with the requirement being specifically highlighted in the recent Best Practice Guidance consultation.

5. Key Risks

- 5.1 Clearly there is a risk of increased costs with the trade having to replace non-compliant glazing in vehicles. On the other hand the requirement was introduced with a clear public safety rationale.
- 5.2 However any 'relaxation' of requirements cannot be to the detriment of the public safety rationale for licensing and needs to be carefully balanced. After considering the matter, notably that the Council previously permitted 'privacy glass' (if fitted at the time of manufacture) and with the additional protection of all vehicles being required to be equipped with CCTV in less than 12 months, Officers believe that this risk can be addressed.

6. Financial Implications

- 6.1 There is no financial implications for the Council as a result of this change. For the trade however, the cost of replacing glazing in vehicles can amount to many thousands of pounds.

7. Legal Implications

- 7.1 The Council in its role as the Licensing Authority for the hackney carriage and private hire vehicle trades has a paramount obligation to ensure the safety of the public.
- 7.2 Section 47 and 48 of the 1976 Act allows the Council to specify the design and appearance of both Hackney Carriage and Private Hire Vehicles. The Council does this via its adopted Licensing Policy.
- 7.3 However, an applicant may submit an application to licence a vehicle which does not comply with the Council's policy, although it is likely that this application will be refused unless the applicant can demonstrate to the Council why the Policy should not apply in their circumstances.
- 7.4 Should the Council refuse an application for the grant of a hackney carriage or private hire vehicle licence, there is a right of appeal.

8. Human Resource Implications

- 8.1 The minor change to the Policy can be managed from the current resource.

9. Equality and Diversity Implications

- 9.1 Under the general equality duty as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.
- 9.2 The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.
- 9.3 The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had due regard to the aims of the equality duty.
- 9.4 There are no equality and diversity implications arising from this report.

10. Climate Change/Sustainability Implications

- 10.1 The Council's current Taxi and Private Hire Licensing Policy sets out a vehicle age and emissions criteria in order to help improve air quality in the Borough. There are no changes to this position.

11. Summary of Options

- 11.1 After considering the report, the Committee may:
- i. Recommend that a minor change to the Councils' policy in respect of vehicle glazing is introduced under delegation, or
 - ii. Not recommend such a change.

12. Conclusion

- 12.1 The current position is that the updated Policy is causing a number of applicants to bear the cost of changing glazing which is installed in vehicles at the time of manufacture. Having considered draft Best Practice Guidance on this specification, together with the safeguards that all vehicles will be required to be equipped with CCTV in the near future, the Committee are asked to recommend a minor revision of the Council's Policy to support the licensed trade.

13. Background Papers

[Taxi and Private Hire Licensing Policy 2021](#)

[Statutory Taxi and Private Hire Vehicle Standards \(Department for Transport, 2020\)](#)

[Taxi and Private Hire Vehicle Licensing: Best Practice \(Department for Transport, 2010\)](#)

[Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for Licensing Authorities in England \(draft\). \(Department for Transport, 2022\)](#)

[Taxi and Private Hire Vehicle Licensing: Councillor Handbook \(Local Government Association, 2021\)](#)

14. Appendices

None

Please ensure the following service areas have signed off your report. Please complete this box and do not delete.

Service	Sign off date
<i>Finance / S.151 Officer</i>	<i>1 July 2022</i>
<i>Legal / Governance</i>	<i>04 July 2022</i>
<i>HR</i>	
<i>Equalities</i>	
<i>Lead Councillor</i>	
<i>CMT</i>	<i>6 July 2022</i>
<i>Committee Services</i>	<i>30 June 2022</i>

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Licensing Committee Report

Report of Ian Doyle, Service Delivery Director

Author: Mike Smith, Senior Specialist for Licensing and Community Safety
/Sophie Butcher, Democratic Services Officer

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Date: Wednesday 20 July 2022

Licensing Committee work programme: 2022-23

Recommendation to Licensing Committee

The Committee is invited to review and approve its current work programme for the remainder of the 2022-23 municipal year.

Reason for Recommendation:

To ensure that the Licensing Committee has an opportunity to review its work programme.

1. Purpose of Report

1.1 The work programme is presented to enable necessary changes to be made and to provide updated information on items for future meetings. Appendix 1 to this report sets out the Committee's work programme to date, including any items currently unscheduled.

2. Financial Implications

2.1 There are no specific financial implications arising from this report.

3. Human Resource Implications

3.1 There are no specific human resources implications arising from this report.

4. Legal Implications

4.1 There are no specific legal implications arising from this report.

5. Background papers

None

Agenda item number: 6

6. Appendices

Appendix 1: Licensing Committee - Draft Work Programme: 2022-23

Licensing Committee

Draft Work Programme 2022-23

September 2022		
Item	Details of decision to be taken	Officer
Taxi and Private Hire Fees and Charges 2022-23	The Committee to consider the consultation responses and approve the Taxi and Private Hire Fees and Charges 2022-23.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387

November 2022		
Item	Details of decision to be taken	Officer
Animal Activity Licensing Policy	The Committee to consider an updated draft Animal Activity Licensing Policy and approve public consultation	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387
Purple Flag Update	The Committee to receive an update in relation to the Purple Flag award.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387

January 2023		
Item	Details of decision to be taken	Officer
Taxi and Private Hire Fees and Charges 2023-24	The Committee to consider the draft Taxi and Private Hire Fees and Charges 2023-24 and approve public consultation.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387
Licensing Annual update	The Committee to receive an annual report.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387

March 2023		
Item	Details of decision to be taken	Officer
Taxi and Private Hire Fees and Charges 2023-24	The Committee to consider the consultation responses and approve the Taxi and Private Hire Fees and Charges 2023-24.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387
Animal Activity Licensing Policy	The Committee to consider the consultation responses and approve an updated Animal Activity Licensing Policy	

UNSCHEDULED ITEMS		
Item	Details of decision to be taken	Officer
Best Bar None Update	The Committee to receive an update in relation to Best Bar None.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387

UNSCHEDULED ITEMS

Item	Details of decision to be taken	Officer
Street Trading Policy	The Committee to consider an updated draft Street Trading Policy and approve public consultation.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387
Charity Collections Policy	The Committee to consider an updated draft Charitable Collections Policy and approve public consultation.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387
Pavement Licensing Policy	The Committee to review the Pavement Licensing Policy following legislative changes under the Levelling Up Bill.	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387
Hackney Carriage and Private Hire Licensing Policy	The Committee to review the Hackney Carriage and Private Hire Licensing Policy following updates to the Department for Transport Best Practice Guidance	Mike Smith, Senior Specialist for Licensing and Community Safety 01483 444387

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