



Please reply to:

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Date: 26 February 2024

Notice of meeting

Licensing Committee

Date: Tuesday, 5 March 2024

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Licensing Committee

Councillors:

S.A. Dunn (Chair)	R. Chandler	A. Gale
O. Rybinski (Vice-Chair)	D.C. Clarke	K.M. Grant
E. Baldock	J.T.F. Doran	K.E. Rutherford
C. Bateson	S.M. Doran	B. Weerasinghe

Substitute Members: Councillors M.M. Attewell, S.N. Beatty, M. Beecher, M. Bing Dong, T. Burrell and M. Gibson

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Agenda

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1. **Apologies and Substitutes**
To receive any apologies for absence and notification of substitutions.
2. **Minutes** 3 - 10
To agree the minutes of the meeting held on 05 December 2023 as a correct record.
3. **Disclosures of Interest**
To receive any disclosures of interest from Councillors in accordance with the Council's Code of Conduct for Members.
4. **Setting of Fees & Charges for the licensing of Hackney Carriages, Private Hire, and Private Hire Operators 2024-2025** 11 - 44
To consider and agree the fees and charges for the licensing of Hackney Carriages, Private Hire, and Private Hire Operators 2024-2025.

**Minutes of the Licensing Committee
5 December 2023**

Present:

Councillor S.A. Dunn (Chair)
Councillor O. Rybinski (Vice-Chair)

Councillors:

E. Baldock	R. Chandler	K.E. Rutherford
C. Bateson	K.M. Grant	B. Weerasinghe

Substitutions: Councillors M. Beecher (In place of A. Gale)

Apologies: Councillors M.M. Attewell, J.T.F. Doran, S.M. Doran and A. Gale

14/23 Minutes

The minutes of the meeting held on 30th October 2023 were agreed as a correct record.

15/23 Disclosures of Interest

There were none.

16/23 Gambling Act Policy 2022-2025 for full Council adoption

The Committee considered the Gambling Act Policy 2022-2025 for recommendation to Council.

It was proposed by Councillor Bateson, seconded by Councillor Rybinski and **resolved** that the public and press be excluded while the Committee received advice from the Planning and Litigation Lawyer, in accordance with paragraph 5 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended) because it was likely to disclose information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The Committee returned to open session at 19:11.

The Principal Licensing Officer presented the Gambling Act Policy 2022-2025 to the Committee. Consultation on the policy had been undertaken. Five responses had been received and taken into consideration.

The Committee acknowledged that taking into account the consultation responses, they were now in a position to recommend the Gambling Act Policy 2022-2025 to Council for adoption.

The Committee **resolved** to recommend the adoption of the Gambling Act Policy 2022-2025 by full Council.

17/23 Statement of Licensing Policy 2024-2029

The Committee considered the Statement of Licensing Policy 2024-2029.

The Principal Licensing Officer advised that the Statement of Licensing Policy had gone out to consultation earlier in the year and responses had been received and taken into account. A minor amendment was suggested to 16.23 of the Licensing Policy so that it read "Where premises wish to place tables and chairs on the public highway adjacent to their premises, the person responsible for the premises, must obtain a pavement licence. Further information is available on our website."

The Committee noted that the Licensing Policy referred to the prospect of adopting a cumulative impact policy and queried if this could be examined in future. The Committee were advised that it would be kept under review, but the Council would require substantive evidence that policies related to cumulative impact were required, and many councils had removed cumulative impact policies and late night levies.

The Committee **resolved** to recommend the revised Statement of Licensing Policy 2024-2029 to full Council for adoption with the amended wording at 16.23.

18/23 Review and Setting of Fees & Charges for the licensing of Hackney Carriages, Private Hire, and Private Hire Operators

The Committee considered a report on the review of fees and charges for the Licensing of Hackney Carriages, Private Hire, and Private Hire Operators for consultation and advertising requirements. The Principal Licensing Officer advised that a 5% increase was proposed to cover the cost of the service.

The Committee acknowledged that a review had been undertaken in the past year and that some fees and risen but others had fallen in that review. The Committee noted that the timetable set out in point 11 of the report required some amendment to reflect the actual date of the meeting and new newspaper publishing schedules. The new dates would not have an impact on the effective date of 1st April 2024.

The Committee queried if there would be an examination of the taxi policy in future to take account the cost of driving a vehicle in line with the taxi policy. The Principal Licensing Officer acknowledged the taxi policy required review, particularly in relation to window tinting, but this would form part of a suite of policies to be reviewed in going forward.

The Committee **resolved** to approve the proposed licensing fees and charges set out at Appendix B for consultation purposes and statutory advertising requirements.

Meeting ended at 19:29

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Licensing Committee



22 March 2024

Title	Setting of Fees & Charges for the licensing of Hackney Carriages, Private Hire, and Private Hire Operators 2024-2025
Purpose of the report	To make a decision
Report Author	Tracey Willmott-French, Senior Environmental Health Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	NA
Corporate Priority	Resilience, Service Delivery
Recommendations	<p>Committee is asked to: Consider the proposed fees and trade representations, and either: -</p> <ul style="list-style-type: none"> a) Confirm agreement with the proposed taxi and private hire fees and charges set out at Appendix A; or b) Agree amended fees following consideration of consultation feedback, as provided within the report and Appendix B.
Reason for Recommendation	In accordance with the Constitution, Committee is asked to approve the Licensing Fees for Taxi and Private Hire Licensing.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • The Council has a duty to consult with the public when they intend to amend their fees and charges in respect of taxi and private hire licensing. • The Council has received eight responses its consultation on the variations proposed changes to of taxi and private hire licensing fees for 2024/2025. 	<ul style="list-style-type: none"> • Government policy guidance recommends that licence fees are based on full cost recovery, thereby ensuring that taxpayers are not subsidising licensed trades. • The Act specifies that the costs related to issue and administration of licences can be recovered in driver’s licence fees.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> • The Committee must therefore consider the objections. 	<ul style="list-style-type: none"> • Committee to consider the objections and make a decision on the fees.

<ul style="list-style-type: none"> • Committee must decide upon the fees, and set a date on which the fees shall come into force, with or without modifications 	<ul style="list-style-type: none"> • The Licensing team shall take forward the actions outlined in sections 2.4 through to 2.11 of this report.
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- 1.1 This report seeks to inform the Licensing Committee of the consultation responses to the proposed fees for 2023/24 following trade consultation.
- 1.2 Section 53 of the Act specifies that the costs related to the issue and administration of licences can be recovered in driver’s licence fees in respect of vehicle and operator licences. In accordance with Section 70 (3) of the Local Government (Miscellaneous Provisions) Act 1976, the Council is required to undertake a statutory 28-day consultation when variations to operators and vehicle licence fees are proposed.
- 1.3 The proposed fees were considered by the Licensing Committee and were approved for consultation purposes at a meeting on the 5 December 2023. These fees have been set out, based on estimated officer time, and including permitted costs. The proposed fees for 2024-2025 are attached at **Appendix A**.
- 1.4 An advert was published in the Surrey Advertiser on 15 December 2023 to notify the public of the new proposed fees. The advert was also advertised at the Council Offices, and on the Council’s website. Further, all licence holders were contacted by email on 21 December 2023 to seek their views on the proposed hackney carriage and private hire licence fees.
- 1.5 The last day for comments on the consultation was 19 January 2024.

2. Key issues

- 2.1 The Council received EIGHT objections from licence holders for consideration by the Committee. These are attached at **Appendix B**. No comments or objections were received from the public.
- 2.2 Several of the drivers strongly reject the fee increase and requesting to withdraw the proposal, and some have stated they will turn to Spelthorne’s public for support and take legal advice if the price increase does go ahead.
- 2.3 A summary of the objections received is set out below: -

	The responder states: -	Objection from responder number							
		1	2	3	4	5	6	7	8
A	Spelthorne’s policy prohibiting vehicles having tinted windows should be removed.	X		X	X		X	X	X
B	Spelthorne’s policy prohibiting vehicles older than 10-years should be changed due to the financial burden it places on drivers.	X			X				
C	At present moment Spelthorne’s fare is at - 33.5% in recession. The Council have not increased the hackney carriage meter tariffs since 2015.	X	X	X	X	X	X	X	X
D	The respondent states there is the taxi rank in Gresham Road is poor and needs new road markings and signage.	X			X				

	The responder states: -	Objection from responder number							
		1	2	3	4	5	6	7	8
E	The respondent states the Licensing service provided is not acceptable due to staff due to staff shortages, annual leave, or long-term sickness; and feel this must be investigated. Due to the poor service the respondent feels the price increase is unfair. The service must improve before fees are increased.		X	X			X	X	X
F	The respondent states that they have concerns about GDPR, and the length of time driver records are kept, how the data is stored, and who has access to it. The respondent has suggested a practical test of the GDPR system.		X						
G	The respondent states that during COVID the Council required drivers to pay the full licensing fee, while Runnymede Borough Council gave drivers £1500-£2000, and TFL gave support also.		X						
H	The work of Spelthorne's licensed trade has reduced by 70%+ due to UBER and BOLT, and they are struggling.		X				X		
I	Most of the drivers are paying £12.50 ULEZ daily charge from 29 August 2023, if a driver is working 6 days a week it's 107 days and he/she already paid £1337.50. No action has been taken by the licensing department, while neighbouring councils support their drivers; increased the fare, removed some of the restrictions including tinted windows and age of the vehicles, and even provided some funds to their drivers.			X			X	X	X
J	Spelthorne is the only Borough which has only one Taxi rank which is 24hrs for about hundreds Hackney Carriage drivers and doesn't have a Taxi rank in the main side of the railway station. Also, missing taxi signage at Staines Railway station			X			X	X	X

Licensing responses to objections submitted: -

- 2.4 The Licensing Committee should note that there is no formal recognised trade association in the Borough.
- 2.5 The responses in the main relate to policy matters and matters of tariff, together with the national cost of living crisis and introduction of ULEZ; being outside of the scope of the fees associated with the fees attributable to the costs of the service.
- 2.6 Driver response line in table above (A and B): Requests for the Licensing Policy prohibiting vehicles having tinted windows, and vehicles being older than 10-years =

- The Taxi Licensing Policy will be reviewed in the 2024/2025 financial year and these issues will be reviewed.
- 2.7 Driver response line in table above (C): Request for a fare chart review - the Local Government (Miscellaneous Provisions) Act 1976 permits the Council to fix the fares charged by the trade =
- It was the Council's intention to review the hackney carriage fare tariffs in financial year 2023/2024. Unfortunately this was not possible due to staffing issues. This will now be brought to the Licensing Committee and public/trade consultation during the summer 2024.
- 2.8 Driver response line in table above (D): The taxi rank in Gresham Road is poor and needs new road markings and signage =
- The Council will review the condition of the Gresham Road taxi rank in the coming financial year.
- 2.9 Driver response line in table above (E): The staffing situation and the service provided must improve before fees are increased =
- The Licensing team have had issues with staff absence due to long-term illness and two vacant posts. The vacant posts have been advertised twice unsuccessfully, and we are currently going through the recruitment process a third time, changes have been made that may bring more success this time.
- 2.10 Driver response line in table above (F): Concerns about GDPR =
- Information addressing the concerns outlined in the driver's response is contained in the Council's Privacy Notice for Taxi Licensing, which can be found on the Council's website at [Privacy Notice - Taxi Licensing - Spelthorne Borough Council](#).
- 2.11 Driver response line in table above (G): During COVID Spelthorne Council required drivers to pay the full licensing fee, while other Council's provided their drivers with financial support =
- During COVID Spelthorne Borough Council Borough Council took the follow actions to provide support to its drivers: -
 - 29 January 2021 (12.19pm) the Licensing Team emailed all Spelthorne drivers informing them of a discretionary financial support grant scheme that they could apply for, along with details on how to apply.
 - Throughout the covid pandemic, the Licensing Team continued to provide drivers with appointments for vehicle inspection, and licence/badge renewal.
 - The Licensing Team provided support and guidance to operators and drivers on how to stay safe whilst working
- 2.12 Driver response line in table above (H): Concerns about Uber and Bolt operating in Spelthorne =
- It is the Licensing Authority's primary role to protect the public, however it can understand the drivers position. The Council cannot lawfully prevent operators such as Uber or Bolt Drivers from operating in the Borough of Spelthorne.

- 2.13 Driver response line in table above (I): Feel that the Council has not supported drivers with the impacts caused by the introduction of the ULEZ on the Spelthorne Boundary =
- Spelthorne Borough Council objected to the introduction of the ULEZ due to its financial impacts on businesses and residents within Spelthorne, including its licenced drivers.
 - Responses provided to driver's concerns regarding the issues of Licensing Policy and the tariff review have been addressed in sections 2.4 through to 2.12 of this report in respect of will be taken forward through 2024/2025.
- 2.14 Driver response line in table above (J): Regarding the missing taxi signage at Staines Railway station, and the installation of a taxi rank on the main side of station: -
- The land on the main side of Staines railway station is privately owned and not in the control or influence of Spelthorne Borough Council.
 - The Licensing team have contacted Southwest Trains asking about the missing signage, but they did not receive any replies. The officers subsequently visited the station and the station agreed to reinstate the signage but did not give any timescales. The Licensing team will approach the Railway Station to see if they would be willing to reinstate the taxi signage and if so when.
 - The Licensing team will also approach the Railway Station to see if they would be willing to install a taxi rank.
- 2.15 Objections have been made and not withdrawn. Therefore, the Committee must consider the objections and set a further date on which the fees shall come into force, with or without modifications.

3. Options analysis and proposal

- 3.1 The Committee may after consideration of the objections: -
- 3.2 **Option 1** – to agree the proposed fees noting the consultation responses and undertake to bring forward reviews of the policies expressly referred within a reasonable timeframe pursuant to meaningful consultation and carry out a full review of fees in the 2024/25 municipal year. **(This is the preferred option)**
- 3.3 **Option 2** – to agree the proposed fees with other amendments provided that such amendments are permitted by legislation.
- 3.4 **Option 3** – not to agree the proposed fees - while this is an option it is not realistic considering the legal considerations outlined in section 7 below.

4 Financial management comments

- 4.1 If the proposed percentage fee increase is not agreed, then the income from the hackney carriage and private hire regime will not cover the costs.
- 4.2 Government policy guidance recommends that licence fees are based on full cost recovery, thereby ensuring that taxpayers are not subsidising licensed trades.
- 4.3 Lower fees would mean that the Council is not recovering its costs associated with the provision of hackney carriages, private hire, and private hire operator

licensing, and the budget would be in deficit. Higher fees may result in a profit, and this would be potentially unlawful.

- 4.4 Further information regarding the calculation of fees is provided in section 7 below.

5 Risk management comments

- 5.1 Fees may be challenged in the High Court (Judicial Review) or by complaint to the Local Auditor. It is therefore important that the process the Council follows is fair, open, and transparent.

6 Procurement comments

- 6.1 There are no procurement issues associated with the setting of fees and charges for the licensing of hackney carriages, private hire, and private hire operators.

7 Legal comments

- 7.1 The Council have fully reviewed the costs associated with granting, renewing, and maintaining compliance in line with legislation and case law.
- 7.2 Section 53 of the Act specifies that the costs related to the issue and administration of licences can be recovered in driver's licence fees in respect of vehicle and operator licences.
- 7.3 Section 70 specifies that the reasonable cost of inspecting vehicles, the reasonable cost of providing hackney carriage stands and any reasonable administrative 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.
- 7.4 The legislation does not require Councils to make precise calculations to arrive at an income which exactly meets the costs. However, Councils are required, to take a reasonable and proportionate approach and should aim to set a fee level that is sufficient to cover the cost but not make a surplus.
- 7.5 Taxi fees are required by law to be cost neutral thereby reducing the risk of local taxpayers subsidising businesses, and thus ensuring that businesses do not pay more than they should.
- 7.6 The fixing of fees proposed in the attached fee schedules at Appendix B for is a function of the Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
- 7.7 Fees for vehicle and operators' licences – the Local Government (Miscellaneous Provisions) Act 1976 Section 70(5) states: "if objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections".
- Objections have been made and not withdrawn. Therefore, the Committee must consider the objections and set a further date on which the fees shall come into force, with or without modifications.
- 7.8 Spelthorne's Legal Team has been consulted and involved in the drafting of this report.

8 Other considerations

8.1 There are none.

9 Equality and Diversity

9.1 An equality impact assessment has been carried out and these are attached at **Appendix C** and **D**. No significant impacts were identified through the assessment.

10 Sustainability/Climate Change Implications

10.1 Taxi and Private Hire vehicles help reduce the need for private ownership of cars. They also play a pivotal role in transporting children to/from school and supporting the night-time economy. They can also help reduce emissions to the atmosphere.

11 Timetable for implementation

11.1 The fees will take effect on the 1 April 2024.

12 Contact

12.1 Tracey Willmott-French, Senior Environmental Health Manager, t.willmott-french@spelthorne.gov.uk

12.2 Lucy Catlyn, Principal Licensing Officer, l.catlyn@spelthorne.gov.uk or licensing@spelthorne.gov.uk

Background papers: There are none.

Appendices:

- **Appendix A** – Proposed fees
- **Appendix B** – Objections
- **Appendix C** – Equality and Diversity Assessment One
- **Appendix D** - Equality and Diversity Assessment Two
- **Appendix E** – Current fees

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APPENDIX A - Taxi and Private Hire Fees with effect from 1 April 2024

Licence	Cost code	Fee	1 year fee	3 year fee	5 year fee
New Driver Hackney Carriage	31807 7302		£242	£395	
New Driver Private Hire	31807 7313		£242	£395	
Renewal Driver Hackney Carriage	31807 7302		£210	£452	
Upgrade Private Hire Driver to Hackney Carriage Driver (Includes 1 attempt at conditions test, 1 attempt at geographic test, vehicle check & processing & issuing driver and vehicle licence)	31807 7302	£212			
Renewal Driver Private Hire	31807 7313		£204	£431	
Vehicle Hackney Carriage	31807 7308		£254		
Vehicle Private Hire	31807 7315		£251		
Change of Vehicle	HC 31807 7308 PH 31807 7315	£175			
Discounted PH/HC vehicle with wheelchair accessibility	PH 31807 7315 HC 31807 7308		£127 / £125		
Operators	31807 7318		£366		£1027
Hackney Carriage Geographic Test & Retest	31807 7302	£73			
Hackney Carriage Conditions Test & Retest	31807 7302	£52			
Private Hire Geographic Test & Retest	31807 7313	£52			
Private Hire Conditions Test & Retest	31807 7313	£52			
English & Numeracy Test & Retest	HC 31807 7302 PH 31807 7313	£31			
DBS	HC 31807 7302 PH 31807 7313	£47			
Cancellation of booked appointment fee (payment code depends on appt type)	HC Driver 31807 7302 HC Vehicle 31807 7308 PH Driver 31807 7313 PH Vehicle 31807 7315	£42			
Reissue of PH/HC driver or vehicle licence due to any other reason	HC Driver 31807 7302 HC Vehicle 31807 7308 PH Driver 31807 7313 PH Vehicle 31807 7315	£26			
Replacement of plates	HC Vehicle 31807 7308 PH Vehicle 31807 7315	£24			

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OBJECTION RESPONSE 1

Dear Licensing department Request of the drivers

As you know from last few years all the drivers in Spelthorne have constantly requested the licensing department to change few rules. However, we have been neglected and completely taken for granted.

Therefore, we have no choice but to request the following changes to be made and voted for in upcoming council meeting.

The following changes are as follows:

1. Tinted windows

There is rule that the Spelthorne taxi drivers cannot have tinted windows. The rule was proposed by the council due to the police raising concerns over drug trafficking. In last 20 years no driver has been associated with drugs or drug courier service. In TFL there was 50k drivers who are allowed tinted windows. Runnymede allows tinted windows. Are the council and police suggesting that maybe 100 drivers in Spelthorne could be the cause of drug trafficking? There is no evidence, and this should be removed. It's costing drivers extra 2-3k to change the windows or costing 5-7k more to purchase a car without tinted windows. Considering we received no support from the council during covid time, there has been no change in fare since 2015 and no cases in which drivers' involvement in drug trafficking. We understand that public safety is priority and us as drivers take that very seriously. But if our neighbouring council Runnymede feels safe and TFL with 50k drivers feels safe then what's the reason for not trusting only 100 drivers? With the new rule all drivers must have DBS checked every 6 months.

2. Age of the car

We understand that in Spelthorne you must change your car when it is 10 years old. This has caused a huge financial implication on the drivers. Since Uber and Bolt have expand into Spelthorne our business has been cut by 75%. All the drivers are forced to taken on school runs and work additional hours to make ends meet. However, we are still expected to change a good condition car because it has touched its 10th birthday. Our neighbouring council Runnymede has no such rule and drivers save money and provide equally good services as Spelthorne drivers. We would like this rule to be changed. We are happy to do MOT of the car every 6 months and pay annual fee for renewal of the vehicle. WE WILL NOT ACCEPT RENEWAL OF THE CAR AND PAY A FEE EVERY 6 MONTHS.

3. Fare increase

As you know our last fare increase was in 2015. At present moment our fare is at -33.5% in recession. This means that all product and services have had an increase of 33.5% since 2015 except our fare. We request the council to see our proposal to the price increase attached with this email and accept or recommend sensible changes. Please see below for the new taxi tariff below.

4. Taxi rank Gresham Road

The condition of the Gresham Road taxi rank is poor. The markings have faded away and there is no clear sign of taxi stand. This is the only active rank in the borough, and it requires URGENT work. Please consider this as matter of urgency. Due to faded signs

APPENDIX B - OBJECTIONS TO LICENSING FEE INCREASES

local people park at the rank and when told move they challenge the drivers that it's not a rank as the marking is very unclear.

Tariff 1 Day Time rate	Time 6am to 7:59pm	For first mile (1760 yards/approx. 1609 metres) or part thereof. Rate for each mile thereafter for each succeeding 107 yards (approx. 98 metres) or part thereof.	Mon – Sun £5.70 £3.30 £0.20p
Tariff 2 Night and National Holidays	8pm to 5:59am	For first mile (1760 yards/approx. 1609 metres) or part thereof. Rate for each mile thereafter for each succeeding 107 yards (approx. 98 metres) or part thereof.	Mon – Sun £7.50 £5.00 £0.30p
Tariff 3 Double Day rate for Christmas and New year	Between 3pm from 24 th December and 6am 27 th December and from 12pm December 31 st to 5:59am on January 1 st .	For first mile (1760 yards/approx. 1609 metres) or part thereof. Rate for each mile thereafter for each succeeding 107 yards (approx. 98 metres) or part thereof.	Mon – Sun £10.50 £6.60 £0.40p

OBJECTION RESPONSE 2

Dear Spelthorne council

Thank you for your email regarding price change for new and renewal charges for Spelthorne Taxi fee. I would like to strongly discourage the price increase as I think it's an unfair proposition.

There are several reasons against the price increase.

1. There has not been a change in fare price since 2015 and we are currently charging price at -33.5% based on Bank of England recession calculator. That means the price of all products and services have increased by 33.5% since 2015 except our fares. However, the fee for renewable have been changed several times. This seems to work one way and we are standing against this increase.
2. You have increased the price several times without providing the correct service. The licensing department is a JOKE in Spelthorne. Your email response time is 10 working days, and you expect drivers to provide documents 4 weeks before the appointment. We have literally begged you for an appointment. Each time we call there is no response. We email we hear nothing back for days. Licensing staff is always on long sick leaves or annual holidays. WE WANT THE LEAVES TO BE INVESTIGATED. Lack of staff and repeatedly

APPENDIX B - OBJECTIONS TO LICENSING FEE INCREASES

asked for same documents. The service from Licensing department is poor and we don't believe this price increase is fair on the drivers. You are simply not providing the service and this has been going on for several years.

- 3. We are concerned about GDPR. As we would like to know how long drivers record is kept, how is this stored and who has access to? The concern is that some drivers requested for previous documents and Licensing department couldn't provide that information. We would like to nominate two drivers and if licensing department can provide the five-year record of all documents submitted for the two drivers?
- 4. During Covid time there was no financial assistance provided to the Spelthorne drivers. Runnymede council gave the driver between £1500-£2000 during course of 18 months. TFL gave drivers support money, however, repeatedly asking Licensing department for support we only got told that there was no fund for the drivers. However, every driver had to pay FULL FEE during covid to renew license knowing that there was NO WORK.
- 5. As you know that our work has been reduced by 70%+ due to UBER and BOLT and we are struggling. Most drivers are forced to do school runs and additional hours to make ends meet and this increase will just add additional cost.

Please stand with your drivers.

If this price increase goes ahead then all the drivers are forced to turn to local Spelthorne public for support and take legal advice.

I hope you will improve your services first and then suggest price increase in coming years.

Thank you,
xxxxxx – Representative of Spelthorne drivers.

OBJECTION RESPONSE 3

Dear xxxxx

In response to the recent communication to some of the Spelthorne drivers regarding the new Taxi and Private Hire licence fees for 2023/2024.

You are expecting an increase in the licensing fee while the driver proposal has been neglected by you for years, the new licensing fee is not only unfair but also an abuse of common sense.

Just to give a glimpse of what the drivers are suffering from.

- 1. There has been no increase in Hackney Carriage fare since 5 February 2015, according to the Bank of England its 34% inflation increase. while you are reviewing the licence fee every year (<https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>).
- 2. Most of the drivers are paying £12.50 ULEZ daily charge from 29 August 2023, if a driver is working 6 days a week it's 107 days and he/she already paid £1337.50. No action has been taken by the licensing department, while neighbouring councils support their drivers; increased the fare, removed some of the restrictions including tinted windows and age of the vehicles, and even provided some funds to their drivers.

APPENDIX B - OBJECTIONS TO LICENSING FEE INCREASES

- 3. Drivers cannot change their vehicle due to the restriction on tinted windows. While 90% of the residents of Spelthorne borough use tinted windows vehicles which are licensed by TFL (Transport for London) and neighbouring councils.
- 4. Spelthorne is the only Borough which has only one Taxi rank which is 24hrs for about hundreds Hackney Carriage drivers and doesn't have a Taxi rank in the main side of the railway station.
- 5. Basic services are not available to the drivers due to shortage of staff, sickness, holidays..., Drivers are waiting for weeks for vehicle inspection appointments.

The new taxi and private hire licence fees for 2023/2024 are not acceptable by us until the acceptance of our proposal which was sent to you in January 2023 and neglected and forgotten by you.

Kind regards

On behalf of Spelthorne drivers
[Sent from Yahoo Mail on Android](#)

OBJECTION RESPONSE 4

Dear xxxxxxx

I would like to wish you a Happy New Year.

As discussed on the phone regarding some of the changes Spelthorne drivers would like such as:

- 1. Change the policy on tinted windows
- 2. Age of the car
- 3. New Fare
- 4. Improve Taxi rank Gresham road

Please see the document attached with this email with the proposals and new taxi fare proposal.

I would like to represent the drivers and talk for 5mins at the council meeting when these proposals are voted on.

I hope you will and all your colleagues will stand with the drivers.

All the drivers are forced to do school runs, additional hours and still struggling. Some drivers have left already and many considering joining PCO. At this rate in next couple of years you may lose many drivers to PCO and that will affect the taxi service Spelthorne provides to local public.

Thank you,

xxxxxx

OBJECTION RESPONSE 5

Dear xxxxx.

- 1. I am representing the Spelthorne taxi drivers. We strongly reject the fee increase and requesting to withdraw the proposal.
- 2. If the proposal is not withdrawn then I would like to request 5mins to talk on the issue during the council meeting.
- 3. If the proposal is passed then our next steps are to approach local public for support and seek legal advice from employment Brue

Please see the reasons of reject attached with this email.

Thank you,

xxxxxx

OBJECTION RESPONSE 6

Dear xxxxxxx

In response to the recent communication to some of the Spelthorne drivers regarding the new Taxi and Private Hire licence fees for 2023/2024.

You are expecting an increase in the licensing fee while the driver proposal has been neglected by you for years, the new licensing fee is not only unfair but also an abuse of common sense.

Just to give a glimpse of what the drivers are suffering from.

- 1. There has been no increase in Hackney Carriage fare since 5 February 2015, according to the Bank of England its 34% inflation increase. while you are reviewing the licence fee every year. (<https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>).
- 2. Most of the drivers are paying £12.50 ULEZ daily charge from 29 August 2023, if a driver is working 6 days a week it's 107 days and he/she already paid £1337.50. No action has been taken by the licensing department, while neighboring councils support their drivers; increased the fare, removed some of the restrictions including tinted windows and age of the vehicles, and even provided some funds to their drivers.
- 3. Drivers cannot change their vehicle due to the restriction on tinted windows. While 90% of the residents of Spelthorne borough use tinted windows vehicles which are licensed by TFL (Transport for London) and neighbouring councils.
- 4. Spelthorne is the only Borough which has only one Taxi rank which is 24hrs for about hundreds Hackney Carriage drivers and doesn't have a Taxi rank in the main side of the railway station.
- 5. Basic services are not available to the drivers due to shortage of staff, sickness, holidays..., Drivers are waiting for weeks for vehicle inspection appointments.

The new taxi and private hire licence fees for 2023/2024 are not acceptable by us until the acceptance of our proposal which was sent to you in January 2023 and neglected and forgotten by you.

APPENDIX B - OBJECTIONS TO LICENSING FEE INCREASES

Kind regards

xxxxxx

On behalf of Spelthorne drivers



OBJECTION RESPONSE 7

Dear xxxxxxxx

In response to the recent communication to some of the Spelthorne drivers regarding the new Taxi and Private Hire licence fees for 2023/2024.

You are expecting an increase in the licensing fee while the driver proposal has been neglected by you for years, the new licensing fee is not only unfair but also an abuse of common sense.

Just to give a glimpse of what the drivers are suffering from.

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The new taxi and private hire licence fees for 2023/2024 are not acceptable by us until the acceptance of our proposal which was sent to you in January 2023 and neglected and forgotten by you.

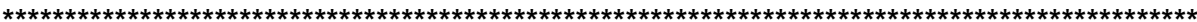
Would you please see in attachment new Elmbridge council Fares Chart and would please update our Fare rates accordingly the current situation.

Kind regards

On behalf of Spelthorne drivers

Regards

xxxxxx



OBJECTION RESPONSE 8

APPENDIX B - OBJECTIONS TO LICENSING FEE INCREASES

Dear xxxxx

In response to the recent communication to some of the Spelthorne drivers regarding the new Taxi and Private Hire licence fees for 2023/2024.

You are expecting an increase in the licensing fee while the driver proposal has been neglected by you for years, the new licensing fee is not only unfair but also an abuse of common sense.

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Kind regards

xxxxxx

On behalf of Spelthorne drivers

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Page 29

Service Area: Environmental Health – Corporate Health & Safety	Lead Officer: Lucy Catlyn (Principal Licensing Officer) Date completed: 06 October 2023
Service / Function / Policy / Procedure to be assessed: Setting the fees and charges for taxi & private hire licensing	
Is this: New / Proposed <input type="checkbox"/> Existing/Review <input type="checkbox"/> Changing <input checked="" type="checkbox"/> (Please tick appropriate box)	Review date: (fees to be reviewed on a yearly basis)

Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

What are the aims and objectives/purpose of this service, function, policy or procedure?

The fees & charges for the taxi and private hire licensing need to be reviewed on a yearly basis to ensure it is operating on a cost recovery basis and the service is not operating with a surplus or deficit.

Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment		No
Advancing equality of opportunity		No
Fostering good community relations		No

If not relevant to any of the three equality duties and this is agreed by your Head of Service, the Equality Analysis is now complete - please send a copy to **NAMED OFFICER**. **If relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

PART B: Full Equality Analysis.

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

What outcomes are sought and for whom?	
Are there any associated policies, functions, services or procedures?	
If partners (including external partners) are involved in delivering the service, who are they?	

Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the 'equality strands', i.e. race, disability, gender, gender identity, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

Has there been any consultation with, or input from, customers / service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

Step 3 – Identifying the negative impact.

a. Is there any negative impact on individuals or groups in the community?

Barriers:

What are the potential or known barriers/impacts for the different 'equality strands' set out below? Consider:

- **Where** you provide your service, e.g. the facilities/premises;
- **Who** provides it, e.g. are staff trained and representative of the local population/users?
- **How** it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** it is provided, e.g. opening hours?
- **What** is provided, e.g. does the service meet everyone's needs? How do you know?

* Some barriers are justified, e.g. for health or safety reasons, or might actually be designed to promote equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified then please indicate which they are and why.

Solutions:

What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met;
- How your actions might help to promote good relations between communities;
- How you might prevent any unintentional future discrimination.

Equality Themes

Barriers/Impacts identified

Solutions
(ways in which you could mitigate the impact)

Age (including children, young people and older people)		
Disability (including carers)		
Gender (men and women)		
Race (including Gypsies & Travellers and Asylum Seekers)		
Religion or belief (including people of no religion or belief)		
Gender Re-assignment (those that are going through transition: male to female or female to male)		
Pregnancy and Maternity		
Sexual orientation (including gay, lesbian, bisexual and heterosexual)		

Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?

Step 5 – Monitoring

How are you going to monitor the existing service, function, policy or procedure ?

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale

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Equality Analysis approved by:

Group Head:	Date:
-------------	-------

Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team and ensure the document is uploaded to the EA Register which will be available to the public:

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SPELTHORNE BOROUGH COUNCIL'S EQUALITY IMPACT ASSESSMENT

STAGE 1 – SCOPING

1.1 Policy, Practice, Functions or Service being assessed	<i>Please state policy or service being assessed</i>
Setting the fees and charges for taxi & private hire licensing	
1.2 Lead Officer	<i>Please state name and contact details of lead officer who will be conducting the review.</i>
Lucy Catlyn (Principal Licensing Officer)	
1.3 What do you think are the main issues relating to diversity within the policy or service area?	<p><i>Some things you may wish to consider.</i></p> <ul style="list-style-type: none"> • <i>How do you think that your policy or service currently meets the needs of different communities in Spelthorne?</i> • <i>Do you think that your policy/service specifically contributes to promoting Equality and Diversity in Spelthorne? if so, in what way?</i> • <i>Do you think that your policy or service presents any barriers to any community or group? if so please provide evidence.</i> • <i>How can your service or policy tackle these barriers ((gender, disability and race at least) age, religion/faith and sexuality))</i> • <i>Are there any equality objectives that are on-going or planned for the future, if so please state.(These could be included in your Equality Action Plans (Stage 4)</i> • <i>Please list our proposed equality objectives, at this stage, if any?</i>
<p>The fees & charges for the taxi and private hire licensing need to be reviewed on a yearly basis to ensure it is operating on a cost recovery basis and the service is not operating with a surplus or deficit. The legislation and case law dictates what the Council can charge.</p> <p>The Council offers a reduced fee for wheelchair accessible vehicles to incentivise for the trade to purchase these vehicles.</p>	

STAGE 2: EQUALITY SCREENING PROCESS (Risk Assessment)

1. Introduction

Stage 2 consists on undertaking a screening (or equalities risk assessment). Key areas to consider are?

- What are the key policies, functions and services which may have 'Relevance' to equality and diversity?
- How will you rank these?
- Will you consider individual policies

The outlined Equality Screening Process (ESP) should be used where Service areas are conducting Service based Equality Impact Assessments (EIAs) and/or Policy based EIAs. The purpose of this screening process is to identify policies or practices we believe have a 'Relevance' to disadvantaged groups e.g. BME communities, people with disabilities, women or men, etc. This process should enable the lead officer to identify what are the key equality issues in their respective service area and to identify policies or practices believed to could have an adverse impact on disadvantaged groups.

2. How to use the Equality Screening Process

Each Lead Officer is asked to identify which services, functions, policies or practices that have a 'Relevance' on service delivery in relation to the six diversity themes using the scoring sheet. Points should be provided on the basis of actual or presumed 'Relevance' based on the information provided in section 1. By the end of the exercise you should have added all the points and given a score. The next stage is to identify which polices/practices have a high/medium or low adverse impact.

2a. Points

- 5 – This policy or practice could have a very high relevance on our service delivery
- 4 – This policy or practice could have a relatively relevance on our service delivery
- 3 – This policy or practice could have a medium relevance on our service delivery
- 2 – This policy or practice could have a relatively low relevance on our service delivery
- 1 – This policy or practice could have a very low relevance on our service delivery

2b. Scoring

- 1 - 10 points - Low Relevance
- 11 - 20 points - Medium Relevance
- 21 and above - High Relevance

3. Equality Screening Process

Policy	Age	Disability	Gender	Race	Sexuality	Religion	Total Points	Impact H/M/L
Setting the fees and charges for taxi & private hire licensing	1	1	1	1	1	1	6	low

4. Conclusion – Policy EIA

The equality and diversity impacts caused by the setting the fees and charges for taxi and private hire licensing is low.

If a policy has a score of 25 or over, it is advisable that a Policy based EIA is undertaken. If most policies score below 25, it would be advisable to conduct a service based EIA, which will involve an EIA that overviews all policies or practices in your respective service area.

STAGE 3. IDENTIFYING ADVERSE IMPACT

The aim of an assessment is to identify whether the service or policy has an adverse impact upon people with disabilities, black and minority ethnic communities, men and women, heterosexual, gay, bisexual and lesbian communities, older and younger people and faith communities. The assessment should ultimately produce proportionate equality objectives, which help remove barriers and link into service plans. The end result must, at least, produce one equality objective for each of the three equality themes listed by the Local Government Equality Standard, namely gender, disability and race.

Stage three comprises of two sections.

- Concentration on the aims of the service, policy, function or practice.
- Focuses on the practical delivery of the policy or service.

Assessing the Aims and Criteria of the Policy or Service

This section will determine whether the underlying aims, policies and procedures of the policy or service comply with the Disability Discrimination Act 1995, and Disability Discrimination Act 1995 and (Amendment) 2005, Sex Discriminations Act 1977, and Single Equality Act 2005, Equal Pay Act 1970, Employment Directive (Religion/belief) 2003, Employment Directive (Sexual Orientation) 2003, Employment Directive (Age Discrimination) 2006 and the Local Government Equality Standard. In addition to the key questions below, you may wish to include any specific issues that were identified during the scoping stage of the assessment.

Key Questions	Issues to consider
---------------	--------------------

3.1 What are the aims of the policy?	<i>What needs is the policy/service designed to meet? What are the current priorities? You could also refer to your current Service Plans</i>
To ensure the taxi and private hire service does not operate at a loss or have a surplus.	
3.2 What do your staff/team members say about your initial view?	You could: <ul style="list-style-type: none"> • What do staff members feel are the gaps, or what do they feel could improve the service? • Speak to your colleagues within your team List what equality objectives that are currently implemented or will soon be implemented.
There are no concerns in respect of equality and diversity.	
Key Questions	Issues to consider
3.3 What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative)	<i>You could look at:</i> <ul style="list-style-type: none"> • <i>previous community consultation exercises,</i> • <i>customer service reviews and analysis.</i> • <i>Census data</i> • <i>What are the experiences of front-line staff in relation to the provision of the service?</i> • <i>location of facilities.</i> • <i>lack of access to translation/interpretation or access to building or services,</i> • <i>eligibility rules could be a barrier?</i>
There are no impacts on any equality and diversity groups	
3.4 Can you identify any gaps? What are the reasons for this? <i>(Please note: If you do not have any data, you may wish to develop service based monitoring mechanisms that collate data on under-represented groups)</i>	<ul style="list-style-type: none"> • <i>Are communities or service users aware of this policy or service?</i> • <i>Are there any accessibility issues?</i> • <i>Is service provision monitored, if so how?</i> • <i>Is there a lack diversity awareness amongst staff?</i>
There are no accessibility or diversity issues.	
3.5 What practical changes do you feel would help reduce any adverse impact on particular groups?	<i>For example, changes in communication methods, language support, disability measures, changes in eligibility criteria, developing monitoring mechanisms, diversity training?</i>

There are no adverse impacts on any groups.

<p>3.6 What would be the benefits of making the above changes and are there any negative impacts that such an action would have on different communities?</p>	<p><i>You may want to consider the benefits and consequences for the group(s) concerned, other communities and the Council, if we were not to make the suggested changes?</i></p>
<p>Not applicable</p>	

STAGE 4. IMPLEMENTING PROPORTIONATE EQUALITY OBJECTIVES & MAINSTREAMING DIVERSITY

Equality Action Plan- In consideration of Stage 1 (Scoping), Stage 2 (Screening) and Stage 3 (Adverse Impact) there are no adverse impacts on the equality or diversity of communities or individuals, therefore no equality action plan will be taken forward.

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Licence	Cost code	Fee	1 year fee	3 year fee	5 year fee
New Driver Hackney Carriage	31807 7302		£231	£376	
New Driver Private Hire	31807 7313		£231	£376	
Renewal Driver Hackney Carriage	31807 7302		£193	£431	
Upgrade Private Hire Driver to Hackney Carriage Driver (Includes 1 attempt at conditions test, 1 attempt at geographic test, vehicle check & processing & issuing driver and vehicle licence)	31807 7302	£202			
Renewal Driver Private Hire	31807 7313		£188	£391	
Vehicle Hackney Carriage	31807 7308		£242		
Vehicle Private Hire	31807 7315		£239		
Change of Vehicle	HC 31807 7308 PH 31807 7315	£167			
Discounted PH/HC vehicle with wheelchair accessibility	PH 31807 7315 HC 31807 7308		£119 / £121		
Operators	31807 7318		£349		£978
Hackney Carriage Geographic Test & Retest	31807 7302	£70			
Hackney Carriage Conditions Test & Retest	31807 7302	£50			
Private Hire Geographic Test & Retest	31807 7313	£50			
Private Hire Conditions Test & Retest	31807 7313	£50			
English & Numeracy Test & Retest	HC 31807 7302 PH 31807 7313	£30			
DBS	HC 31807 7302 PH 31807 7313	£47			
Cancellation of booked appointment fee (payment code depends on appt type)	HC Driver 31807 7302 HC Vehicle 31807 7308 PH Driver 31807 7313 PH Vehicle 31807 7315	£40			
Reissue of PH/HC driver or vehicle licence due to any other reason	HC Driver 31807 7302 HC Vehicle 31807 7308 PH Driver 31807 7313 PH Vehicle 31807 7315	£25			
Replacement of plates	HC Vehicle 31807 7308 PH Vehicle 31807 7315	£23			

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