



Please ask for Graham Ibberson  
Direct Line: 01246 345229  
Email [democratic.services@chesterfield.gov.uk](mailto:democratic.services@chesterfield.gov.uk)

The Chair and Members of Appeals  
and Regulatory Committee

7 December 2022

Dear Councillor,

Please attend a meeting of the APPEALS AND REGULATORY COMMITTEE to be held on WEDNESDAY, 14 DECEMBER 2022 at 10.30 am in Committee Room 1 Town Hall Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 4)
4. Review of Licence and Registration Fees 2023/24 (Pages 5 - 12)

Yours sincerely,

A handwritten signature in black ink, appearing to be "Graham Ibberson".

Head of Regulatory Law and Monitoring Officer

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345, Text: 07960 910 264, Email: [info@chesterfield.gov.uk](mailto:info@chesterfield.gov.uk)

[www.chesterfield.gov.uk](http://www.chesterfield.gov.uk)

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## APPEALS AND REGULATORY COMMITTEE

Wednesday, 19th October, 2022

Present:-

Councillor A Murphy (Chair)

Councillors	Perkins	Councillors	Miles
	Bingham		Rayner
	G Falconer		Redihough
	Flood		Rogers

\*Matters dealt with under the Delegation Scheme

44 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS  
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

45 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bellamy, P Innes and Niblock.

46 **MINUTES**

That the Minutes of the meeting of the Appeals and Regulatory Committee held on 27 July, 2022 be approved as a correct record and signed by the Chair.

47 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY -  
GOOD CONDUCT CERTIFICATES**

The Licensing Manager presented a report on a proposed amendment to the Hackney Carriage and Private Hire Licensing Policy relating to good conduct certificates.

Under the current policy, applicants from other countries were required to provide a Certificate of Good Conduct from the embassy of every country where they had been domiciled before entering the UK, providing they

have not lived in the United Kingdom for at least a 10 year period. Applicants from countries suffering war or other turmoil had experienced difficulties in obtaining this documentation. In these circumstances, applicants were referred to the committee if they have not been a resident in the UK for at least 10 years.

A change in the policy had been proposed to allow applicants to apply for a Hackney Carriage and Private Hire License without having to get a good conduct certificate, providing they had given acceptable answers on a set questionnaire regarding their offending history.

**\*RESOLVED –**

That good conduct certificates no longer be required from applicants for a taxi or private hire drivers licence if the person concerned answers the questionnaire acceptably and had no offending history.

## REVIEW OF LICENCE AND REGISTRATION FEES 2023/24

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MEETING: APPEALS AND REGULATORY COMMITTEE

DATE: Date to be fixed

REPORT BY: LICENSING MANAGER

WARDS: ALL

COMMUNITY FORUMS: ALL

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### 1.0 **PURPOSE OF REPORT**

1.1 To seek approval for revised licence and registration fees for 2023/24.

### 2.0 **RECOMMENDATION**

Approval is given to an increase in fees and charges as outlined in Appendix A from 1 April 2023.

### 3.0 **BACKGROUND**

3.1 In accordance with the Council's financial regulations it is necessary for all fees to be annually reviewed.

3.2 The services relate to the regulation, control and administration of the following areas:

- Private Hire and Hackney Carriage fees;
- Scrap Metal collectors and sites;
- Miscellaneous licensing fees.

3.3 Fees for the Licensing Act 2003 are set nationally and cannot be altered by the Council.

3.4 Fees under the Gambling Act and for sexual entertainment venues are considered by the Licensing committee.

- 3.5 Members are reminded that these are statutory services and as such are not subject to market forces. The Council has discretion about the setting of fees.
- 3.6 In accordance with the Medium-Term Financial Strategy, fees and charges are required to be reviewed on an annual basis to ensure that the cost of providing the service is recovered appropriately.

The Medium-Term Financial Plan is constructed on the basis that additional income will be generated from fees and charges. The process being followed for the review of income to be realised includes an assessment of each fee to identify how it meets the Councils strategic purposes and the level of increase that is proposed as well as taking account of present economic conditions. The fees have been based on a robust estimate of the impact of cost increases and demand within the services and the Councils overall financial position. This includes assessing the affordability of any of these increases to our residents and customers. Cost pressures and changes in demand include:

- Increases in energy costs
- Inflationary increases (October CPI 11.1%) resulting in increases in supplier costs and materials
- NJC Pay Claim for 2022-23 which has resulted in a higher than budgeted for pay increase for staff and a higher than anticipated budget for the 2023-24 Pay Claim
- Any specific service issues around cost increases or service usage

#### 4.0 **SCOPE**

- 4.1 An increase is required for all fees and charges in the current circumstances. A summary of proposed fees is provided at Appendix A, which sets out the fees and charges that were agreed in 2022/23 and the proposed increase; the figures have been rounded up or down to assist with cash handling.
- 4.2 Legal precedents dictate that licensing authorities should not make a profit from the delivery of these services. At present these budgets are showing a significant deficit of £18,950 once the recent pay award is included. This deficit is made up of both

controllable and non-controllable expenditure, as the majority is a recharge from the licensing administration cost code.

- 4.3 The proposed increases will return the budget to a cost-neutral position.
- 4.3 The overwhelming majority of this budget comes from the taxi budget, where projected income is £216,490.

## **5.0 EXCEPTIONAL ITEMS**

- 5.1 In December 2019 members decided to retain the limit of 110 hackney carriages. The committee also decided to commission another unmet demand survey in 2022, the survey to be funded by hackney carriage licence holders, for which licence holders are charged £10 at each six-month renewal.
- 5.2 The results of this years unmet demand survey are due to be considered by members in the near future.
- 5.3 Appendix B shows the comparison of taxi and private hire fees within Derbyshire but does not indicate what increase, if any, those authorities are proposing.

## **6.0 FINANCIAL IMPLICATIONS**

- 6.1 The proposed increases will enable the council to provide these services as close to cost neutral as possible.

## **7.0 RECOMMENDATION**

- 7.1 Approval is given to an increase in fees and charges as outlined in Appendix A from 1 April 2023.

Further information on this report can be obtained from the licensing manager, Trevor Durham at [trevor.durham@chesterfield.gov.uk](mailto:trevor.durham@chesterfield.gov.uk)





<b>DRIVERS</b>			
<b>Licence type</b>	<b>Current fee</b>	<b>Proposed fee for 2023/24</b>	<b>Notes</b>
Application	228	250	
Renewal	228	250	
Application pack	71	80	
Knowledge test	55	60	
DBS disclosure	29	32	
<b>VEHICLE</b>			
New application - Private Hire	163	180	
New Application - Hackney Carriage	163	180	No new applications anticipated due to limit set on hackney licences
Vehicle change	42	45	
Vehicle detail change	37	40	
Hackney survey fee	10	10	bi-annual survey paid on licence renewal.
Renewal Private Hire	113	125	
Hackney Renewal	113	125	
Executive hire new application	72	80	
Executive hire renewal	66	70	
Transfer	15	17	
Change of details	15	17	
Duplicates	1	1	Reduction in fee
<b>OPERATORS</b>			
<b>Fee</b>	<b>715</b>	<b>790</b>	5 year licence
Plus per vehicle	32	35	
vehicle test	60	60	Not CBC income
Retest – within 10 days	15	15	Not CBC income
Retest – after 10 days	35	35	Not CBC income
Limousine test	25	25	Not CBC income
<b>Scrap Metal</b>			

<b>Licence Type</b>	<b>Current fee</b>	<b>Proposed fee for 2023/24</b>	<b>Notes</b>
Site licence (3 yearly licence)	<b>473</b>	<b>520</b>	
Collectors licence (3 yearly licence)	<b>197</b>	<b>220</b>	
Addition of new site	<b>236</b>	<b>260</b>	
Change of site manager	<b>14</b>	<b>15</b>	
Add person to a site licence who has not previously been checked.	<b>77</b>	<b>85</b>	
<b>Sexual Establishment Licence (Sex Shop)</b>			
Grant /renewal	<b>1703</b>	<b>1,875</b>	
Transfer	<b>850</b>	<b>935</b>	
<b>Pleasure Boats</b>			
New & renewal of boat licence	<b>67</b>	<b>75</b>	
Renewal of Skipper's licence	<b>16</b>	<b>20</b>	

2023-24: Comparison of proposed fees with other Derbyshire authorities.

At the time of writing it is not known if other authorities plan to increase their fees.

Authority	Private Hire / Hackney Drivers Licence 3 years	Hackney Vehicle Licence	Private Hire Vehicle Licence
Amber Valley	£223	£338 (renewal) – 1 year £409 (new) – 1 year	£293.50 (renewal) – 1 year £409 (new) – 1 year
Bolsover	£180	£ 92 – 6 months	£92 – 6 months
<b>Chesterfield (Showing proposed fees)</b>	<b>£250</b>	<b>£180 new £125 renewal 6 monthly</b>	<b>£180 new, £125 renewal 6 monthly</b>
Derby City	£289	£169 new & renewal – 12 months (Vehicles over 5 years old to be licensed every 6 months)	£83 new & renewal – 12 months (Vehicles over 5 years old to be licensed every 6 months)
Derbyshire Dales	£195	£362 – 12 months	£351 – 12 months
Erewash	£203	£325 – 12 months £260 – 12 months for low emission vehicle	£325 – 12 months £260 – 12 months for low emission vehicle
High Peak	£225	£180 – 12 months	£180 - 12 months
North East	£180	£92 - 6 months	£92 – 6 months

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