

**Report of the Service Director Culture,
Housing and Regulation
to the
General Licensing Regulatory Board
to be held on the 22 February 2017**

Revised Theory Test Fees

1. Purpose of Report and Recommendations

- 1.1 The purpose of this report is to seek Members approval in respect of proposed revised theory test fees.

2. Background

- 2.1 Barnsley Council requires all those applying for a hackney carriage and private hire driver's licence to fulfil a number of criteria to ensure those granted such licences are 'fit and proper' persons in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

3. Current Position

- 3.1 The current theory test comprises of a total of 80 questions and focuses on the following areas:
- Highway Code
 - Disability & Customer Care
 - Conditions of Licence (inc. Safeguarding)
 - Places of Interest
 - Numeracy & Literacy
- 2.2 Each section contains 16 questions and requires a 75% pass rate; scoring a minimum of 12/16 per section.
- 2.3 The current fee charged to undertake the test is £10. However, the undertaking of an activity based cost exercise has identified the actual cost of delivering this process to be significantly higher. This in turn, has highlighted the Licensing Service to be delivering the process at a loss.

3. Proposal

- 3.1 The Council is the licensing authority for the purposes of hackney carriage and private hire licensing. Its functions and responsibilities in relation to fees and charges for taxi and private hire licences are set out in Sections 53 and

70 of the Local Government (Miscellaneous Provisions) Act 1976 (LG(MP)A 1976).

- 3.2 Schedule 1 to The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) (The Regulations) allocates responsibility for some of those fee setting functions to the Council.
- 3.3 Section 101 of the Local Government Act 1972 allows the Council to delegate those licensing functions which are allocated to it by virtue of the Regulations. The Council has delegated responsibility to the General Licensing Regulatory Board (GLRB) under its Scheme of Delegation within the Council's Constitution to set hackney carriage and private hire licensing fees subject to it taking into account policy considerations of Cabinet and or Council.
- 3.4 In relation to taxi drivers' licence application fees, under section 53 of the LGMPA 1976 there is no statutory requirement to publicise any changes in the level of fees.
- 3.5 In calculating the fees, the Licensing Authority has taken into account the following:
- All activities required for the delivery of the theory test
 - Staff costs associated with supporting the service
 - Support provided by other parts of the Council to the Licensing Team, e.g.).Safeguarding training delivered by the Council's Local Authority Designated Officer Ruth Holmes and any other associated recharges
- 3.6 As set out in Appendix A, this shows a detailed breakdown for the proposed fee.
- 3.7 Whilst the fees charged by the Council in relation to taxi licensing are discretionary, this does not prevent the Council from charging such fees as it considers reasonable in recovering its costs related to the licensing regime. Indeed the Council should be recovering its costs incurred otherwise the burden could fall upon the local tax payers.
- 3.8 The newly proposed theory test fee, if approved, will be set at £65 (including mandatory safeguarding training) or £60 (candidate resit - exclusion of safeguarding training as received during previous test).

4. Recommendation

The revised theory test fee is approved and implemented with immediate effect.

5. Background Papers

Appendix A – Proposed Fee (including & excluding safeguarding training).

6. Officer Contact

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