

LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE**24 MAY 2017**

REPORT TITLE	PERIODIC REVIEW OF LICENSING FEES FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS AND VEHICLES, AND PRIVATE HIRE OPERATORS
REPORT OF	MANAGING DIRECTOR FOR DELIVERY

REPORT SUMMARY

The purpose of this report is for Members to consider a representation received regarding the proposed increase in licence fees in respect of Hackney Carriage, Private Hire and Operator Licences.

RECOMMENDATION/S

That Members consider whether it is appropriate to approve the licence fees as set out in Appendix 1 in respect of Hackney Carriage, Private Hire and Operator Licences in light of the representation received as part of the consultation process.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a statutory requirement for this Committee to review and approve the licence fees.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

- 3.1 The Council are legally entitled to charge such a fee for licences that they consider reasonable with a view to recover the costs of the issue and administration of the licence.
- 3.2 Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 (the Act) the cost of a licence must be related to the cost of the licensing scheme itself. It is therefore appropriate for a local authority to recover their administrative and other associated costs.
- 3.3 The fees for Hackney Carriage, Private Hire and Operator Licences are reviewed on an annual basis to determine whether the income received from the previous year has been in line with the cost of delivering the service. A review was undertaken and it was identified that the projected income received for the financial year 2016 - 2017 would not cover the costs of delivering the service.
- 3.4 On 22 March 2017 Members of this Committee resolved to approve the licence fees in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 May 2017 subject to any objections being received as part of the consultation process.
- 3.5 The Act states that if an objection is received and not withdrawn the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or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.
- 3.6 During the consultation period a representation was received from Unite, a copy of which is attached at Appendix 2.
- 3.7 Members are asked to consider whether to approve the licensing fees set out in Appendix 1 in light of the representation received as part of the consultation process.
- 3.8 If Members approve the revised licensing fees a date must be set for the fees to come into force which must be no later than 1 July 2017.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are cost implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

5.0 LEGAL IMPLICATIONS

- 5.1 A decision of the Committee may be subject to legal challenge.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 There are implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

7.0 RELEVANT RISKS

- 7.1 There are risks that the costs associated with the administration of licences for taxis and private hire may not be recovered should the licence fee not be increased.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Increases in respect of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences must be advertised for a period of 28 days and any objections received are reported back to this Committee for consideration.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no specific implications arising from this report.

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APPENDICES

Appendix 1 - Fee structure

Appendix 2 – Representation from Unite

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing Health and Safety and General Purposes Committee	7 July 2015

Licensing Health and Safety and General Purposes Committee	16 March 2016
Licensing Health and Safety and General Purposes Committee	22 March 2017