

# WIRRAL COUNCIL

## LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

7 JULY 2015

<b>SUBJECT:</b>	<b>REVIEW OF LICENSING FEES FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER AND AND PRIVATE HIRE OPERATOR LICENCES</b>
<b>WARD AFFECTED:</b>	<b>ALL WARDS</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is for Members of the Licensing Health and Safety and General Purposes Committee to review and approve the licence fees in respect of Hackney Carriage and Private Hire Driver Licences and Private Hire Operator Licences with effect from 1 October 2015.

### 2.0 BACKGROUND AND KEY ISSUES

2.1 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.

2.2 Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 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.

2.3 The fees that are currently charged for Hackney Carriage and Private Hire Driver Licences and Private Hire Operator Licences are for licences that are renewed on an annual basis.

2.4 On 26 March 2015 the Deregulation Act 2015 (the Act) received Royal Assent. This Act amends the Local Government (Miscellaneous Provisions) Act 1976 to require a local authority to issue Private Hire and Hackney Carriage Driver Licences for a period of three years and Private Hire Operator Licences for a period of five years. This part of the Act comes into force on 1 October 2015.

2.5 As a result of the change in the duration of these licences, a review of the fee structure is required to reflect the fact that licences will be issued for more than one year.

2.6 A review of the fee structure for the functions undertaken in the administration of licences for Hackney Carriage and Private Hire vehicles, drivers and operators was undertaken in January 2015 and Members of this Committee approved a revised fee structure. The fees in relation to Hackney Carriage and Private Hire Driver Licences and Private Hire Operator Licences are shown in Appendix 1. These fees relate to annual licences.

### **3.0 PROPOSED FEES**

- 3.1 The cost of the administration of these processes has been calculated based on the revised duration of Hackney Carriage and Private Hire Driver Licences and Operator Licences. This review has taken into consideration that there will be reduced officer time dedicated to processing licences and reduced costs in producing badges and paper licences. The proposed fees set out in the table in Appendix 2 are considered appropriate to recover the costs of the issue and administration of the licences. These costs will be kept under review.
- 3.2 Members are asked to approve the fee structure proposed in Appendix 2.

### **4.0 RELEVANT RISKS**

- 4.1 The income received by Licensing over the next 3 years will be reduced and there is a risk that the income received may not cover the costs of issuing and administering the Hackney Carriage and Private Hire Driver Licences as well as the Operator Licences. This is the first time that the Council will be issuing licences that are valid for more than a year, the costs of these changes will be kept under review and may require further amendments to the fee structure.

### **5.0 OTHER OPTIONS CONSIDERED**

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

### **6.0 CONSULTATION**

- 6.1 All of the proposed fees will be advertised for a period of 28 days and any objections reported back to this Committee for consideration.

### **7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

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

### **8.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

- 8.1 There are none.

### **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 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. There will be a reduction in the income received by Licensing to reflect a reduction in the costs of administering Private Hire and Hackney Carriage Driver Licences and Operator Licences as this process will no longer be undertaken on an annual basis.

### **10.0 LEGAL IMPLICATIONS**

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

## 11.0 EQUALITIES IMPLICATIONS

11.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

## 12.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

12.1 There are no specific carbon reduction implications arising from this report.

## 13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no Planning implications arising out of this report.

## 14.0 RECOMMENDATION/S

14.1 That Members of the Licensing Health and Safety and General Purposes Committee review and approve the licence fees as set out in Appendix 2 in respect of Hackney Carriage and Private Hire Driver Licences and Private Hire Operator Licences with effect from 1 October 2015, subject to any objections being received as part of the consultation process.

## 15.0 REASON FOR RECOMMENDATION/S

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

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## APPENDICES

- APPENDIX 1 – Current Fee structure
- APPENDIX 2 – Proposed Fee Structure

## BACKGROUND PAPERS/REFERENCE MATERIAL

## BRIEFING NOTES HISTORY

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date