



LICENSING COMMITTEE REPORT

Report Title	Review of Licensing Fees
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	5 November 2013
Policy Document:	Hackney/Private Hire Sanctions and Procedures
Directorate:	Customers and Communities

1. Purpose

1.1 The purpose of this report is to review the Private Hire Operator fees currently adopted by the council.

2. Recommendations

2.1 That with effect from 1 January 2014, the proposed fees (Appendix A) for Private Hire Operator licences be adopted.

3.1 Report Background

3.1.1 The current scale of fees for Operator Licences took effect from 1 April 2013, when they were increased in line with driver and vehicle licences.

3.1.2 Over time the number of vehicles operated by some licence holders has risen significantly and the fees no longer reflect the amount of administration time spent both issuing and renewing those licences.

3.1.3 The progression of fees at Appendix A goes some way to remove this discrepancy.

3.1.4 The increase as requested will not affect the majority of operators only those operating a high number of vehicles.

3.1.5 Fees still remain staggered to take account of the number of vehicles each licence holder operates.

4.1 Choices (Options)

4.1.1. Only one option has been submitted for consideration at this time.

4.1.2. To consider the option given in line with the Local Government (Miscellaneous Provision) Act 1976.

5. Implications (including financial implications)

5.1 Policy (Hackney and Private Hire Licensing)

5.1.1. There are no new policy implications.

5.1.2. There will be an increase in revenue to cover the cost in administration.

5.2 Resources and Risk

5.2.1 The licensing department will continue the administrative function of issuing Operator licences with current resources.

5.3 Legal

5.3.1 The Local Government (Miscellaneous Provisions) Act 1976, S53 (2) allows the Local Authority to set fees in respect of drivers licences for both Hackney Carriages and Private Hire Vehicles.

5.3.2 S70 of the same act allows a local authority to set fees in respect of Hackney Carriage proprietor's licences, Private Hire Vehicle licences and Private Hire Operator's licences.

5.3.3 The cost of a licence has to be related to the cost of the licensing scheme itself, and can be set to be subsidised by the Council but cannot be set to make a surplus.

5.3.4

Local Government (Miscellaneous Provisions) Act 1976

“70 Fees for vehicle and operators' licences.

(1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

(2) The fees chargeable under this section shall not exceed—

(a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;

(b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and

(c) for the grant of an operator's licence, twenty-five pounds per annum;

or, in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.

(3)(a) If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.

(4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

(5) 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.

(6) A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so.

5.4 Equality

5.4.1. An equality impact assessment has been undertaken and no equalities issues were identified as being likely to have a negative impact on the trade request.

5.5. Resources and Risk

5.5.1. There is no recognised financial risk, the Licensing Team will continue to administer and enforce the issue of Hackney and Private Hire Licenses.

5.5.2. The estimated increase in revenue if these proposals are adopted will help to pay for the increased costs in both administration and compliance.

5.5.3. This will reduce the amount the service is subsidised by other resources. (i.e The Council Tax payer).

5.6 Consultees (Internal and External)

5.6.1. Legal

5.7. Background Papers

5.7.1. Local Government (Miscellaneous Provisions) Act 1976. (Relating to Hackney and Private Hire vehicles, drivers and operators).

5.7.2 Taxis-Licensing Law and Practice – James Button

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APPENDIX A

<u>Operators Licence proposed fee</u>		<u>2013</u>	<u>2014</u>
Annual Private Hire Operators Licence	Non - S	330	330
Operator Renewal Number of vehicles			
1	Non - S	220	220
2-5	Non - S	330	330
6-20	Non - S	440	440
20-30	Non - S	550	550
30-40	Non - S	660	660
40-50	Non - S	770	770
50-60	Non - S	880	880
60-70	Non - S	990	990
70-80	Non - S	1100	1100
80-90	Non - S	New Fee	1200
90-100	Non - S	New Fee	1300
100 - 110	Non - S	New Fee	1400
110-120	Non - S	New Fee	1500
120-130	Non - S	New Fee	1600
130-140	Non - S	New Fee	1700
140-150	Non - S	New Fee	1800
150-160	Non - S	New Fee	1900
160-170	Non - S	New Fee	2000
170-180	Non - S	New Fee	2100
180-190	Non - S	New Fee	2200
190-200	Non - S	New Fee	2300
200-225	Non - S	New Fee	2500
225-250	Non - S	New Fee	2750
Notification of change of named Operator	Non - S	220	220