

LICENSING REGULATORY COMMITTEE

PROPOSED LICENSING FEES 2009/10 19th February, 2009

Report of Licensing Manager

PURPOSE OF REPORT

The report is to enable Members to consider the level of fees for 2009/10.

This report is public.

RECOMMENDATIONS

That for the financial year 2009/10, there be no increase in the fees charged by the Council for fees relating to hackney carriages and private hire vehicles, and miscellaneous licences.

1.0 Introduction

- 1.1 The report is concerned with the setting of the licence fees for Hackney Carriage and Private Hire licences and miscellaneous licences issued by the Council. As Members will be aware, licences issued under the Licensing Act 2003 and the Gambling Act 2005 fall within the remit of the Licensing Act Committee and not this Committee, but in any event these fees are fixed or influenced by central Government. Members are reminded that for the purpose of the 2008/2009 budgetary process the Council was satisfied that there should be no increase in licensing fees for Hackney Carriages and Private Hire licences and for miscellaneous licences. There have therefore been no increases in fees for either of the above categories since April 2005.
- 1.2 As Members are aware, it has for many years been the policy of the Council for the licensing service to be self-financing. However, it has always been acknowledged that there are some licences or permits, for example street collection permits, where no fee may be charged. As a consequence, there will inevitably be a deficit in respect of these miscellaneous licences.
- 1.3 The annual revision of fees seeks to ensure that the costs of the service will, so far as possible, be met from the income. However, it is not lawful for the Council to seek to make a profit from licence fees that are within its discretion. In particular, with regard to Hackney Carriage and Private Hire licensing, Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 provides that a District Council may charge such fees for the grant of vehicles and operators licences as may be sufficient to cover in whole or in part the reasonable costs of carrying out inspections of Hackney Carriages and Private Hire vehicles, the reasonable costs of providing

Hackney Carriage stands, and any reasonable administrative or other costs in connection with the control and supervision of Hackney Carriages and Private Hire vehicles. Fees charged for drivers' licences may also be set at an appropriate level to cover the cost of issue and administration.

- 1.4 Following a financial assessment of time allocations for licensing staff, internal departmental re-charges together with other costs borne by the licensing service, the current fees charged for hackney carriages and private hire vehicle licensing and miscellaneous licensing have been reviewed. As a result of this exercise, it has been calculated that for 2009/10 the budgeted cost of the hackney carriage and private hire licensing function will be £141,800, and for miscellaneous licensing £22,600.
- 1.5 It is of course impossible to estimate with any degree of certainty the amount of income from licence fees, given that some licence holders may decide not to renew their licence, and there may or may not be a number of new applications for licences. However, on the basis of the best possible estimate of numbers of licences that will be issued in 2009/10, it is estimated that, if the fees remain at the same levels as in 2008/09, income from hackney carriage and private hire licensing will be £146,900 and for miscellaneous licensing £13,200.
- 1.6 With regard to hackney carriage and private hire licensing, on basis of the above projections it is clear that the level of income generated through licence fees is sufficient to cover the costs in providing the function. Therefore, officers do not consider that it is necessary to increase the hackney carriage and private hire licensing fees. Miscellaneous licensing shows a deficit of £9,400, but it is felt that this properly reflects the work undertaken in respect of licences where a fee cannot be recovered, (eg street collection and house to collections). For Members' information, the above two categories of fees are attached to this report at Appendices A and B.

2.0 Options and Options Analysis

- 2.1 The options are as follows :-

Option 1 – to approve that there be no increase in the existing fees for hackney carriage and private hire licensing and for miscellaneous licences as set out in Appendix A.

Option 2 – to approve an alternative fee structure.

- 2.2 The Officers preferred option is Option 1, as the existing fees reflect the cost of providing the service, in accordance with the statutory provisions on licence fees.

3.0 Conclusion

- 3.1 Members are recommended to approve that there be no increase in the fees for hackney carriage and private hire licensing and for miscellaneous licences for 2009/10.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None.

FINANCIAL IMPLICATIONS

Financial Services have been consulted and have assisted the Licensing Manager in the preparation of the report. The fees recommended agree with the income included in the proposed 2009/10 budget for hackney carriage and private hire licensing and for miscellaneous licences and these will be monitored as part of the 2009/10 P.R.T. process.

LEGAL IMPLICATIONS

Legal Services have been consulted and their comments have been incorporated in the report.

BACKGROUND PAPERS

None

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