

LICENSING REGULATORY COMMITTEE

PROPOSED LICENCE FEES 2011/12 31st March 2011

Report of the Licensing Manager

PURPOSE OF REPORT

This report is to enable Members to consider representations received following the statutory consultation period required under Section 70 of the Local Government (Miscellaneous Provision) Act 1976 on the level of fees for hackney carriage and private hire vehicle licences and private hire operator's licences for 2011/12.

This report is public

RECOMMENDATIONS

- (1) **Members are recommended to consider in the light of the representations received whether to approve the proposed changes for the hackney carriage vehicle and driver licences and the private hire vehicle, driver and operator licences for 2011/2012 as set out in Appendix 3, or whether to approve an alternative fee structure.**
- (2) **Members are recommended to approve any new fees structure to come into force on 1st April 2011.**

1.0 Introduction

- 1.1 Members will recall that at the last meeting of the Licensing Regulatory Committee on 17th February 2011, the licensing manager presented a report which concerned the setting of the licence fees for hackney carriage and private hire licences and miscellaneous licences issued by the Council.

The February Licensing Regulatory Committee report is attached at appendix 1 (with its appendices A-C). Appendix 2 shows representations received, and Appendix 3 the revised list of recommended fees.

- 1.2 Members resolved that the proposed changes for the hackney carriage vehicle and driver licences and the private hire vehicle, driver and operator licences for 2011/12 be approved as set out in Appendix C to the report and that the Head of Governance be authorised to advertise the proposed increases for vehicle and operator licences in accordance with the statutory requirements.
- 1.3 The legislation requires that any increase in the licence fees in respect of private hire operators and hackney carriage and private hire vehicles to be advertised, and a

period of 28 days allowed for objections. The proposed increases to these fees were duly advertised.

- 1.4 During the 28 day period 2 objections were received and copies are attached at appendix 2 to this report
- 1.5 Members will note from appendix C that officers originally recommended that the cost of a vehicle transfer be £176. However, since the last meeting, this has been reviewed, and the recommendation now is that the current fee of £160 be reduced to £40. This is to offer an incentive to proprietors to inform licensing as soon as a transfer takes place. The licensing department are not always informed when a transfer takes place, and this may be because of the transfer fee. Failure to inform could have a higher cost implication from an administrative and enforcement point of view than any losses sustained through the fee reduction.

2.0 Options and Options Analysis

- 2.1 Having considered the objections, the options open to the Committee are as follows :-

Option 1 – To approve the revised fee for hackney carriage and private hire licensing as set out in Appendix 3.

Option 2 – to approve an alternative fee structure.

Option 3 – to make no change to the current fee structure (save for an adjustment for hackney carriages in respect of the survey fee)

- 2.2 Officers would recommend that members approve Option 1 above. It is not in accordance with the Council's policy for the cost of licensing to be born by the council taxpayers. Given the increase in officer time spent on hackney carriage and private hire licensing over the last twelve months, it is felt reasonable not to seek to recover the whole of the budgeted deficit through a higher increase in licence fees at this stage, but to keep the position under review over the next year.

3.0 Conclusion

- 3.1 Members must make a decision taking account of the objections received.

CONCLUSION OF IMPACT ASSESSMENT

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

The proposed change does not have the potential to cause negative impact or discriminate against different groups in the community based on age, disability, gender, race/ethnicity, religion or religious belief (faith), sexual orientation, or rural isolation.

FINANCIAL IMPLICATIONS

Financial Services have been consulted and have assisted the Licensing Manager in the preparation of the report. They are satisfied that the proposed fees will contribute to

generating sufficient income to comply with the Council's policy of having, so far as possible, a self-financing licensing service, however the position will need to be closely monitored. The proposal would generate an additional income of approximately £15,000

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no comments to add

LEGAL IMPLICATIONS

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

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

None

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