

# LICENSING COMMITTEE



Report subject	<b>Review of Hackney Carriage and Private Hire Licence Fees</b>
Meeting date	26 January 2023
Status	Public Report
Executive summary	<p>The purpose of this report is for the committee to consider an increase to the fees charged by BCP Council for the administration of the Hackney Carriage and Private Hire licensing regime.</p> <p>The Local Government (Miscellaneous Provisions) Act 1976, section 53 allows local authorities to set the fees charged to recover the costs associated with the administration and compliance of licensing drivers of Hackney Carriage and Private Hire vehicles.</p> <p>Section 70, of the Act, requires that the fees are charged to recover the costs for administration of licences for vehicles and operators. Any change to these fees is subject to a 28-day minimum consultation period.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>Members consider the proposed fees and either</b></p> <ul style="list-style-type: none"><li><b>a) Agree the proposed fees as stated</b></li><li><b>b) Agree amended fees following consideration</b></li><li><b>c) Maintain the current fee structure.</b></li></ul> <p><b>Any change in the fees for vehicles and Private Hire Operators is subject to a 28-day consultation period.</b></p>
Reason for recommendations	<p>The legislation allows for full cost recovery of the administration of the licensing of drivers, vehicles and operators. Due to increases in the council's operating costs as a result of inflationary increases, the current licence fees have been reviewed.</p> <p>It is proposed to implement any changes to the fees on 1<sup>st</sup> April 2023.</p>

Portfolio Holder(s):	Councillor Bobbie Dove Portfolio Holder for Community Safety and Regulatory Services
Corporate Director	Jess Gibbons, Chief Operating Officer
Report Authors	Trudi Barlow, Interim manager – Hackney Carriage and Private Hire Licensing Nananka Randle, Interim Head of Safer Communities
Wards	Council-wide
Classification	For Decision

## Background

1. The current set of fees for the administration of Hackney Carriage and Private Hire licences was implemented on the 1 June 2021. Since then, inflation has resulted in increases in the costs associated with the administration of the service. This includes salary pay award for 2022, corporate recharges and direct oncosts for supplies.
2. The Local Government (Miscellaneous Provisions) Act 1976 allows the local authority to charge fees on a cost recovery basis only. The proposed changes to the fees include the cost of administration, compliance checks and the issuing of licences, and plates.
3. Hackney Carriage licensing fees also includes recharges for the upkeep of taxi ranks and the requirement to undertake an unmet needs survey every three years.
4. Since 2021 driver fees include the cost of six-monthly DBS status checks, as well as HMRC, DVLA check and right to work checks at renewal,
5. The proposed fees are as shown at Appendix 1 and have been calculated to reflect the actual cost to BCP Council of providing the service which includes increased salary and corporate recharges.
6. It is recognised that inflationary pressures and increases in cost of living has a broad impact across the community and local businesses. However, the Council must apply cost recovery fee structures where this is permitted by statute, in order that the cost of relevant services do not present an additional burden to the council tax payer.
7. The Hackney Carriage trade has received two fare increases during this financial year. On 10 March 2022 the Licensing Committee agreed an 8% increase in taxi tariff. A further increase of 6% was approved on 15 September 2022.
8. It is proposed that any change in fees will be implemented from 1 April 2023.

## **Consultation**

9. There is a statutory requirement to advertise the change in fees for vehicle and Private Hire Operators licences.
10. A notice must be published in a local paper advising of the variation in fees and set out the consultation period which shall be no less than 28 days. In addition, the notice must be displayed in the Civic Offices for a minimum 28-day period.
11. If no objections are received the new fees will come into force on the date specified.
12. If there are objections which are not withdrawn, then a further Committee meeting will be required to consider the matter further. This meeting must take place within 2 months of the expiry of the consultation.

## **Options Appraisal**

13. Members are asked to either
  - a) Agree the proposed fees as presented, or
  - b) Agree amended fees, or
  - c) Maintain the current fee structure
14. Once the fee level is agreed if there is an increase or variation members are asked to approve publishing the necessary notices.

## **Summary of financial implications**

15. The fees must cover the cost of delivery of the service. The finance officer has reviewed the proposed fees and confirmed that they are set appropriately.
16. If the fees are not sufficient to cover the costs associated with the delivery of the service, there is a risk that staff costs may need to be reduced to reflect any income shortfall.

## **Summary of legal implications**

17. The fees are required to meet the costs of the services and must be set in accordance with the legislation on a cost recovery basis. If the fees are set incorrectly this can result in judicial review.

## **Summary of human resources implications**

18. The delivery of the service will remain within existing staffing levels.

## **Summary of sustainability impact**

19. Not Applicable

## **Summary of public health implications**

20. The licensing regime ensures passenger safety

## **Summary of equality implications**

21. An Equalities Impact Assessment (EIA) screening document has been completed. It will be presented to the EIA panel on 19 January 2023.

## **Summary of risk assessment**

22. If the fees are set incorrectly this can result in judicial review.
23. If the fees are not correct, licence holders may choose not to renew with BCP and may seek licences elsewhere.
24. The fees as proposed have been carefully considered and calculated based on officer time for each licensable activity. These fees are regularly reviewed and amended as necessary.

## **Background papers**

Local Government (Miscellaneous Provisions) Act 1976

[Local Government \(Miscellaneous Provisions\) Act 1976 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1976/106)

## **Appendices**

Appendix 1 – Current and proposed fees