

Committee: Licensing and Environmental Health Committee

Title: Fees for Drivers, Hackney Carriage and Private Hire Vehicles and Private Hire Operators

Report Author: Russell Way, Licensing and Compliance Manager

Date:
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Summary

1. The purpose of this report is for Members of the Licensing and Environmental Health Committee to review and approve the licence fees in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 April 2021
- 1.1 The proposed increases in respect of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences have been duly advertised for the required period of 42 days and the objections received are included in this report (Appendix D).

Recommendations

2. To review and approve the licence fees in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 1 April 2021.

Financial Implications

3. There are cost implications to the Council in undertaking this legal duty and this is recognised in the legislation which provides for the recovery of the costs of administering the scheme and ensuring compliance.

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection.

Appendix:

- A – Forecast deficit/surplus for 2020/1 to 2022/23
- B - Recoverable administration costs of each licence
- C - Fees and charges from Essex and neighbouring Authorities for information
- D – Consultation Responses and officers reply
- E - Rationale for increase in officer establishment Mr Way

Impact

5.

Communication/Consultation	<p>Operators and Hackney Carriage Proprietors and Trade Association were emailed as part of a 42 day consultation process. Adverts' in newspapers and communications using websites and social media were also used. The 6 responses from 2500+ drivers have been captured below</p>
Community Safety	<p>Uttlesford Licensing Committee have agreed to seek to meet the Government's Standards that was accepted by the council in September. The fees for Hackney Carriage, Private Hire and Operator Licences are reviewed by the Council on an annual basis to determine whether the income received from the previous year has been in line with the cost of delivering the service.</p> <p>The basis of the costing review for licence fees consists of an analysis of the time taken and/or cost for each element of the licensing process. This review has been undertaken and it has been identified that the total timings and costs associated with the licensing process is in line with the current fees charged.</p> <p>However, in order to meet the new DfT Standards - additional process and compliance time has been calculated and additional staff are needed. Support by elected members will be necessary in order to fulfil this requirement</p>
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	<p>This is a proportionate response to ensure licensing authorities including Uttlesford carry out their due diligence. This ensures Uttlesford drivers have not been revoked or refused a license by another licensing authority.</p>
Sustainability	N/A

Ward-specific impacts	N/A
Workforce/Workplace	N/A

Situation

6. It is a statutory requirement for this Committee to review and approve the licence fees.
 - 6.1 The Council are legally entitled to charge such a fee for licences and they consider reasonable with a view to recover the costs of the issue and administration of the licence.
 - 6.2 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.
 - 6.3 The fees for Hackney Carriage, Private Hire and Operator Licences are reviewed by the Council on an annual basis to determine whether the income received from the previous year has been in line with the cost of delivering the service. The basis of the costing review for licences fees consists of an analysis of the time taken and/or cost for each element of the licensing process. This review has been undertaken and it has been identified that the total timings and costs associated with the licensing process are in line. The proposed fee increase is therefore quite minimal. However, in order to meet the new Government Standards, more checks and procedures are needed and an additional 1.5 officers are needed. Their time will be spent 1) Establishing information sharing protocols between UDC & those stakeholders who provide and contract regulated services using Uttlesford licenses 2) initiating and undertaking compliance work relating to vehicles/garages. As a result, this necessitates the fees for vehicles and drivers amending to recover the extra costs. Please see APPENDIX E
 - 6.4 The increase in licence fees required in order to fully recover the underlying costs associated with the issue and recoverable administration costs of each licence type is shown in Appendix B. Appendix A shows the forecast deficit/surplus for 2020/21 to 2022/23 on the assumption that the fees are increased as proposed in Appendix B. The forecast deficits and surpluses in these years relate to the fact that there is a timing mismatch between when the income for driver and operator licences are received and when the costs are incurred for these licences. It is because of this 'timing mismatch' that the licensing reserve was established in order to hold some of the income received from driver and operator fees until the costs relating to this income have been incurred and the two can be offset against each other.
 - 6.5 A table showing fees and charges from Essex and neighbouring authorities is attached for information as Appendix C. This shows Uttlesford as still having the lowest vehicle licence fees and among the lowest driver and operator fees.

- 6.6 Members are asked to approve the fee structure proposed in Appendix B to come into effect on 1 April 2021
- 6.7 A number of objections have been received by the Council following both the advertisement notifying of the proposed increase in charges as well as in response to a consultation meeting with the trade on 24th November 2020. These objections are shown in Appendix D.
- 6.8 Background information is also provided for Members in Appendix E detailing rationale to fund additional officers

Risk Analysis

7.

Risk	Likelihood	Impact	Mitigating actions
<p>3 = Significant risk or impact – action required</p> <p>There is a need for the council to ensure it meet the Government standards.</p>	<p>2 = Some risk or impact – action may be necessary.</p>	<p>3 = Significant risk or impact – action required</p>	<p>3 = Significant risk or impact – action required</p>

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.