

Committee:	Licensing & Environmental Health	Date:
Title:	Fees for Drivers, Hackney Carriage and Private Hire Vehicles and Private Hire Operators	6 November 2018
Report Author:	Amanda Turner, Licensing Team Leader	Item for decision:
		Yes

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 2019.
2. Increases in respect of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences must be advertised for a period of 28 days and if any objections are received, they will be reported back to this Committee for consideration.

Recommendation

3. Members are asked to approve the licence fee structure in respect of Hackney Carriage, Private Hire and Operator Licences proposed in Appendix B to come into effect on 1 April 2019.

Financial Implications

4. There are cost implications to the Council in undertaking this duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
 - None

Impact

6.

Communication/Consultation	Operators and Hackney Carriage proprietors and Trade Association will be emailed and advised of proposed fee structure and it will be advertised in 2 local newspapers circulating the District of Uttlesford and also on our Uttlesford website.
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Community Safety	All drivers licensed by the Council are subject to series of checks in order to determine that they are fit and proper and do not pose an unacceptable risk to the safety of the travelling public
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	As set out in the body of this report
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	The cost of running the taxi and private hire licensing service is met by appropriate fees and charges

Situation

7. It is a statutory requirement for this Committee to review and approve the licence fees.
8. 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.
9. 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. The fees charged should be capable of withstanding legal challenge, should the need arise.
10. The fees for Hackney Carriage, Private Hire and Operator Licences are reviewed by officers 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. This review has been undertaken and it has been identified that the projected income received for the financial year 2019 - 2020 will not cover the costs of delivering the service.
11. A detailed review of the actual and projected expenditure and income relating to the issue and the administration of licences for Hackney Carriage and Private Hire vehicles, Drivers and Operators has identified that the fees charged do not recover the costs incurred by the service in issuing licences. At the present fee structure, for the current financial year (2018-19) it is anticipated that there will be an under recovery of costs relating to taxi licensing of over £100,000. This is shown in Appendix A.
12. Appendix B shows the increase in licence fees required in order to fully recover the underlying costs associated with each licence. Appendix A shows the forecast income and expenditure for the next 3 financial years (2019/20 to 2020/21) assuming these new fees are charged. The overall surplus observed for

these 3 years occurs because some of the costs relating to income are incurred in subsequent years. Over the medium to long term the fees should balance to the costs of issuing the licences.

13. The proposed fees set out in Appendix B are considered appropriate to recover the administration and associated costs of the service and reflect the increased resource requirements imposed on local authorities by the Deregulation Act 2015 which enables applicants who reside in and outside of Uttlesford to apply for a driver licence from the Council.
14. Deregulation has resulted in a large increase in the numbers of applications received and in the type and variance of checks that need to be carried out uniformly across the service. Fees reflect the additional staffing resource required to carry out these checks and monitor and manage the timely return of information against the application.
15. It is essential that the Council undertakes a proper assessment of applications it receives to ensure that the safety of users of hackney carriages and private hire vehicles is not potentially compromised. This is particularly important as the users are likely to include vulnerable persons such as children under school transport contracts, or older persons.
16. The basis of the costing review for licences fees consisted of an analysis of the time taken and/or cost for each element of the licensing process.
17. A table showing fees and charges from Essex and neighbouring Authorities is attached for information as Appendix C.
18. Members are asked to approve the fee structure proposed in Appendix B to come into effect on 1 April 2019 and that the fees in respect of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences are advertised for a period of 28 days in at least one local newspaper circulating in the district.
19. If any objections are received then Members will need to meet to consider the same and must then set a further date (not being later than two months after the first) on which the variation to fees will come into force with or without modification. They will be reported back to this Committee for consideration.

Risk Analysis

20.

Risk	Likelihood	Impact	Mitigating actions
Fees are not set at a level that enables the council to carry out necessary checks on applications	2 – The current level of checks barely meets minimum statutory requirements	3 – There is a significant risk that without additional resources the safety of users could be	The necessary level of resources is kept under review and adjusted as necessary

received and ensure that the safety of users is adequately safeguarded.		compromised. This represents a significant corporate reputational risk to the council	
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- 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.