

NON-EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL

Licensing Committee

10 February 2020

PRICES FOR TAXI AND PRIVATE HIRE LICENSING

Environmental Health Manager (Food, Safety & Licensing)

FOR DECISION

**Portfolio: Portfolio Holder for
Cllr Ingrid Thomas**

Head of Service: Natalie Meagher

Report No: EHCL/003/20

Key Decision: No

1.0 Purpose of Report

1.1 To consider the prices for Taxi and Private Hire licensing for the financial year 2020/21.

2.0 Recommendation

2.1. That:

- a) The charges shown at Appendix 1 are approved for consultation.
- b) That the necessary advertisement be placed.
- c) If no representations are received in response to the consultation, the new charges be recommended at Full Council on 14 May 2020 and be implemented for the remainder of the financial year 2020/21.

3.0 Executive Summary

3.1. Prices for taxi and private hire licences were last reviewed in September 2015. The fees are reviewed through an assessment of relevant costs. It is important to ensure that our prices are legally robust, and that transparent methodology has been used to calculate them. The council may only recover certain costs incurred in carrying out licensing functions as detailed in section 53 and section 70 of the Local Government (Miscellaneous Provisions) Act 1976 (see section 8.0). The proposed prices seek to fully recover all relevant costs to the Council. The proposed prices are set out in Appendix 1. The calculations of the prices from an assessment of relevant costs are shown in Appendix 2.

3.2 Any changes to the charges for vehicles and operator's licences has by law to be advertised in the local newspaper and any comments must be considered at a subsequent meeting of the Licensing Committee.

3.3 Since the license fees were last reviewed the Licensing Team has been restructured.

4.0 Additional Budgetary Implications

4.1. The proposed fees have been calculated using a pricing model. The details for each licence can be found in Appendix 2 together with details of the cost of materials etc which contribute to the cost of each licence in Appendix 3.

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

5.1. The proposed fees represent East Hampshire District Councils costs and as such they are relevant costs and may be recovered through the licence fees specified. Re- assessing costs and fees is necessary to meet our strategic objective of achieving financial sustainability and public service excellence.

5.2. Calculation of the costs involved process mapping exercises of all the different licensing activities. As a result, several of the licensing processes have been amended to make them more effective and robust with a view to ensuring public safety. A number of new charges for licensing processes have also been introduced where previously there wasn't a charge.

6.0 Options considered and reasons for the recommendation

6.1. Taxi and private hire licensing is a statutory obligation for local authorities. The prices have been calculated in line with the requirements of the legislation. Where the current prices are to be varied, consultation of the proposed vehicle and operator prices is also legally required.

7.0 Resource Implications

7.1. Financial Implications

The council can recover certain costs incurred in carrying out the licensing function. It is not a means for generating income for the council. Caselaw states that the income from the fees should be ringfenced to the licensing function.

Appendix 4 shows the effect on the projected income for 20/21 that the proposed prices will have. However, income from the 3-year driver and 5-year operator licences will be spread over the life of the licences.

7.2. Human Resources Implications

The team is extremely busy and the review, amendment and introduction of a number of the licensing processes will increase the workload slightly. As detailed these new/amended processes have been incorporated into the price calculations.

7.3. Information Governance Implications

None

7.4. Other Resource Implication

None at present

8.0 Legal Implications

8.1 Drivers

Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 allows the council to 'demand and recover' for the grant to any person of a licence to drive a hackney carriage or a private hire vehicle, such a fee as they consider reasonable with a view to recovering costs of issue and administration.

8.2 Hackney carriage vehicles, private hire vehicles and operators

The setting of fees for hackney carriage, private hire vehicle and operator licenses is governed by section 70 of the Local Government (Miscellaneous Provisions) Act 1976. The council may charge such amounts as are sufficient in the aggregate to cover the reasonable cost of carrying out inspections, the cost of providing hackney carriage stands and any reasonable administrative or other costs in connection with these activities and with the control and supervision of hackney carriages and private hire vehicles.

The Act sets a minimum fee of £25 for the grant of vehicle and operator licences or any such sum as the council may determine. If the council wishes to charge more than the £25 or vary its existing charges, the council must publish details in at least one local newspaper specifying a period of not less than 28 days within which objections to the variations can be made. A copy of the notice must be available for inspection by the public during the 28-day period and if no objections are received, or any objections made are withdrawn; the variations shall be recommended at Full Council for implementation. If objections are made and not withdrawn, the council must consider those objections and set a further date, not later than 2 months after the first specified date, on which the variation shall come into force with or without modification as decided by the council, after consideration of the objections

9.0 Risks

9.1. The proposed prices only include the costs that can be recovered by law.

10.0 Consultation

10.1 The proposed licence prices for hackney carriage vehicles, private hire vehicles and operators, will be subject to public consultation. The proposed prices will be advertised in a local paper informing of the 28-day consultation period. The proposed fees will be displayed in the council offices for 28 days.

10.2 The proposed prices for driver licences and accessories will be included in the advert for information only.

11.0 Communication

11.1 The proposed prices will be communicated in the following ways

- An advertisement in a local paper
- Through the committee cycle
- Through the council website

12.0 Appendices:

Appendix 1 – Proposed licence prices for 2020/21, variations and comments.

Appendix 2 – Pricing model showing details of staff costs, overheads, materials, prices, benchmarking data.

Appendix 3 – Material costs

Appendix 4 – Effect of proposed prices on income

13.0 Background Papers: None

Agreed and signed off by:

Monitoring Officer: 31/01/20

S151 Officer: 30/01/20

Director: 30/01/20

Portfolio Holder: 30/01/20

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