

<b>13 October 2011</b>		<b>ITEM 7</b>
<b>Licensing Committee</b>		
<b>REVIEW OF LICENCE FEES</b>		
<b>Report of:</b> Paul Adams, Principal Licensing Officer		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Accountable Head of Service:</b> Lucy Magill, Head of Public Protection		
<b>Accountable Director:</b> Bill Newman, Director of Sustainable Communities		
<b>This report is</b> Public		
<b>Purpose of Report:</b> To report back to committee the response to the consultation on the previously agreed revision of fees for Hackney Carriage / Private Hire Vehicles and Private Hire Operators.		

## **EXECUTIVE SUMMARY**

This report is to report back the comments made following the consultation on the reviewed fees agreed in respect of licence applications in relation to Hackney Carriage / Private Hire Vehicles and Private Hire Operators;

### **1. RECOMMENDATIONS:**

#### **1.1 The Committee agrees: -**

- (a) To recommend to Full Council the adoption of the licence fees as attached in Appendix A.**
- (b) To recommend to Full Council the adoption of a revised licence fee schedule after consideration of the comments received.**

### **2. INTRODUCTION AND BACKGROUND:**

- 2.1** The fees in this report can all be set by Thurrock Council to recover the cost of determining applications for a licence and where applicable the cost of enforcement of the legislation surrounding that licence.

- 2.2 The current fee levels have not been reviewed since 2006.
- 2.3 At the Licensing Committee on the 11 July 2011, the fees as attached in Appendix A were agreed, and have been subsequently consulted upon in accordance with Section 70, Local Government (Miscellaneous Provisions) Act 1976.
- 2.4 At the same committee, it was agreed to reduce the term of a Private Hire Operators Licence to 1 year on a phased approach.
- December 2011 – November 2012 being valid for 3 years;
  - December 2012 – November 2013 being valid for 2 years;
  - December 2013 onwards being valid for 1 year.

### **3. ISSUES AND/OR OPTIONS:**

- 3.1 This proposed fee increase is subject to the consultation procedure set out in part 4 below.
- 3.2 In addition to the consultation requirements in Section 70, Local Government (Miscellaneous Provisions) Act 1976, the proposed fees were consulted on with the two taxi trade representative bodies that exist in Thurrock.
- 3.3 As a result of all the consultation, two letters of representation have been received and are attached as Appendix B.
- 3.4 The Licensing Committee must consider the representations received. However the requirement is to consider the objection, but there is no requirement to revise the proposed fee unless they feel there is reason to.
- 3.5 The revised fee will take effect from the 1 December 2011, following the approval at Full Council.

### **4. CONSULTATION (including Overview and Scrutiny, if applicable)**

- 4.1 Section 70, Local Government (Miscellaneous Provisions) Act 1976, requires that public consultation is undertaken when the proposed fee for Hackney Carriage Proprietors Licences; Private Hire Vehicle and Operators Licences will exceed the prescribed limit of £25.
- 4.2 Where this limit is exceeded, a notice must be placed in a local newspaper stating a number of prescribed requirements which will include the proposed fees and must give at least 28 days for persons to lodge objections.
- 4.3 If there are no objections, or any objections made have been withdrawn, then the fee will come into effect after a specified date prescribed in the notice.
- 4.4 Any objections received must be considered by Thurrock Council. The requirement is to consider the objection, but there is no requirement to revise the proposed fee unless they feel there is reason to.

**5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

5.1 These changes will ensure the licensing service continues to be well managed and ensures that we have a safe, clean and green environment.

**6. IMPLICATIONS.**

**6.1 Financial**

Implications verified by: **Michael Jones**  
 Telephone and email: **01375 652772**  
**mxjones@thurrock.gov.uk**

As part of the budget process each year, the Council needs to review its fees and charges. The future development of the Medium Term Financial Strategy takes into account changes in fees and charges in broad terms over the period of the strategy.

This report sets out information for the Licensing Committee, which was still subject to review when the 2011/12 proposed fees and charges report was submitted to the Cleaner, Greener and Safer Overview and Scrutiny on 2 November 2010.

An increase in the current level of fees will help to ensure that the service is financial viable for the current financial year.

**6.2 Legal**

Implications verified by: **Jamie Hollis**  
 Telephone and email: **01375 652925**  
**jhollis@thurrock.gov.uk**

A Council is entitled to charge fees for the grant of vehicle and operator's licences to offset some or all of its reasonable costs in administering the associated licensing regime. Consultation in relation to increased fees must comply with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

Private Hire Operators Licences may be granted by the Council for periods of 5 Years, or any such lesser period as the Council may specify in the licence.

**6.3 Diversity and Equality**

Implications verified by: **Samson DeAlyn**  
 Telephone and email: **01375 652472**  
**sdealyn@thurrock.gov.uk**

To ensure any equality impact is managed, any change in fee will need to be communicated to all licence holders at the earliest opportunity, there is a

requirement here for consultation in relation to the fee review so the opportunity arises for any person to make comment in relation to the proposals.

Details of the consultation procedure are detailed in section 4 of the report.

**6.4 Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

There are none.

**7. CONCLUSION**

7.1 There has been no increase in licence fees since 2006. The proposed fees are set on a cost recovery basis which is in line with the legislative requirements, and the comparison with other Essex Local Authorities shows that the fee level is in line with other Essex Authorities.

**BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Town Police Clauses Act 1847
- Local Government Miscellaneous Provisions Act 1976

**APPENDICES TO THIS REPORT:**

**Appendix A – Schedule of proposed licence fees**

**Appendix B – Copies of the two representations received**

**Report Author Contact Details:**

**Name:** Paul Adams, Principal Licensing Officer  
**Telephone:** 01375 652104  
**E-mail:** pxadams@thurrock.gov.uk