

REPORT TO	DATE OF MEETING
GENERAL LICENSING COMMITTEE	21st MARCH 2017

Report template revised July 2004



SUBJECT	PORTFOLIO	AUTHOR	ITEM
LICENSING FEES AND CHARGES (HACKNEY CARRIAGE / PRIVATE HIRE)	PUBLIC HEALTH, SAFETY AND WELLBEING	PETER HAYWOOD	5

SUMMARY AND LINK TO CORPORATE PRIORITIES

The Local Government (Miscellaneous Provisions) Act 1976 contains provisions for a Licensing Authority to determine the fees it charges for Hackney Carriage and Private Hire services.

Section 53(2) provides the mechanism for charging for Hackney and Private Hire Driver's badges, with section 70 providing for Hackney Carriage, Private Hire Vehicles and Private Hire Operators fees.

RECOMMENDATIONS

The Committee consider the proposed fees and authorise officers to place the required public notice.

DETAILS AND REASONING

Licensing Authorities are expected to ensure that they keep fees and charges under regular review. In particular, the Council's fees in respect of Hackney Carriage and Private Hire licensing should be set with a view to recovering the costs of issue and administration, as well as the costs of enforcement against licensed vehicles and drivers. They should not be used to recoup the costs of enforcement action against un-licensed drivers or vehicles.

A detailed review of the current level of fees charged by the Licensing Authority has been undertaken by officers in recent months. Appendix 1 sets out a list of the proposed fees for 2017/18.

If the Committee wishes to proceed with the new fee structure, a public notice must be placed in a local newspaper specifying a date (not less than 28 days from the date on which the notice is first published). If there are no outstanding objections to the fee changes by this date, the proposed fees will come into effect on that date as specified. Alternatively, if any objections to the proposed new fee structure are received, the matter will have to be re-considered by the General Licensing Committee at a subsequent meeting. After due deliberation by members, any level of fees adopted at that meeting must then be re-advertised (even if the fees have not been amended from the earlier proposal) so as to take effect on a date set no more than 2 months after the first date advertised.

TIMESCALE

In order to meet the above requirements, the following timescale will be followed:

Date:	Action:
Tuesday 21 March 2017	GLC considers the proposed fees and whether to proceed with consultation
Tuesday 28 March 2017	Notice to appear in local press specifying 1 May 2017 on which new fees will come into force if no objections
Tuesday 25 April 2017	Deadline for consultation responses
Saturday 1 May 2017	New fees come into effect if no objections (in practice the new fees will be charged from Monday 3 May)
Tuesday 13 June 2017	Date for GLC to re-consider fee proposals if any objections received
Saturday 1 July 2017	Latest date by which GLC can specify the new fees to come into force (this being 2 months after the "first specified date" of 1 May 2017 (section 70(5) of the Local Government (Miscellaneous Provisions) Act 1976

DRAFT NOTICE

A copy of the notice it is proposed to place in the Lancashire Evening Post as part of this process is attached at Appendix 2. A copy of this notice will also be on display and available for inspection at the Civic Centre premises throughout the consultation period.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas shown below. A risk assessment has also been carried out. The table shows the implications in respect of each of these.

FINANCIAL	Following a review of current fees charged, the proposed fees and charges for 2017/18 have been set at a level to recover revenue costs associated with the issue of taxi licenses, administration and enforcement costs.
LEGAL	If objections are received the matter must be reconsidered by the Committee in light of the objections. The process of consultation must be adhered to otherwise there may be grounds for a legal challenge.
RISK	The Council is obliged to reconsider its fees on a regular basis in order to ensure that it covers its administrative costs and does not make any excess income. The revised charges reflect the additional resource that will be placed in Licensing over the coming year.
THE IMPACT ON EQUALITY	None
OTHER (see below)	

<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

Appendix 1 – proposed fees 2017/18
Appendix 2 – draft notice for publication