

Report to: Environment and Licensing Committee

Subject: Proposed General and Taxi Licensing Fees for 2020/21

Date: 4 February 2020

Author: Director of Health and Community Wellbeing

Purpose of Report

To approve a proposed increase to the general fees for 2020/21 shown in Appendix 1. To approve the proposed fees for taxi driver, operator and vehicle for 2020/21 as shown in Appendix 2, subject to advertisement requirements being satisfied.

Recommendations

1. That Members approve the fees and charges detailed in Appendix 1 for 2020/21 with effect from 1 April 2020.
2. That Members approve the fees for taxi operators and vehicle licences as detailed in Appendix 2 for 2020/21 for advertisement in accordance with the Local Government (Miscellaneous Provisions) Act 1976, such fees to automatically come into force if no objections are received within the statutory period. If any objections are received within the statutory period that these be referred back to Committee for consideration in accordance with the legislation.
3. That Members approve the proposed fees for taxi driver's licences detailed in Appendix 2 for 2020/21 for advertisement and the Director in consultation with the Chair of Environment and Licensing Committee be authorised to agree the final fees after taking into account any comments received during the consultation period.

Information

The fixing of fees proposed in the attached fee schedules at Appendix 1 and 2 for 2020/21 is a function of the Environment and Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

The proposed fees and charges for 2020/21 are designed to ensure that the service operates towards a full cost recovery basis. All fees for 2020/21 show an increase of fees from 2019/20, this increase reflects increased costs and a fuller assessment of the total costs of providing the service. The service has historically been delivered at a cost to the Council and requires a subsidy to break even. The increases in fees over the past few years have been made to progress towards a full cost recovery model, this year's increase brings the service a step closer to a full cost recovery model however, it is anticipated that the service will still be a cost to the Council and still require a subsidy to breakeven.

Furthermore, during 2019/20 there has been an increase in licensing enforcement investigations involving complex cases as well as high visibility compliance checks across the region which has placed a further burden on existing resources.

With specific reference to taxis, The Local Government (Miscellaneous Provisions) Act 1976 ('the Act') permits the Council to set vehicle and operator licence fees, but where this fee exceeds £25, as is the case at Gedling, a public notice of the proposed fees must be advertised in a local newspaper circulating in the district. The advertisement must advise where any objections to the fee changes can be lodged and must allow a period of at least 28 days from publication of the notice for objections to be lodged. If no objections are made or if all objections are withdrawn the fees come into effect at the end of the 28 day period on the date specified in the notice. Where objections are not withdrawn, the Council must then consider the objections before determining the fee level and setting a further date, not later than two months after the first specified date, on which the new fees shall come into force.

In relation to taxi drivers' licence application fees, there is no statutory requirement to publicise any changes in the level of fees. However, as with the vehicle and operator licence fees, Gedling will publish details of the proposed fees for 2020/21 and provide for a period of 28 days from publication for any objections to the fees to be lodged with the Council. Any such objections will be considered by the Council before the proposed fees are finally approved. This 28 day period will be a period of consultation, the results of this will be considered before final determination of these fees.

In relation to the fees listed in the attached Appendix 1 for 2020/21 there is no requirement to advertise any increases in fees and again, the fees have been calculated on a cost recovery basis. All fees with the exception of the application for a sex establishment license are solely to cover the costs of administering the application, whether the application is approved or not. For sex establishment applications, the fee is broken down into part A, paid by all for an application and part B, paid additionally by successful applicants to cover the extra costs of

administering and enforcing the licence. This approach is in line with the Provision of Services Regulations 2009.

Proposal

It is proposed that the fees and charges detailed in Appendix 1 for 2020/21 be approved to come into force from 1 April 2020.

In respect of taxi operators licence fees and vehicle licence fees, it is proposed that the fees outlined in Appendix 2 for 2020/21 be approved for advertisement in accordance with the Act and subject to no objections being received by the specified date (28 days after publication) those fees will come into effect. If objections are received, in line with the Act the Council will have to consider the objections and set a further date no later than 2 months after the first specified date on which the new fees would come into force.

In respect of taxi drivers' licence application fees it is proposed that Members approve the proposed fees outlined in Appendix 2 for 2020/21 for advertising but that the final decision to approve new fees for 2020/21 for taxi driver applications be delegated to the Director in consultation with the Chair of Environment and Licensing Committee following advertisement of the proposed fees and a 28 day period for consultation.

Financial implications

The proposed fees and charges are designed to ensure that the service operates on a full cost recovery basis

Appendices

Appendix 1 - Proposed Public Protection fees 2020/21

Appendix 2 – Taxi driver, vehicles and operator proposed fees 2020/21