

Report to Environment and Licensing Committee

Subject: Proposed General and Taxi Licensing Fees for 2021/22

Date: 9 February 2021

Author: Corporate Director of Environment, Communities and Leisure

Purpose

To approve a proposed increase to the general fees for 2021/22 shown in Appendix 1. To approve the proposed fees for taxi driver, operator and vehicle for 2021/22 as shown in Appendix 2, subject to advertisement requirements being satisfied.

Recommendation(s)

THAT:

- 1) Members approve the fees and charges detailed in Appendix 1 for 2021/22 with effect from 1 April 2021.**
- 2) Members approve the fees for taxi driver, operators and vehicle licences as detailed in Appendix 2 for 2021/22 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.**

1 Background

- 1.1** The fixing of fees proposed in the attached fee schedules at Appendix 1 and 2 for 2021/22 is a function of the Environment and Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

- 1.2 The proposed fees and charges for 2021/22 are designed to ensure that the service operates towards a full cost recovery basis. All fees in Appendix 1 for 2021/22 show an increase of fees from 2020/21, 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.
- 1.3 During the COVID-19 pandemic in 2020 Members resolved not to increase the fees set out in Appendix 2, for taxi driver, operator and vehicle licences for the financial year 2020/21. This was in recognition of the continuing difficulties faced by the taxi trade during the pandemic and the fees remained at the 2019/20 level.
- 1.4 Members are asked to take into consideration, however, that in recent years 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.
- 1.5 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.
- 1.6 In relation to taxi drivers' licence application fees in Appendix 2, 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 2021/22 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.

- 1.7 In relation to the fees listed in the attached Appendix 1 for 2021/22 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.

2 Proposal

- 2.1 It is proposed that the fees and charges detailed in Appendix 1 for 2021/22 be approved to come into force from 1 April 2021.
- 2.2 In respect of the taxi driver licence fee, operator licence fee and vehicle licence fee, it is proposed that the fees outlined in Appendix 2 for 2021/22 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 on 1 April 2021. 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.

3 Alternative Options

- 3.1 That the fee increase is not approved resulting in the Council not operating the service at full cost recovery.

4 Financial Implications

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

5 Legal Implications

- 5.1 None

6 Equalities Implications

- 6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/sustainability implications arising from this report.

8 Appendices

8.1 Appendix 1 - Proposed general fees for the Public Protection Service for 2021/22

8.2 Appendix 2 – Taxi driver, vehicles and operator proposed fees 2021/22

9 Background Papers

9.1 None

Statutory Officer approval

Approved by:

Date: 1/2/2021
Chief Financial Officer

Approved by:

Date: 1/2/2021
Monitoring Officer