

Report to: Environment and Licensing Committee

Subject: Proposed Taxi Licensing Fees for the Period October 2015 to March 2016

Date: 11th August 2015

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Purpose of Report

To approve a proposed changes to taxi licensing fees for the remainder of 2015/16 as shown in Appendix 1, subject to advertisement requirements having being satisfied.

Information

The Deregulation Act, 2015 ('the Act') was passed in April of this year. Within its provisions were parts relating to taxi licensing, specifically Sec.10 which requires authorities to grant driver licences for a three year period. This period can be reduced to a shorter period "as the district council think appropriate in the circumstances of the case". It is proposed that this period be for one year but only if that application has been assessed on its merits in accordance with the Hackney Carriage Licensing Policy. Sec.10 also states that operator's licences shall be granted for five years, not the three as currently, with a similar proviso for shortened periods.

The introduction of the provisions of the Act requires changes to the charging regime for taxis and this report details the process of adoption of these revised charges.

The fixing of fees proposed in the attached fee schedules at Appendix 1 for 2015/16 is a function of the Licensing Committee as laid out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

The proposed fees and charges for October to March 2015/16 are designed to ensure that the service operates on a full cost recovery basis.

With specific reference to taxis, The Local Government (Miscellaneous Provisions) Act 1976 permits the Council to set 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 If no objections are made or if all objections are withdrawn the fees come into effect at the end of the 28 day period. Where objections are not withdrawn, the Council must then consider the objections before determining the fee level and setting a further date, not later than two months after the first specified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 operator licence fees, Gedling will publish details of the proposed fees for October to March 2015/16 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.

Proposal

It is proposed that the fees outlined in Appendix 1 for October to March 2015/16 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.

It is further proposed that Members approve the fees outlined in Appendix 1 for October to March 2015/16 for advertising, but that the final decision to approve new fees for October to March 2015/16 for taxi driver licence applications be delegated to the Corporate Director in consultation with the Chair of Environment and Licensing Committee, following advertisement of the proposed fees and a 28 day period for consultation.

The new fees are an accurate representation of the revised costs involved in processing licence applications. They particularly take into account the additional checks required for 3 year drivers licenses and 5 year operators licenses. It should be noted that the differential between a new driver licence application and a renewal has been removed, this is to more accurately reflect the costs involved in administering the process. The proposals are for changes to the driver and operator licence fees only. All other fees remain unchanged.

Financial implications

The proposed fees and charges are designed to ensure that the service operates on a full cost recovery basis. The proposals are expected to be cost neutral; this will be monitored on a quarterly basis.

Recommendations

1. That Members approve the fees for taxi operators and as detailed in Appendix 1 for 2015/16 for advertisement in accordance with the Local Government (Miscellaneous Provisions) Act 1976. If there are no objections then the proposed will automatically come into force after the statutory period. In the event that objections are received, the Corporate 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.
2. That Members approve the proposed fees for taxi driver's licences detailed in Appendix 1 for October to March 2015/16 for advertisement and the Corporate 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.

Appendix 1.

Proposed Taxi Licence Fees

Driver Licence Fee 1 year	£105.00
Driver Licence Fee 3 year	£265.00
Operator's Licence 1 year	£88.00, plus £88.00 per additional vehicle
Operator's Licence 5 year	£467.00, plus £132.00 per additional vehicle

NB. If after applying for a 3 year driver licence, the applicant is only granted a 1 year licence, then there will be a refund of £76.00 payable from the 3 year application fee of £265.00