

## **LICENSING**

**DATE OF MEETING: 7 NOVEMBER 2023**

**TITLE OF REPORT: PROPOSED LICENSING FEES AND CHARGES 2023-24**

**Report of: Executive Director – Place**

**Cabinet Portfolio: Regulatory**

**Key Decision: No**

**Confidentiality: Non-Exempt**

### **PURPOSE OF REPORT**

1. The purpose of this report is for Licensing Committee to consider the fees and charges for taxi licensing services relating to hackney carriage and private hire vehicles, drivers and operators.

### **RECOMMENDATION**

2. Licensing Committee are recommended to:
  - a) agree that the 2023/24 fees and charges relating to hackney carriage and private hire vehicles, drivers and operator's licences should remain the same for the 2024/25 financial year.

### **BACKGROUND**

3. Fees and charges fall within three different categories:
  - fees which are set by statute and cannot be amended by individual local authorities,
  - fees which are set locally to cover the reasonable cost of administering/managing those regimes, and
  - fees which are set locally but are subject to a cap/ maximum limit imposed by statute.
4. The hackney carriage and private hire, drivers and operator licences are 'fees which are set locally to cover the reasonable cost of administering / managing those regimes.
5. Most fees and charges are set at full Council in February each year as part of the budget process. The exception is fees and charges relating to hackney carriage and private hire vehicles, drivers and operator's licences. Where a Council proposes to amend these fees, they must be advertised for 28 days in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. Licensing Committee considers these so that the advertising can take place ahead of the February budget meeting.
6. In February this year Licensing Committee approved the 2023/24 fees and charges for taxi licensing activities, which were increased by 10% from the previous year to reflect the consumer price inflation, plus a correction of the previous years published fees and charges.

## **MAIN ISSUES**

7. Where fees can be set by local authorities under the legislation the charges must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.
8. The hackney carriage and private hire, drivers and operator's fees can only be used for cost recovery of the licensing service under Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976. The cost recovery is restricted to the issuing of licences and some enforcement costs.
9. The licensing fees and charges reflect the Council's costs incurred. This relates to the costs to Hart District Council of Basingstoke & Deane Borough Council providing the Shared Licensing Service, the system costs, plus the management and oversight of Hart District Council and associated costs.
10. It is proposed to keep the fees and charges relating to hackney carriage and private hire vehicles and operator licences the same for 2024/25 financial year. This reflects the increased fees which were implemented in April this year. As a result, there is no need to consult on the fees and charges set out in Appendix 1.
11. All other fees and charges will be considered by full Council in February 2024.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

12. The alternative would be to increase the hackney carriage / private hire vehicles and private hire operator licences by consumer price inflation (CPIH). The rate for September 2023 is 6.7%. This would provide an increased cost to the taxi trade.

## **CORPORATE GOVERNANCE CONSIDERATIONS**

### **Relevance to the Corporate Plan**

13. Setting appropriate fees and charges for the licensing activities is integral to the section of the Corporate Plan relating to the provision of a resilient and financially sound Council.

### **Service Plan**

- Is the proposal identified in the Service Plan? No
- Is the proposal being funded from current budgets? Yes
- Have staffing resources already been identified and set aside for this proposal? Yes

### **Legal and Constitutional Issues**

14. The fees and charges must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities. The hackney carriage and private hire, drivers and operator's fees can only be used for cost recovery of the licensing service under Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976. The cost recovery is restricted to the issuing of licences and some enforcement costs.

## **Financial and Resource Implications**

15. The licensing fees and charges can only reflect the Council's costs incurred. This relates to the cost to Hart District Council of Basingstoke & Deane providing the Shared Licensing Service, the system costs, plus the management and oversight of Hart District Council and associated costs.
16. If the fees and charges were increased by the consumer price inflation (CPIH) rate for September 2023 of 6.7% there would be an increased income to the Council in 2024/25. This would amount to less than £10,000.

### **Risk Management**

17. Significant under-recovery of fees and charges poses a risk to corporate finances as the Council will still have to provide statutory services and functions. Over recovery of fees by charging in excess of the statutorily recoverable elements may result in legal action from the affected parties. This can cause reputational and/or financial risk.

## **EQUALITIES**

18. This report has no impact upon equalities.

## **CLIMATE CHANGE IMPLICATIONS**

19. There are no direct climate change implications impacts arising from the recommendations. Issues of vehicle emissions are dealt with under the Council's Taxi Licensing Policy.

## **ACTION**

20. If the Licensing Committee agree that the hackney carriage / private hire vehicles and private hire operator licences should not increase in 2024/25 there is no further actions required.

## **Appendix**

### Appendix 1:

Current and proposed fees and charges for hackney carriage and private hire, drivers and operator's licences.