

<b>SUBJECT:</b>	Consultation on fees for 5 year Private Hire Operators Licences
<b>REPORT OF:</b>	Portfolio Holder for Healthy Communities – Councillor Graham Harris
<b>RESPONSIBLE OFFICER</b>	Head of Healthy Communities – Martin Holt
<b>REPORT AUTHOR</b>	Nathan March, 01494 732249, nmarch@chiltern.gov.uk
<b>WARD/S AFFECTED</b>	All

### 1. Purpose of Report

To advise Cabinet of the proposed fees for Private Hire Operator Licensing, following changes to the law requiring these licences to be issued for 5 years.

#### RECOMMENDATION

1.2 It is recommended that Cabinet

1.2.1 Consider the proposed fees for Private Hire Operators Licences

1.2.2 Advise the Licensing and Regulatory Committee of any comments if appropriate

### 2. Reasons for Recommendations

The Constitution requires that Cabinet is consulted as part of the Fee Setting process.

### 3. Background

3.1 The Deregulation Act 2015 (“The Act”) received Royal Assent on 26 March 2015 with the aim of reducing the burden resulting from legislation for businesses or other organisations or for individuals.

3.2 The Act brings in several changes that affect the licensing and regulation of the Hackney Carriage and Private Hire trade including a required 5 year duration for Operators Licences.

### 4. Duration of Private Hire Operators Licences

4.1 The Act requires that all operators’ licences are issued with a standard duration of 5 years unless a lesser period is considered appropriate by the Council on a case by case basis and not because of a blanket policy. The Council currently only provides annual licences for operators and therefore a new fee structure needs to be agreed so that 5 year licences can be made available in place of the current annual licences.

4.2 When the fees were considered and then set earlier this year the cost of licences was estimated and the fees were then set at a level which brought the Council closer to

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recovering its costs for Hackney Carriage and Private Hire licensing generally, whilst avoiding the potential for surpluses to be made. However it was recognised that to fully recover costs would negatively impact on the trade.

4.3 The proposed fees cover the cost of admin required to process the licence and also the costs involved with monitoring compliance with the conditions once a licence has been issued. It is estimated that the cost of processing these licences is on average £28 per application (40 minutes processing time); moving to 5 year licences will mean this admin fee is only required once, and a saving of 4 years processing will be achieved which is £112 per licence. The size of the operator does not affect this saving as the processing time is no different. The saving has been accounted for in the price of each of the proposed fees, with an additional reduction of £3 to ensure the fees are practical, as shown in the table below. If a licence was granted for a lesser period then the fee would be pro rata.

Size of Operator	Current Annual Fee	5 x Current Fee	Reduced Admin	Proposed Fee
1 Vehicle	£155	£775	-£115	£660
2-4 Vehicles	£205	£1025	-£115	£910
5-10 Vehicles	£255	£1275	-£115	£1160
11+Vehicles	£305	£1525	-£115	£1410

4.4 As the 5 year fees will have to be new fees that are introduced, the Council will have to go through the statutory process of consultation prior to setting these fees. The fees will be advertised in the local press for a period of 28 days and will come into effect the day after this consultation ends if no objections are received or at a later date if objections are received, as these objections would have to be considered prior to the fees finally being set. The proposed fees will also be on the Council's website and current licence holders will also be informed of these legislative changes.

4.5 It is proposed that the consultation be arranged so that the fees once approved can be introduced as close to 1<sup>st</sup> October as possible, although a delay will be unavoidable if objections are received due to the required process for fee setting.

**5. Options**

Cabinet has the option to provide any comments to The Licensing and Regulation Committee with regards to the proposed fees.

**6. Corporate Implications**

- (i) This matter is not a key decision for Cabinet as the fees are set by the Licensing and Regulation Committee.
- (ii) This matter is within the Policy and Budgetary Framework.

**7. Links to Council Policy Objectives**

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There is a link between an effective licensing regime for Hackney Carriage and Private Hire Vehicles and Operator and the Council's policy objective for safe communities.

**8. Next Step**

Any comments on the proposed fees will be verbally reported to the Licensing and Regulation Committee on 27th August 2015

If the delegation is approved the Head of Healthy Communities in consultation with the Chairman of the Licensing Committee will make the necessary changes to the Hackney Carriage and Private Hire Licensing Policy to reflect these legislative changes.

<b>Background Papers:</b>	Licensing and Regulation Committee Report; Implications of the Deregulation Act 2015 in relation to the Taxi and Private Hire trade 27 <sup>th</sup> August 2015  Licensing and Regulation Committee Report: Hackney Carriage and Private Hire Licensing Fees 15 January 2015  The Deregulation Act 2015
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