

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the LICENSING & REGULATION COMMITTEE held on 15 JANUARY 2015

PRESENT: Councillor P N Shepherd - Chairman
" M Vivis - Vice Chairman

Councillors: N L Brown
G K Harris
P M Jones
D G Meacock
M Prince
J J Rush
C H Spruytenburg
J F Warder

APOLOGIES FOR ABSENCE were received from Councillors
Mrs J A Burton, D J Lacey, N M Rose and A P Williams

ALSO IN ATTENDANCE: Councillors

27 MINUTES

The Minutes of the meeting held on 23 October 2014, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

28 DECLARATIONS OF INTEREST

There were no declarations of interest.

29 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES

The Members of the Licensing and Regulation Committee received a report outlining the proposed changes to the fees and charges to Hackney Carriage and Private Hire Licensing for 2015/16. It was noted that this would be the first time fees were increased since 2007.

Councillors were advised that the new fees had been worked out in accordance with recent case law, which clarified that fees charged could only cover the cost of functions connected with the provision of a licence, and the Council would not be able to make a profit on fees charged. This meant that some of the proposed fees looked quite different from existing fees. The report outlined how the proposed fees were calculated; officers had looked at the time spent to carry out all elements for each individual function, and had followed the current guidance on fee setting by the LGA. The Council had considered the relevant matters that it was able to charge for and had not

included the full cost of factors such as policy setting, and member meetings etc. in to the estimate of costs.

One of the proposed changes was to operators' licences. The existing fee structure had one charge for an operator's licence, and it was proposed that a stepped fee be introduced in regards to the number of vehicles the licence was for. Different fees were proposed for a renewal of a licence in comparison to the issue of a new licence, as more work was required for a new licence than to renew a licence. There was also a reduced fee proposed if a driver opted to have a three year licence. A new fee of £47 was proposed for licences that were not granted or proceeded with, to cover the administration work that had been carried out.

Members questioned what could and could not be charged for, and were advised that administration costs, initial visits, liaison meetings with interested parties, local democracy costs, management costs, costs of running the team, development of policies and web material, the setting up and reviewing of fees, and the cost of running the licensing team could be charged for. Enforcement costs were costs that could not be covered by licence fees.

It was noted that the cost of running the service had been calculated by looking at the number of licences issued, the time it took to process the licences and the Licensing Service resource costs. It was noted that this had been challenging because of the short period of time the team had operated as a shared service with South Bucks District Council.

One Councillor suggested that the three year licence fee should be based on a "three for the price of two" formula. It was stated that there had to be consistency between the formulae for an annual and tri-annual licence. The cost of the three year licence would be 10% less than the cost of the initial grant and subsequent renewals. It was stated that some of the proposed fees would not cover the costs of the licence completely, because this would have led to significant increases from the existing fee. It was noted that there was less risk of challenge from not recovering the full costs rather than making surpluses. There would be more data to rely on in the future, as it will be possible to see the costs of administering the shared service. It is possible that the cost of issuing licences may decrease in the future as a result of this.

It was expected that a proportion of drivers would still continue having a one year licence. A three year licence was provided by the other authorities in Buckinghamshire, and had been requested by drivers. There were several reasons why drivers may want a one year licence instead of a three year licence. The costs of the three year licence would have to be paid in full to reduce the administration costs.

It was noted that it was not appropriate to compare the proposed fees to the fees levied by other councils in Buckinghamshire. This was because the fees were based on the systems and costs in place at Chiltern District Council. Other councils would also have different numbers of vehicles, so the cost of providing the service could be spread over a larger number of licences.

Members raised concerns that a fee system based on the time spent to process a licence could mean that the Council could be charging for inefficiencies. Councillors were advised that the team had achieved efficiencies by entering into a shared service and by increasing the use of electronic systems. The team would continue to look for efficiencies and would reflect these in the fees.

Councillors were advised that, as there was a different fee for new licences compared to renewals of existing licences, costs for existing drivers would not increase, and would decrease should the drivers opt for a three year licence. Members stated that they would welcome the option of a three year licence.

The proposed scheme of fees would be advertised in the local paper and there would be a 28 day consultation period. If this led to objections a further report would be presented to the next meeting of the Licensing and Regulation Committee. Members of the Committee were asked to consider delegating authority to the Head of Healthy Communities in consultation with the Chairman of Licensing and Regulation Committee to implement the proposed fees from the 1 April if there were no objections, and it was

RESOLVED:

That authority be delegated to the Head of Healthy Communities to advertise the full set of fees,

That authority be delegated to the Head of Healthy Communities to implement new fees with effect from 1 April 2015 if there are no objections, and

That authority be delegated to the Head of Health Communities in consultation with the Chairman of the Licensing and Regulation Committee to make any necessary changes to the Hackney Carriage and Private Hire Policy.

Note: Councillor Jones left the meeting at 19.20

The meeting ended at 7.25 pm