

LICENSING COMMITTEE

Meeting - 21 January 2015

Present: Mr Walters MBE (Chairman)
Mrs Simmonds, Mr Pepler, Mr Samson and Mr D Smith

Also Present:

Apologies for absence: Mr Brown, Mr Clark, Mr Egleton and Mrs Royston

24. MINUTES

The minutes of the meeting of the Licensing Committee held on 8 October 2014 were confirmed and signed by the Chairman.

25. LICENSING ACT 2003 - SCHEDULE OF LICENSING SUB-COMMITTEE DETERMINATIONS AND APPEAL

The Committee received a report which informed Members of Licensing Sub Committee determinations during the period October 2014 to December 2014 and all pending appeals/recently determined appeals against licensing decisions.

RESOLVED that the report be noted.

26. LICENSING ACT 2003 - OFFICER DETERMINATIONS

The Committee received a report which informed Members of Officer Determinations during the period 12 September 2014 to 12 December 2014.

RESOLVED that the report be noted

27. LICENSING SUB-COMMITTEE

The minutes of the meetings of the Licensing Sub-Committee held on 22 October 2014 and 13 November 2014 were received.

28. HACKNEY CARRIAGE AND PRIVATE HIRE FEES

The fees in relation to the licensing of Hackney Carriage and Private Hire Vehicle and Operators were last increased in 2011 and the Committee considered a report setting out proposed increases as a basis for consultation the process for which was also set out in the report.

The power to charge fees derives from Section 53 of the Local Government (Miscellaneous Provisions) Act 1976, Section 70 of which enables Councils to charge and recover the reasonable costs of issue and administration in respect of Drivers Licences for hackney carriages and private hire vehicles and Section 70 which enables Councils to recover in whole or part the reasonable costs of carrying out inspections of vehicles, reasonable administrative or other costs and the control and supervision of hackney carriages and private hire vehicles.

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The report explained that in each year since 2011/12 the Licensing Service had not achieved the full cost of recovery resulting in significant deficits as set out in Appendix 4. Appendix 2 of the report indicated that 60% of the joint service time was spent on Hackney Carriage and Private Hire delivery equating to £289, 782 per annum and the report went on to explain the process that had been followed to recover some of these costs. Appendix 1 set out the proposed fees across Chiltern and South Bucks and the Committee noted that if implemented they would recover an estimated £253k of the shared service costs, lower than cost of delivery to ensure that the Council was protected against the risk of challenge,

Following a question the Committee was advised that reference had been made to the LGA Guidance published in January 2014 which provided advice on the costs that could be recovered and those costs that should be excluded. The Committee noted that some of the costs that could be recovered had not been included in the calculations when setting the fees.

After being advised that authority to advertise the proposed fees as a basis for consultation did not need to be approved by Council the Committee

RESOLVED –

1. That the proposed changes to the fees for Hackney Carriage and Private Hire Licensing as set out in Appendix 1 be approved and the Head of Healthy Communities be authorised to advertise the proposed fees.

RECOMMENDED to Council

2. That in the event of no objections being received during the consultation the proposed fees be implemented with effect from 1 April 2015.
3. That in the event of objections being received during the consultation these be considered by the Licensing Committee at its meeting on 18 March 2014 and authority be delegated to the Committee to agree the fees to come into effect on 2 April 2015 with or without variation, having regard to the objections received.
4. That the terms of reference of the Licensing Committee be amended to include the determination and setting of all fees relating to the function of licensing of hackney carriages and private hire vehicles including consideration of any representations thereon or objections thereto.

29. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

The Committee received a report which informed members of the number of private and hackney carriage matters during the period 12 September 2014 to 12 December 2014.

RESOLVED that the report be noted

30. LICENSING OF HOUSE TO HOUSE COLLECTIONS AND STREET COLLECTIONS

The Committee received a report showing the total number of house to house collection permits and street collection permits issued by Officers during the period 12 September 2014 to 12 December 2014.

RESOLVED that the report be noted.

The meeting terminated at 6.29 pm