

Surrey Heath Borough Council
Licensing Committee
Date of Meeting 15 February 2023

Private Hire Operator Licensing Fees 2023-2024 Post Consultation

Strategic Director/Head of Service	Nick Steevens
Report Author:	Paula Barnshaw
Key Decision:	No
Wards Affected:	All

Summary and purpose

The purpose of this report is to provide a summary of responses to the Licensing Committee for the public consultation of private hire operator licence fees, following the Licensing Committee's recommendation 19 October 2022.

Following the statutory 'notice period' we are now asking the Licensing Committee to recommend that the updated list of Fees and Charges be approved.

Recommendation

The Committee is advised to RESOLVE that:

- (i) The proposed Private Hire Operator fees as shown in Annex A, be recommended for approval by the strategic Director - Environment and Community, the Strategic Director of Finance and the Finance Portfolio holder.
- (ii) The proposed fees to come into effect from 1 April 2023.

1. Background and Supporting Information

- 1.1 Surrey Heath Borough Council through its Licensing team is responsible for licensing Taxi and Private Hire drivers, vehicles and operators.
- 1.2 The Local Government (Miscellaneous Provisions) Act 1976 (the Act) S70(1) states 'district and borough councils may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part'.

- 1.3 Section 70 of the Act sets out the steps we are required to follow when reviewing and varying fees. These requirements have been taken into account as part of this work.
- 1.4 The Licensing Committee considered the proposed private hire operator revised fees 19 October 2022 and recommended that the changes agreed during the meeting were made to the Strategic Director - Environment and Community in consultation with the Strategic Director-Finance and the Finance Portfolio Holder and that the proposed revised fees are approved subject to the 28-day notice period.
- 1.5 Following consideration by the Strategic Director-Environment and Community in consultation with the Strategic Director-Finance and the Finance Portfolio Holder no further changes to the fees were made.
- 1.6 On 16 November 2022 a Notice was placed in the local press and shared on social media. The Notice period extended from 16 November 2022 to 14 December 2022. Annex B.
- 1.7 We received two responses as a result of the public consultation, both regarding private hire operator licence fees for 1 vehicle which was not the fees under consultation and therefore not relevant. A response to the enquiries was provided by the Senior Licensing Officer.
- 1.8 The current fee of £140 does not cover the cost of issuing and administering this licence. The proposed fee of £220 more accurately reflects the actual time and resources used to complete compliance audits for private hire operators of multiple vehicles.
- 1.9 For the reasons outlined above the proposed fee for a private hire operator more than 1 vehicle 1 year licence of £220 remains as recommended in Annex A.
- 1.10 The proposed fee for a 5-year private hire operator licence for more than one vehicle has decreased. The current fee did not offer any cost advantage to the operator and did not reflect the saving to the Council of issuing a 5 year as opposed to an annual licence. The proposed fee reduction may encourage uptake of the 5-year licence option, which currently is limited.

2. Reasons for Recommendation

- 2.1 To enable the revised fees based on full cost recovery to be recommended for approval.

3. Proposal and Alternative Options

- 3.1 That the proposed Private Hire Operator fees, Annex A, be recommended for approval.

3.2 It is proposed that if approved the revised fees would be introduced on the 1 April 2023.

3.3 Alternatively, if approval is withheld, we would continue to use the existing Private Hire Operator fees.

4. Contribution to the Council's Five-Year Strategy

4.1 Setting fees based on cost recovery supports the Council's 2022-2027 Five Year Strategy with regard to Economy and an Effective and responsive Council.

5. Resource Implications

5.1 There are no significant resource implications attached to this proposal.

5.2 The proposed revised fees, based on cost recovery, would generate an income in line with the current budget estimates for taxi licensing, 2023/24 assuming the existing level of activity. The demand for licences will vary over time.

5.3 It is intended that fee levels will be kept under review to ensure the council recovers the costs of administering licences.

6. Section 151 Officer Comments:

6.1 The Council should always seek to ensure that any discretionary fees for services provided should cover the costs of providing that service, so as to avoid any subsidy from the general fund account.

7. Legal and Governance Issues

7.1 The Act allows district and borough councils to recover the costs of issuing and administering licences for the Taxi and Private Hire trade.

8. Monitoring Officer Comments:

8.1 The Constitution part 3, responsibilities for functions, section B, scheme of delegation of functions to officers - The Chief Executive, Strategic Directors or Heads of Service are authorised to set annual discretionary fees and charges after consultation with the Leader or relevant Portfolio Holder and Strategic Director of Finance & Customer Services, as set out in Financial Regulations.

9. Other Considerations and Impacts

Environment and Climate Change

9.1 No direct impact.

Equalities and Human Rights

- 9.2 No direct impact.

Risk Management

- 9.3 The Act sets out the legal process we are required to follow when varying Taxi and Private Hire licence fees, we have followed this process closely to minimise any risks to the Council.

Community Engagement

- 9.4 The community, including the Taxi and Private Hire trade, have been given the opportunity to comment on the proposed changes to the Taxi and Private Hire licensing fees and charges.

Annexes

Annex A: Proposed Private Hire Operator Licensing Fees

Annex B: Notice placed in local paper and on social media

Background Papers

Local Government Association- Open for business- LGA guidance on locally set licence fees (2017)

Surrey Heath - Hackney Carriage (Taxi) and Private Hire Licensing Policy 2021-2026

Annex A

Proposed Private Hire Operator Licensing Fees

Licence Description	Proposed Licence Fee
Private Hire Operator Licence – more than 1 vehicle (1 Year)	£220
Private Hire Operator Licence – more than 1 vehicle (5 years)	£865

Annex B

Public Notice

Private Hire Operator Licensing fees

2023/2024

Notice is hereby given that Surrey Heath Borough Council intends to vary the Private Hire Operator licence fees below in accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976.

	Existing Fees	Proposed Fees
Private Hire Operators 1 Year licence more than 1 vehicle	£140	£220
Private Hire Operators 5 Year licence more than 1 vehicle	£1075	£865

You can comment on these changes in writing by:

- Emailing licensing@surreyheath.gov.uk using the subject line 'Proposed private hire operator licence fee changes'
- Post to Licensing, Surrey Heath Borough Council, Surrey Heath House, Knoll Road, Camberley, GU15 3HD

Comments must be received by midnight 14 December 2022.

If we receive no objections within the 28 day notice period the new fee will apply from 1 April 2023.

Any objections will be given due consideration by the Council and the proposed fees with or without modification will apply from 1 April 2023.