

TO: LICENSING AND SAFETY COMMITTEE
6 February 2020

**Private Hire and Hackney Carriage Fees Consultation Report
(Public Protection Manager)**

1 PURPOSE OF REPORT

- 1.1 To allow Members to consider the responses received during the 28 day statutory consultation period concerning the proposed fees in relation to hackney carriage and private hire licensing.

2 RECOMMENDATIONS

- 2.1 That the Committee resolves to recommend the fees to Council subject to:**
Officers recommend that the consultation responses are taken into account and the fees are set, with or without modification, to come into effect on 1 April 2020.

3 REASONS FOR RECOMMENDATIONS

- 3.1 A new set of fees were presented to the Committee at their last meeting, in October 2019, where it was agreed to proceed with the statutory consultation process, with the outcome / any objections received to be brought back before the Committee for further consideration.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 It is open to Members to propose an alternative approach to fee setting.

5 SUPPORTING INFORMATION

- 5.1 The existing and proposed fees can be found at Annex A.
- 5.2 The legal requirements in relation to amending fees are set out at section 70 of the Local Government (Miscellaneous Provisions) Act 1976. A public notice was published in the Bracknell News on 11 December 2019. The consultation ended on 7 January 2020. In addition a letter was sent/emailed to all hackney carriage and private hire drivers and private hire operators advising them of the consultation.
- 5.3 During the period available for making objections, 1 objection was received and is detailed in Annex B. In addition 2 further responses were received requesting clarification of how to calculate their future fee under the proposals.
- 5.4 There will be a financial implication if Members resolve to change the proposed fees. If fees as proposed are not introduced, this will impact the level of service provided in the Bracknell Forest area as a result of the requirement to achieve cost recovery for the licensing function.
- 5.5 Licensing policies and conditions have previously been approved by the Committee. The Council has a legal obligation to operate within its policies and to ensure that those who are licenced under the terms of the policies and conditions are compliant.

- 5.6 The fees charged will be spent on the delivery of this aspect of the licensing function in accordance with the law and prevailing legal interpretation. This includes the employment of staff.
- 5.7 Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires all licensing authorities to publish a notice regarding any variation to the fees charged by the Council for vehicle and operator licences. As objections have been received, in accordance with the Act the Council is required to consider those objections and set a date on which any variation to the fees, with or without modification, shall come into force.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The relevant legal provisions are contained within the body of the report.

Borough Treasurer

- 6.2 The financial implications are included within the body of the report.

Equalities Impact Assessment

- 6.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

- 6.4 There are no implications arising from the recommendation in this report.

7 CONSULTATION

Statutory consultation on Taxi and Private Hire Vehicles and Private Hire Operators was conducted following the decisions of this Committee.

Background Papers

None

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