

INCREASE OF FEES

Submitted by: **Head of Central Services**

Purpose

To obtain approval for the proposed variation of fees relating to Private Hire Vehicles and Hackney Carriages and to inform the Committee of the need to advertise the proposed increases in the local press.

1. Background

1.1 Members will recall that variations of fees require the approval of this committee. Subject to no objections being received it is proposed that the proposed variations will become effective from 1 April 2012 or as soon as possible thereafter. The proposals are attached at Appendix A to your agenda.

2. Issues

2.1 Section 70 Local Government (Miscellaneous Provisions) Act 1976 provides that "a Council may charge such fees for the grant of a vehicle and operators licence 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:

- (a) the reasonable cost of the carrying out by or on behalf of the council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;
- (b) the reasonable cost of providing hackney carriage stands; and
- (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles

2.2 When a Council vary a table of fares, they must amongst other things publish it in a local newspaper circulating in its area and specifying the period, which shall not be less than 28 days from the date of publication of the notice within which and the manner in which objections to the variation can be made.

2.3 If no objections are received or if all objections made are withdrawn then the variation will come into operation on the expiration of the period specified in the notice or the date of withdrawal of the objections which ever date is the latter.

2.4 If there remain outstanding objections then the Council must set a further date not later than 2 months after first specified date, on which the variation shall come into force with or without modification as decided by the Council after considering the objections.

3. Options

3.1 The Committee can only act in accordance with the legislation which governs the variation of fees.

4. Proposal

4.1 That the Committee approve the proposed variation of fees and that the proposals be advertised in accordance with the Act.

5. Reasons for the Proposal

5.1 To continue to ensure the licensing function operates on a cost recovery basis.

6. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

6.1 Creating a Borough of Opportunity

- People who are able to work can do so and there is improved prosperity.

7. Financial Implications

7.1 Failure to vary the fees could affect the Council's ability to provide an effective licensing function.

8. Major Risks

None.

9. Legal and Statutory Implications

9.1 Failure to follow the correct procedure before implementing the increases could leave the Council open to challenge in the Courts and with the inability to legally increase fees

10. Equality Impact Assessment

There are none.

11. Key Decision Information

Not applicable.