

Item

ANNUAL REVIEW OF LICENSING FEES AND CHARGES - 2018/19

To:

Licensing Committee

29 January 2018

Report by:

Yvonne O'Donnell, Environmental Health Manager

Tel: 01223 - 457951 E-mail: yvonne.odonnell@cambridge.gov.uk

Wards affected:

All

1. Introduction

- 1.1 Cambridge City Council, as the Licensing Authority, is responsible for processing and issuing licences for a wide range of activities.
- 1.2 The Council needs to demonstrate that the fees it charges for such licences have been set in accordance with the law and best practice, so as to recover its allowable costs in administering the various licensing regimes for which it is responsible.
- 1.3 Fees should be set so as to avoid either a surplus or a subsidy where possible and adjusted, if necessary, in succeeding years to achieve and maintain the correct balance.
- 1.4 Additionally this report provides details of the trade suggestion of introducing a taxi marshaling service on the Market Square rank, and suggests methods by which the related costs may be recovered.
- 1.5 This report sets out the revised fees and charges for licences and associated items, which it is proposed should be made with effect from 1st April 2018. The approved charges will be submitted to Full Council to note on 22nd February 2018.

2. Recommendations

2.1 Members are recommended:

2.1.1 To approve the level of fees and charges with effect from 1st April 2018, as set out in Appendix A of this report, and to request officers to communicate the charges to the businesses, taxi trade and public.

2.1.2 To consider and determine whether taxi licensing fees should be levied in order to provide a taxi marshaling service on the Market Square rank, and if so should the costs be levied from:

- (i) Hackney Carriage, Private Hire and Dual Licence drivers: at an estimated £40-50 per year
- (ii) Hackney Carriage and Private Hire vehicles: at an estimated £60-70 per year
- (iii) Hackney Carriage vehicles only: at an estimated £90-100 per year

3. Background

3.1. The Council is required to review any charges which it makes for licences and other associated items, from time to time. Council policy provides that an annual review of these fees and charges will be undertaken.

3.2 The Council must seek to recover the costs associated with processing applications for licences as well as the administration and monitoring of compliance with conditions. The fees charged should be capable of withstanding legal challenge, should the need arise.

3.3 It is not permitted to make a surplus nor to subsidise licence holders, and so where necessary fees are adjusted in succeeding years to achieve and maintain the correct balance.

3.4 The cost to the Council of this work is regularly checked and real time costs are used in compiling the figures. Where it is possible to reduce costs by use of more efficient working this is reflected in the charges made.

3.5 The proposed charges for 2018/19, together with the fees charged for the three preceding years, are set out in Appendix A.

- 3.6 Where changes to fees are indicated, these have been made with specific reference to the costs involved in the work required, rather than on the basis of a standardised approach.
- 3.7 **Fees for Hackney Carriage and Private Hire licensing**
- 3.8 For the majority of Hackney carriage and Private Hire licensing fees, it has been possible to freeze these. With inflation, these in effect represent a marginal reduction achieved as a result of efficiencies in processes or for items that have not increased in cost to us.
- 3.9 There are proposed minor increases to the new driver and renewal Hackney Carriage Vehicle.
- 3.10 For Private Hire Operators, the proposed fees see a more moderate increase as previous calculations did not account for operator applications, or licence reviews, that may need to be determined by Licensing Sub-Committee. The fees have therefore been increased to allow such provision.
- 3.11 For consideration is also a request from the trade for the provision of taxi marshals to be present on the Market Square rank on Friday and Saturday nights throughout the year. The trade argues that the vicinity is often a flashpoint for disorder and the presence of taxi marshals helps to promote public safety and contribute to smoother dispersal from the city centre.
- 3.12 Taxi marshals (employed by Hyline Security) are currently provided on the main St Andrew's Street rank on key weekends throughout the year and also throughout weekends in December. This is funded by Cambridge Businesses Against Crime (CAMBAC) and Cambridge BID.
- 3.13 It has been possible to trial a pilot provision of a taxi marshal service on the Market Square rank on Friday and Saturday nights throughout December 2017, using existing taxi licence fee resources.
- 3.14 The Commercial & Licensing Team is currently liaising with the trade on feedback of the service provided thus far and plan to provide a verbal update at the time of the meeting, once feedback has been received.
- 3.15 Should it be appropriate to support the taxi marshal provision to the Market Square rank every Friday and Saturday night going forward, the estimated annual cost of providing three taxi marshals is £30,000.

- 3.16 In order to identify how such marshalling may be funded, three options were proposed to the trade to consider how the cost is split between licence holders:
1. Hackney Carriage, Private Hire and Dual Licence drivers: £40-50
 2. Hackney Carriage and Private Hire vehicles: £60-70
 3. Hackney Carriage vehicles only: £90-100
- 3.17 The figures above reflect the estimated cost per year that will be added to the licence fees proposed in Appendix A should the provision of the taxi marshalling service on the Market Square rank proceed.
- 3.18 The proposed fees went out to a 28 day consultation as per the provisions of the Local Government (Miscellaneous Provisions) Act 1976. All licence holders were sent a copy of the letter and proposed fee as attached in Appendix B, which included details of the proposed Market Square taxi marshalling service.
- 3.19 A total of three responses were received; the content of these and the reply sent back are attached as Appendix C.
- 3.20 One respondent asked whether the fees could include the costs for taximeters to be upgraded free of charge. In the reply sent back the individual was advised that the Council considered the calibration of taximeters a private matter for vehicle proprietors to action.
- 3.21 Another respondent objected to the fee increases in light of the decisions made by Licensing Committee in October 2017 to require all licensed vehicles to install CCTV and, Hackney Carriage Vehicles only, to be subject to a livery requirement. In the response the individual was advised that the most significant fee increases affected operators and that it was trade representatives who suggested CCTV and livery vehicle licence conditions to be brought in.
- 3.22 With respect to the fees for a taxi marshaling service at Market Square one respondent, who is the proprietor of a Private Hire Vehicle, suggested it would be unfair to levy the marshaling fees on the private hire trade as they do not use the ranks. The comment went on to mention that drivers of Private Hire Vehicles licensed by South Cambridgeshire District Council would also not be liable to pay such a charge.

3.23 Fees for licences and permits issued under the Licensing Act 2003

3.24 Fees for licences issued under the Licensing Act 2003 are currently fixed by central government and are included for information only. We are not permitted to deviate from these figures.

3.25 Fees for licences and permits issued under the Gambling Act 2005

3.26 Fees for permits issued under the Gambling Act 2005 are currently fixed by central government and are included for information only; we are not permitted to deviate from these figures. In contrast licences issued under the Act are subject to maximum levels as laid down by the Department of Culture, Media and Sport. Having reviewed these fees there are no proposed changes.

3.27 Fees for animal businesses, skin piercing registrations and sex establishment licensing

3.28 Fees for animal businesses, skin piercing practices and sex establishments have increased by 2.0%, in line with the rate of inflation. No change in the processing or monitoring of these licences and registrations is planned for next year.

3.29 Fees for market and street trading licences

3.30 City Centre Management officers have reviewed the markets and street trading licence fees and have advised there are no required changes to the fees for market and street trading pitch licences for 2018/19.

4. Implications

(a) Financial Implications

Page: 5

The charges are set to recover the Council's allowable costs.

(b) Staffing Implications

Nil.

(c) Equality and Poverty Implications

Nil.

(Text).

(d) Environmental Implications

Nil.

(e) Procurement Implications

Nil.

(f) Community Safety Implications

Nil.

5. Consultation and communication considerations

- 5.1 Under the Local Government (Miscellaneous Provisions) Act 1976, the Council is required to consult on any changes to the fees and charges in respect of Hackney Carriage and Private Hire licensing.
- 5.2 A 28 day public consultation took place from 20th November 2017 to 17th December 2017. All licence holders received a copy of the letter attached as Appendix B. The consultation was also advertised by a public notice in Cambridge News as well as a post on the Cambridge City Council Taxi Licensing Facebook page.
- 5.3 Three responses were received as detailed in Appendix C. Each of these responses received a reply from the Licensing, Policy & Admin team Leader in consultation with the Environmental Health Manager and Commercial & Licensing Team Manager.

6. Background papers

Background papers used in the preparation of this report:

- (A) Calculation Spreadsheets

7. Appendices

- (A) Table of Proposed Fees and Charges 2018-19
- (B) Fee Setting Letter to Licence Holders
- (C) Consultation responses – fees for hackney carriage and private hire licensing 2018/19

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact: Vickie Jameson, Licensing, Policy & Admin Team Leader, tel: 01223 - 457863, email: victoria.jameson@cambridge.gov.uk