

Appendix A (Part 2 of 2)

Officer response to consultation response received

Appendix Letter/ Document Number	Objection	Officer Comments/ Explanatory Notes
1	Private Hire Operator Licence Fees	<p>The Council introduced a financial modelling tool in 2013 to calculate licensing fees from 2014/15 onwards. This continues to be updated, modified and refined to take account of amendments to the law, changes made by licensing officers, recommendations from the Council's finance officers and to reflect ongoing changes to the way in which the licensing function is resourced.</p> <p>The modelling tool provides for a consistent approach to the calculation of all fees.</p> <p>The Council is permitted to include costs for clerical and administrative aspects when determining licence fees, but these must be reasonable and proportionate to the actual costs of the procedures.</p> <p>All Private Hire Operator fees are calculated individually using the same modelling tool which is reviewed every year. This has resulted in the costs associated in the fee for a 'Private Hire Operator Small - up to and including 30 vehicles and one base' to remain the same fee as the previous financial year. Whereas, the three other Private Hire Operators Fees have calculated to have an increase in costs associated with the processing of</p>

		<p>them.</p> <p>The Strategic Licensing Committee Report dated 6 October 2021 – Licensing Fees and Charges 2021 – 2022 provides the rationale for the setting of licence fees.</p> <p>Section 70 of Local Government (Miscellaneous Provisions) Act 1976 states,</p> <p><i>‘If an objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections’.</i></p> <p>The law does not require the Council to revise the fees or require the Council to re-advertise any fees with or without variation after the consultation period, as suggested in the consultation response. Members are required to consider the objections made and decide if any modification to the fees as set out in the notice is required or not and implement the fees with or without revision on the specified date.</p>
1	Vehicle licence transfer fee	<p>The Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 states:</p> <p><i>Transfer of a licence (Change of vehicle)</i></p> <p><i>3b.74 All requests to transfer a vehicle licence (change a</i></p>

		<p><i>vehicle) onto another vehicle will be treated as a new vehicle application...</i></p> <p>The consultee refers to the Local Government (Miscellaneous Provisions) Act 1976 and the fees the Council can charge under the Act. Paragraph 3b.74 makes it clear that although we use the term 'Transfer' of a licence the Council are processing a new application in accordance with the Act. The term 'Transfer' is widely used by the Hackney Carriage and Private Hire Trade and to make the fees table 'user friendly' to the Trade the term has been used.</p> <p>Officers acknowledge that the calculation of 'Transfer' fees in previous years resulted in a lower fee being charged to 'Transfer' a vehicle licence than the fee for a new vehicle application. However, current calculations have resulted in the fees being set at the same level.</p> <p>Section 70 of Local Government (Miscellaneous Provisions) Act 1976 states,</p> <p><i>'If an objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections'.</i></p> <p>The law does not require the Council to revise the fees or require the Council to re-advertise any fees with or without variation after the consultation period, as suggested in the consultation response. Members are required to consider the</p>
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