

**BODY:** General Licensing Committee

**DATE:** 5<sup>th</sup> October 2015

**SUBJECT:** Deregulation Act 2015: Approval of Temporary Licence Fee for Private Hire Operators

**REPORT OF:** Jay Virgo, Customer First Manager

**Ward(s):** All

**Purpose:** To make members aware of the changes implemented by the Deregulation Act 2015 relating to the licensing of hackney carriage and private hire drivers and the operation of private hire operators.

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**Recommendations:** Approve the structure of fees for a five year private hire operator's licence until such time as a full review of the licensing fees can be made

## **1.0 Reason for Recommendation**

1.1 The Deregulation Act 2015 enshrines in law the requirement for a 5 year private hire operator licence to be implemented by 1<sup>st</sup> October 2015.

## **2.0 Background**

2.1 Eastbourne Borough Council is responsible for issuing licences for; hackney carriages and private hire vehicles, the drivers of the vehicles and the operators of private hire businesses.

2.2 The Deregulation Act 2015 amends the Local Government (Miscellaneous Provisions) Act 1976 to alter the length of time a licence is issued for, together with the method of operation of the holders of a private hire operator's licence.

2.3 The Deregulation Act 2015 contains two sections relating to the hackney carriage and private hire industry. Sections 10 & 11 are the relevant sections and take effect on 1<sup>st</sup> October 2015. The Act is available via:

<http://www.legislation.gov.uk/ukpga/2015/20/contents/enacted>

2.4 Section 10 states that driver licences for hackney carriage and private hire vehicles must be issued for a period of three years, unless there is reason for issuing a licence for a shorter period. EBC currently issues three year dual driver licences and is therefore in accordance with the Act.

2.5 Section 10 also states that private hire operator's licences should be issued/ renewed with a standard duration of 5 years, or a lesser period depending on the circumstances of an individual case. EBC currently issues private hire

operator licences with a standard duration of one year.

- 2.6 Section 11 of the Act makes provision for the holder of a private hire operator's licence who has accepted a booking in one district, to pass that booking to another operator to fulfil whether in the same district or not, provided that the booking is accepted in accordance with legislative requirements in the district the second operator is authorised to trade in.
- 2.7 The local authority is still awaiting further guidance from Central Government concerning section 11.

### **3.0 Adoption of Provisions**

- 3.1 The Deregulation Act 2015 requires Local Authorities to issue a five year private hire operator's licence. EBC does not currently offer this.

### **4.0 Proposed Implementation**

- 4.1 The current agreed private hire operator's licence fees are tabulated below and are available via:

<http://www.eastbourne.gov.uk/EasysiteWeb/getresource.axd?AssetID=215981&type=full&servicetype=Inline>

Licence for 1 – 2 vehicles	£ 70
Licence for 3 – 4 vehicles	£ 85
Licence for 5 – 10 vehicles	£ 150
Licence for 11 – 15 vehicles	£ 200
Licence for 16 – 20 vehicles	£ 250
Licence for 21 – 30 vehicles	£ 350
Licence for 31 – 40 vehicles	£ 450
Licence for 41 – 60 vehicles	£ 700
Licence for 61 – 80 vehicles	£ 880
Licence for 81 – 100 vehicles	£1100
Licence for 101 – and above	£1400

- 4.2 From 1<sup>st</sup> October 2015 private hire operators will be permitted to apply/renew for a 5 year private hire operator's licence and a fee in place to facilitate this.
- 4.3 It is not envisaged at this juncture for there to be an amendment to the level of fee charged. As an interim measure and until the hackney carriage and private hire licence fees are reviewed, it is proposed that the level of fee charged be consistent with the current licence fee.
- 4.4 Therefore the 5 year private hire operator's fee will be charged at 5 times the current yearly fee for consistency and will enable EBC to recover its reasonable costs in processing, determining and ensuring compliance of the licence. The proposed 5 year fee structure is tabulated below.

Licence for 1 – 2 vehicles	£ 350
Licence for 3 – 4 vehicles	£ 425
Licence for 5 – 10 vehicles	£ 750
Licence for 11 – 15 vehicles	£ 1000
Licence for 16 – 20 vehicles	£ 1250
Licence for 21 – 30 vehicles	£ 1750
Licence for 31 – 40 vehicles	£ 2250
Licence for 41 – 60 vehicles	£ 3500
Licence for 61 – 80 vehicles	£ 4400
Licence for 81 – 100 vehicles	£ 5500
Licence for 101 – and above	£ 7000

4.5 Payment options will be made available to the private hire operators to facilitate payment of the licence fee.

## **5.0 Recommendations**

5.1 Members are asked to agree the recommendations at the beginning of this report

### **Background Papers:**

The Background Papers used in compiling this report were as follows:

- Local Government (Miscellaneous Provisions) Act 1976
- Deregulation Act 2015