

PUBLIC PROTECTION COMMITTEE

12 APRIL 2016

Present: County Councillor Parry(Chairperson)
County Councillors Boyle, Kelloway, Murphy and Walsh

39 Apologies for Absence

Apologies for absence were received from Councillors Manzoor Ahmed, Bridges, Goddard, Morgan and Simmons.

40 Declarations of Interest

No declarations of interest were received.

41 Minutes

The minutes of the meeting held on 8 March 2016 were approved by the Committee as a correct record and were signed by the Chairperson.

42 Hackney Carriage and Private Hire Vehicle Fees and Charges

Members were advised that the Committee at its meeting held on 9 February 2016 resolved to authorise the Head of Shared Regulatory Services to carry out the public notice procedure in respect of proposed changes to the Hackney Carriage/Private Hire fees and charges.

In response to the public notice objections to the proposed changes were received. The objections were set out in Appendix 1 of the report. The Committee was asked to consider the objections received and determine whether it wishes to proceed with proposed changes to the fees and charges. Members were also asked to agree a suitable date for the new fees and charges to come into effect. The Committee noted that the proposed revised fees were universally reduced.

Members were advised that the main focus of the objections were the validity of the fees and the use of the fees toolkit; the legality and cost of 6 month vehicle licences; and the perceived lack of detail regarding the calculations. The report addressed each of these concerns.

Sharyn Donnaghie was invited to address the Committee on behalf of herself, Carl Cummings, Supertax and Primeoutlet Ltd. Ms Donnaghie raised concerns that the toolkit which had been used to calculate the proposed revised fees has not be provided to the trade. Questions that had been submitted as part of the representations remained unanswered and Ms Donnaghie perceived that there had been a general lack of openness and transparency on the part of officers.

Ms Donnaghie also considered that under the provisions of the Transport Act 1981 the authority did not have the right to charge different fees for different licences. Furthermore, Ms Donnaghie considered that Hackney Carriage vehicles licences can only be granted for 12 months. Members were advised that Bridgend Council, Cardiff's partner in the Shared Regulatory Service, did not apply 6-month vehicle licences and

applied an inspection fee for vehicles more the 5-years old.

Concerns were also expressed that the officer structure in the Licensing team in Cardiff was the same. However, staff had been subjected to 18 months of reorganisation. Licensing Officers were not solely dedicated to Cardiff and therefore the cost of the service cannot be the same. Ms Sharyn Donnachie questioned why when she had rung the licensing section to speak to Rhys Morgan, she was told that he was working that day for the Vale of Glamorgan. Ms Sharyn Donnachie queried the calculation for the fees when the licensing officers were not working full time for Cardiff Council. Ms Donnachie stated that she had grave reservations regarding the restructuring of the department. She questioned the legal advice given to the Committee at the meeting held on 5 February 2016.

In closing Ms Donnachie summarised her concerns. These were:

- That insufficient detail has been shared with the trade
- That it was not legal to issue 6 month hackney carriage vehicles licences
- That the costs for the Licensing Department had not changed between 2009 and 2016, despite the department being subject to restructuring and officers working for the shared Regulatory Service and not solely for Cardiff Council.

Members discussed the representation receive and the validity of the statements made. Some Members considered that a considerable amount of details was provided to representatives of the trade.

Officer provided further details of the numbers of hackney carriage/private hire vehicle licence applications received during 2014/15 and 2015/16. Members were asked to note that there was an increase in number of applications received during 2015/16. This increase contributed to a subsequent reduction in the fee.

Members sought reassurance that they were satisfied the agreed fees were cost neutral. Officers were requested to assure the Committee that the aggregate costs represented actual costs and these were unlikely to incur a significant surplus. Officers stated that the 'toolkit' used to calculate the fees was developed as the result of legal challenge. The toolkit was being used by the majority of Welsh Authorities and has also been recommended for use by the Institute of Licensing. Officers considered the toolkit to be the most robust and suitable method available as a means to calculate fees.

Members asked why the toolkit has not been made available to the trade. Officers advised that whilst the toolkit spreadsheet was not made available, all the data which fed into the calculations has been made available. Whilst the methodology used to calculate the fees was the most robust ever, it may not be possible to satisfy every member of the trade.

Responding to points raised regarding the allocation of officer time within the Shared Regulatory Service, officers stated that the licensing elements in each authority were treated separately from the other regulatory services.

Officers were asked to clarify whether the authority has a right to apply a 6-month vehicle licence to hackney carriages. Officers stated that the legal advice contained within the report was correct and the authority is able to grant 6-month vehicle licences for hackney carriages. Whilst Bridgend Council do not grant such licences, the Vale of Glamorgan

does. Officers are currently undertaking a review of the three authorities licencing policies with a view to introducing greater harmonisation where possible. Many other local authorities have 6-month vehicle licences for hackney carriages.

The Committee was recommended to approve the revised fees and charges as set out in the report. Members moved an additional recommendation to the report requiring officers to work in closer liaison with trade representatives.

RESOLVED – That the revised fees and charges be approved with an implementation date of 2 May 2016.

The meeting terminated at 11.30 am