

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 04 April 2023

TITLE	Parking and Licence Fees and Charges	
Ward(s)	Citywide	
Author: Jonathan Martin and Sharon Radnedge	Job title: Licencing and Trading Standards Manager/Parks and Green Spaces Commercial Manager	
Cabinet lead: Mayor Rees, Councillor Ellie King, Cabinet Member for Public Health, Communities and Bristol One City	Executive Director lead: John Smith; Interim Executive Director Growth and Regeneration	
Proposal origin: BCC Staff		
Decision maker: Cabinet Member Decision forum: Cabinet		
Purpose of Report:		
<ol style="list-style-type: none"> 1. To seek approval to increase the cost of private hire and hackney carriage driver licence fees above 5%. 2. To seek approval to increase parking charges in Parks Chargeable car parks above 5% 3. To authorise a notice of variation (s.35C Road Traffic Regulations Act 1984) to be published as required 		
Evidence Base:		
Increase the cost of private hire and hackney carriage driver licence fees above 5%.		
<ol style="list-style-type: none"> 1. The ability to recover costs of administering the function and hence costs of licensing drivers rests within the Local Government (Miscellaneous Provisions) Act 1976. Section 53 (2) provides: <i>'Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so'.</i> 2. In July 2020, the Secretary of State for Transport published the Statutory Taxi and Private Hire Vehicle Standards under powers contained within section 177(1) of the Policing and Crime Act 2017. This provides that the licensing authorities must have regard to its provisions and without good reason adopt the requirements. 3. Amongst those requirements was the need to implement a requirement that all licensed drivers subscribe to the DBS update service. This provides the ability for licensing authorities to regularly check the DBS status of a licensee and verify if there is a change of status which may affect their 'fit and proper person' status as a licensed driver. 4. These requirements were adopted into the Hackney Carriage and Private Hire Driver Licensing Policy by the Public Safety & Protection Committee in July 2021, requiring a quarterly DBS verification. 5. The majority of drivers now subscribe as they have 'cycled' through renewal of their licenses. 6. The cost of each verification is £4 and is a fixed charge. 7. These are not currently applied to licence fees. 8. It is therefore proposed to incorporate these additional costs, as permitted, into the licence fee structure for drivers to enable cost recovery. 9. Detail of existing and proposed costs which includes a 5% administration uplift in additional to the fixed quarterly charges: 		

Increase parking charges in Parks Chargeable car parks above 5%

1. In March 2022, car parking fees were introduced at Oldbury Court Estate and Blaise Estate via a BCC Traffic Regulation Order (TRO). In August 2022, fees at Ashton Court Estate were aligned with those at Oldbury and Blaise through a TRO by North Somerset Council.
2. The decline in car park usage following the implementation of the TROs (Traffic Regulation Orders) suggests that the introduction of parking charges has positively influenced active travel, one of the intended outcomes of the TROs. Despite this decrease, activity at catering outlets at Blaise and Oldbury has remained stable, indicating that the changes have not had a significant impact on overall park use and enjoyment. This supports the idea that the increased charges have encouraged more sustainable transportation options, contributing to a more active and healthy community.
3. The fees were initially set lower than other council-controlled car parks to test the impact on park usage and services.
4. Visitor numbers at Blaise Café and Oldbury Kiosk show no significant impact from the introduction of parking fees.
5. However, the usage of the car park has decreased, likely due to increased use of more sustainable alternative travel methods, which aligns with the council's climate policies.
6. The council faces significant budget pressures, including rising costs, despite the removal of budget reduction targets from parks.
7. Bristol's Parks are assets that provide environmental, economic, social and cultural benefits. They are valued by communities and tourists. These fees will go directly to supporting the maintenance and development of Bristol's Parks and Green Spaces.

Cabinet Member / Officer Recommendations:

That Cabinet:

1. Approve the licence fee increases for the cost of private hire and hackney carriage drivers to ensure full cost recovery of administering the function.
2. Approve the parking tariff changes in the current Parks off-street car parks as laid out in this report.
3. Authorise the Executive Director Growth and Regeneration to take all steps to required to implement the increases, including publication of a notice of variation as required under s.35C Road Traffic Regulations Act 1984, as outlined in this report.

Corporate Strategy alignment:

The One City Plan states:

1. Bristol will be well-connected with digital services and transport that is efficient, sustainable and inclusive; supporting vibrant local neighbourhoods and a thriving city centre.
2. Bristol will be a sustainable city, with low impact on our planet and a healthy environment for all.
3. Transport is healthy, active, sustainable, safe and enables easy movement throughout the city.
4. The city is well connected, supporting access to employment, education and services for all

City Benefits:

1. The DBS update service and associated regularised checking throughout the tenure of the driver's licence enables the licensing authority to verify the driver DBS status. Hackney Carriages and Private Hire services are an integral of the overall public transport infrastructure of Bristol. This improves the confidence consumers should have that drivers licensed by the authority remain 'fit & proper'.
2. Through the additional income generated from increased car parking charges, this proposal enables the council to continue to provide the numerous health and wellbeing benefits that these spaces offer to citizens.
3. The continued availability of parks and green spaces will provide opportunities for physical activity, exposure to nature, and improved air quality, all of which are known to promote physical and mental health. This, in turn, will help to create healthier and happier communities, promoting a more liveable and sustainable city for everyone.
4. This proposal supports sustainable transportation and access to services through parking rationing and pricing strategies, promoting the use of public transit, walking, and cycling.
5. These strategies also improve access for those who rely on the private car such as Blue Badge holders, who will continue to be able to park for free.

Consultation Details:

1. The NOV for the main tariff changes are expected to be placed in May 2022, with the changes to be implemented in June/July 2023.

Background Documents:

- [notice of introduction of parking charges \(n-somerset.gov.uk\)](https://n-somerset.gov.uk)
- [Local Government \(Miscellaneous Provisions\) Act 1976 \(legislation.gov.uk\)](https://legislation.gov.uk)
- [Statutory taxi and private hire vehicle standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Revenue Cost	£N/a	Source of Revenue Funding	N/a
Capital Cost	£N/a	Source of Capital Funding	N/a
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input checked="" type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:**1. Finance Advice:**

- a. The report is requesting approval to up-date the fees & charges (F&Cs) in-relation to Licence fees and to Parks off-street car parks above 5% - a full list of all the alterations can be seen in Appendix A.
- b. The table of F&Cs have been updated to enable full cost recovery, bring the Licence fees in line with other similar cities, ensuring the Parks off-street car parks are closer in-line with other Council controlled car parks and encourages more sustainable alternative travel methods, which aligns with the council's climate policies. This has resulted in the F&Cs increasing by more than the Council's recommended inflation rate of five percent.
- c. The changes will ensure the two services generate income to maintain the cost of operations and to their future financial investment.
- d. The new F&Cs should be reviewed annually and feed into the budget setting cycle to ensure they remain relevant, cover costs, provide future funds and are in-line with similar F&Cs.
- e. Any costs associated with implementing the new F&Cs (signage, printing. Etc) will need to be funded from the Services revenue budget and the income the F&Cs generate.

Finance Business Partner: Kayode Olagundoye, Interim Finance Business Partner, Growth and Regeneration, 27 February 2023

2. Legal Advice:**Licence Fees:**

The proposals set out in the report are lawful. The relevant statutory provision referred to above under the heading "Evidence Base" at paragraph 1 enables the Council to set fees for hackney carriage and private hire licensing at a local level so long as the fees are proportionate and reasonable to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities. Fees must not be used to make a profit and should be regularly and robustly reviewed to ensure they remain reasonable and proportionate.

Parks:

Charges for the off-street parking places were introduced by the [Order] using powers under section 32 and 35 Road Traffic Regulation Act 1984 ("the 1984 Act").

Section 35C of the 1984 Act allows the Council to vary off-street parking charges by way of a notice.

Regulation 25 of the Local Authorities' (Traffic Orders) (Procedure) (England and Wales) Regulations 1996 ("1996

<p>Regs”) provides the procedure for publication of the variation notice, which includes:</p> <ul style="list-style-type: none"> - Publish at least one in a local newspaper at least 21 days before the change comes into force; - Place copies of the notice at the relevant off-street parking place until such time as the change comes into force 		
<p>Legal Team Leader: License Fees: Kate Burnham-Davies in consultation with Lynne Harvey, Solicitor. 17 February 2023 Parks: Joanne Mansfield, Team Manager – Property Planning and Transport Team, 7 February 2023</p>		
<p>3. Implications on IT I can see no implications on IT in regard to this activity.</p>		
<p>IT Team Leader: Alex Simpson – Senior Solution Architect 30 January 2023</p>		
<p>4. HR Advice: Licence Fees- There are no HR Implications evident.</p>		
<p>HR Partner: Celia Williams, HR Business Partner, 17 February 2023</p>		
EDM Sign-off	Stephen Peacock, Executive Director Growth and Regeneration	1 February 2023 and 15 February 2023
Cabinet Member sign-off	Councillor Ellie King, Cabinet Member for Public Health, Communities and Bristol One City Mayor’s Office	9 February 2023 16 February 2023
For Key Decisions - Mayor’s Office sign-off	Mayor’s Office	6 March 2023

Appendix A – Licence fees and parking charges detail	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	YES
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	No
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO