

TELFORD & WREKIN COUNCIL

LICENSING COMMITTEE – 17TH FEBRUARY 2011

LICENCE FEES

REPORT OF: SERVICE DELIVERY MANAGER - PUBLIC PROTECTION

1. Purpose

- 1.1 For Members to consider an increase in the levels of Licence Fees and charges affecting the Hackney Carriage and Private Hire trades in light of a representation received by the Licensing Service.

2. Recommendations

- 2.1.1 Having considered the representation received by the Licensing Service following the publication of a legal notice, for Members to resolve whether the proposed increase in licence fees should be implemented in a staged increase with a 50% increase being implemented on 1st March 2011 and a further 50% increase taking effect on 1st April 2012.

3. Summary

- 3.1 Following the meeting of the Licensing Committee on 1st December 2010, a legal notice advertising the proposed increase in licence fees was published in the Shropshire Star on 6th January 2011.

4. Previous Minutes

- 4.1 LC-39- Licensing Committee 1st December 2010.

5 Information

5.1 Background

- 5.1.1 On 1st December 2010, Members of the Licensing Committee resolved :

that the level of fees in accordance with Column 3 of Appendix A (Increase based on actual cost recovery) via a staged increase over a period of time to be determined by the Members of the Licensing Committee, with the first increase to come into force on a specified date not less than 28 days from the date on which a notice is to be published subject to any relevant representations being received during this period with any responses being submitted to the Licensing Committee be approved.

Appendix A to the report of the Service Delivery Manager of 1st December 2010 is attached at Appendix A

5.1.2 On 6th January 2011, a 28 day legal notice advertising the proposed increase in licence fees was published in the Shropshire Star and was also made available for public viewing in the reception areas at Civic Offices and Darby House. A copy of the notice is attached a Appendix B.

5.1.3 On 22nd January 2011 the Principal Licensing Officer received a written representation from Mr Abid Tawasin, Hackney Carriage Driver. A copy of the representation is attached at Appendix C.

5.2 Equal Opportunities

5.2.1 This Report adheres to the Council's Equality and Diversity Scheme and does not discriminate on the grounds of race, gender, disability, age, religion or belief or sexual orientation.

5.3 Environmental Impact

5.3.1 Not applicable for the purposes of this report.

5.4 Legal Comment

5.4.1 Hackney Carriage and Private Hire licence fees are at the discretion of the Council but should be reasonable and proportionate.

5.4.2 The charging of fees is provided for within the relevant legislation.

5.5 Links with Corporate Priorities

5.5.1 This report has links to community protection and cohesion.

5.5 Financial Comment

The budget savings proposals for 2011/12 assume that the increases in licence fees are implemented in one tranche. If the decision is made to phase the increase in licence fees this will impact upon the amount of savings that can be generated in 2011/12. The total savings from increased licence fees included within the 2011/12 budget plan is £27,400. If increases are phased this will reduce to £13,700 in 2011/12 with the balance of savings not achievable until 2012/13. Alternative savings will have to be identified in order to present a balanced budget for 2011/12.

5.7 Risks and Opportunities

5.7.1 In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.

5.7.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.

The following key risks and opportunities associated with these decisions is :

- The level of fees set being unreasonable arising to a challenge by judicial review.

5.7.3 Having identified this risk, processes and procedures have been put in place to ensure that Regulations are complied with.

6. Ward Implications

6.1 This report has Borough wide Implications

7. Background Papers

7.1 Local Government (Miscellaneous Provisions) Act 1976

7.2 Local Government (Miscellaneous Provisions) Act 1982

7.3 Town Police Clauses Act 1847

7.4 Transport Act 1981

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