

Telford & Wrekin Council

Licensing Committee 30th March 2017

Revised set of Licence Fees

Report of: Service Delivery Manager - Public Protection

1. Purpose

- 1.1 For Members to consider the revised level of licence fees and charges affecting the Hackney Carriage, Private Hire trades, Gambling and other licences.

2. Recommendations

- 2.1 It is recommended that Members approve the level of proposed fees to come into force on 1st June 2017 subject to any responses received following the posting of notices regarding the fee level changes as required by legislation.

3. Summary

- 3.1 The level of fees and other charges for Hackney Carriage, Private Hire, Gambling and General Licences were last reviewed for the Financial Year 2016/2017 and implemented on 1st September 2016.

4. Previous Minutes

- 4.1 LC 4 Licensing Committee 19th July 2016
LC 6 Licensing Committee 19th July 2016

5 Information

5.1 Background

- 5.1.1 The current level of fees and other charges for Hackney Carriage, Private Hire, Gambling and General Licences were implemented by the Licensing Authority on 1st September 2016.
- 5.1.2 A local authority may recover the costs of administering all aspects of Hackney Carriage/Private Hire, Gambling and other licences. When setting fees the Council must have regard to the impact that any increase may have upon the livelihood of licence holders. However, it is also important that the council does not subsidise this area of work to the detriment of other front line services particularly as a result of the ongoing reduction in council funding as a result of Government cuts to local authority funding. However, the Licensing Service wishes to provide a service which is as efficient and effective as it can be to reduce the burden on business in these difficult economic times.

- 5.1.3 The Licensing Service is not able to fully recover the costs of delivering the Licensing Service. Only certain statutorily defined costs can be recovered, for example the service cannot recover the costs of enforcement except in relation to Hackney Carriage/Private Hire Vehicle Licensing, Cinema Licensing or Gambling Licensing.
- 5.1.4 There are also permits, registrations and licences where the level of fees is either set by statute or statutory instrument and many of these have not historically recovered the Council's cost of administering the service.
- 5.1.5 Where fees have increased this reflects an enhanced level of service provided by way of inspections to ensure compliance with the license conditions throughout the life of the licence. The Licensing service has however been able to reduce the fees of Private Hire and Hackney Carriage renewal applications for drivers by directing applicants to use new digital access channels which require less administration costs for the council. The fee for the street knowledge test has also reduced significantly as a direct result of work undertaken to move this service on line.
- 5.1.6 Following the fees review in 2015/2016 a report was considered by Members of the Council's Licensing Committee on 19th July 2016 and the proposed level of licence fees was implemented on 1st September 2016 for the remainder of the Financial Year 2016/2017.
- 5.1.7 The Public Protection Service Delivery Manager has now reviewed the level of licence fees for Hackney Carriages, Private Hire, General and Gambling Licences for the Financial Year 2017/2018 in partnership with council finance officers. The proposed fees are attached at **Appendix A**.
- 5.1.8 The Licensing Service has conducted some benchmarking and this information is attached at **Appendix B**.

5.2 Equality

- 5.2.1 The impact of the proposed fee increases will not have a significant impact on people who have, or share, protected characteristics in regard to the aims of the General Equality Duty.

5.3 Environmental Impact

- 5.3.1 Not applicable for the purposes of this report.

5.4 Legal Comment

- 5.4.1 The Committee's responsibilities are set out in the Council's Constitution and include setting and reviewing licensing fees other than those set by statute.
- 5.4.2 The power to levy fees is contained in the legislation relevant to each function or otherwise in the Local Government Act 2003 in relation to discretionary services.

5.4.3 Licensing is not a revenue raising function and licensing fees should cover the costs associated with the licensing process but not generate a profit.

5.4.4 The EU Services Directive requires non-discriminatory, justified, proportionate, clear, objective, public, transparent and accessible process for the setting of fees

5.5 Links with Corporate Priorities

5.5.1 This report has links to the following priorities:

Protect and Support our Vulnerable Children and Adults
Protect and create jobs as a “Business Supporting, Business Winning Council”

5.6 Financial Comment

5.6.1 A full review of license fees has been jointly undertaken by Finance and the Licensing Service. The fees proposed in Appendices A and B have been calculated using a full cost recovery basis with the exception of those license fees that are set by statute. Public Protection has an annual income budget of £193k for license fees and the fees set out in this report will go towards achieving this. The level of income to be generated from the new fees has been calculated based on the number of licenses currently issued and will therefore increase or decrease in line with the number of license applications. Variations against the license fee income target will be monitored as part of the current Financial Management arrangements of the Council.
MLB 22.02.17

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
- 7.5 Gambling Act 2005
- 7.6 Animal Boarding Establishments Act 1963
- 7.7 Breeding of Dogs Act 1973
- 7.8 Pet Animals Act 1951
- 7.9 Performing Animal's (regulation) Act 1925
- 7.10 Dangerous Wild Animals Act 1976
- 7.11 Zoo Licensing Act 1981
- 7.12 Riding Establishments Act 1970

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