



Telford & Wrekin  
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

## LICENSING COMMITTEE

Date **16<sup>th</sup> January 2018** Time **6.00pm**  
Venue **Meeting Room G3/G4, Ground Floor, Addenbrooke House, Ironmasters Way, Telford TF3 4NT**

### Enquiries Regarding this Agenda:

|                     |  |              |
|---------------------|--|--------------|
| Democratic Services | Jayne Clarke   | 01952 383205 |
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| Lead Officer        | Angie Astley Assistant Director: Customer & Neighbourhood Services | 01952 383246 |

**Committee Membership:** Councillors C R Turley (Chair), J Pinter (Vice Chair), M Boylan, I T W Fletcher, J A Francis, M B Hosken, C N Mason, L A Murray, J M Seymour, C F Smith and M J Smith

**Substitutes:** Councillors J Ashford, S P Burrell, G H Cook, K Guy, J Jones, R T Kiernan, N Lowery, R Mehta, A A Meredith, G C W Reynolds and H Rhodes.

## AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix **A**  
To confirm the minutes of the meeting of the Licensing Committee held on 30<sup>th</sup> March 2017.
4. **Review of Licence Fees** Appendix **B**  
To receive the report of the Assistant Director: Neighbourhood & Customer Services.
5. **Review of the Terms of Reference** Appendix **C**  
To receive the report of the Assistant Director: Governance, Procurement & Commissioning.

## LICENSING COMMITTEE

### Minutes of a meeting of the Licensing Committee held on Tuesday 30<sup>th</sup> March 2017 at 6.10pm at Addenbrooke House, Ironmasters Way, Telford

**Present:** Councillors, M B Hosken, I T W Fletcher, J A Francis, S J Reynolds, J Seymour, C F Smith, M J Smith and C R Turley (Vice Chair in the Chair).

**In Attendance:** A Astley (Assistant Director - Neighbourhood & Customer Services), N Minshall (Service Delivery Manager, Public Protection), S Fisher (Principal Licensing Officer), A Hunt (Public Protection Manager), K Harris (Group Manger – Development Team), P Martin (Legal Advisor) and J Clarke (Democratic and Scrutiny Officer).

Members had gathered prior to the meeting to look at a vehicle that was to be considered during the item “Hackney Carriage Approved List of Vehicles”. The Chair asked Members to consider moving this item up the Agenda to item 4 of the meeting. It was proposed and seconded and

**RESOLVED** – that Hackney Carriage Approved List of Vehicles be heard at item 4 of the Agenda.

#### **LC -19      Apologies for Absence**

Councillors C Mason (Chair) and M Boylan.

#### **LC 20      Declarations of Interest**

None.

#### **LC -21      Minutes**

**Resolved** – that the minutes of the meeting of the Licensing Committee held on the 17<sup>th</sup> January 2017 be signed by the Chair.

#### **LC -22      Hackney Carriage Approved List of Vehicles**

The Principal Licensing Officer presented the report of the Service Delivery Manager - Public Protection which asked Members to consider including the Peugeot E7 Standard model on the Council’s Approved List of Vehicles.

On 16<sup>th</sup> January 2013 Members of the Licensing Committee approved the inclusion on the Approved List of Vehicles the Peugeot E7 SE and SX models which included additions to the standard specification being an electric step, a swivel seat and a hearing loop.

The purpose-built vehicle that Members had viewed prior to the meeting did not have the additional features but met conditions with regards to access for a single wheelchair and did not impact on equal opportunities as disability awareness training was delivered to all drivers as a Licensing Condition. It was felt that by adding this standard model of vehicle it may increase the overall availability of hackney carriages as the E7 SE and SX models with the adaptations to the standard specification were too expensive to buy and there had not been any applications for these vehicles since being added to the Approved List.

During the ensuing debate questions were raised with regard to the need for the swivel seats and hearing loops and how the public would specify the need for this when booking. Other Members felt that the vehicle would be a good addition to the Approved List of Vehicles.

The Principal Licensing Officer confirmed that as the vehicles would be based on ranks within Telford, that there would not be the need to pre-book or specify disabilities.

Upon being put to the vote it was unanimously:-

**RESOLVED – that the Peugeot E7 S, E7 SE and E7 XS standard specification models be added to the Council’s approved list of hackney carriages.**

#### **LC -23      Review of Licence Fees**

The Public Protection Manager presented the report of the Service Delivery Manager, Public Protection, relating to the review of licence fees and charges affecting Hackney Carriage, Private Hire trades, gambling and other licenses following a consultation process which, if agreed, would be implemented on the 1<sup>st</sup> June 2017.

The current level of fees was implemented by the Licensing Authority on 1<sup>st</sup> September 2016 and although the Licensing Service was unable to fully recover the costs of the service, some statutorily defined costs could be recovered or were set by statute or statutory instrument. Where the proposed fees had increased this reflected an enhanced level of service provided by inspectors to ensure compliance with licensing conditions. Some of the fees, however, had been reduced due to new digital access channels which had seen a reduction in administration costs to the Council.

During the debate, some Members asked if members of the public would consider that they were paying their Council Tax to cover these fees, whether the online test was done in the applicant’s own time on their own equipment, the differential between regional casinos and large casinos, the costs to riding establishments compared to that of pet shops, the blanket cost to private hire operators despite the number of vehicles, the reduction of costs for home boarding. Some Members also raised concerns regarding scrap metal collectors.

The Public Protection Manager confirmed that that some fees could obtain full cost recovery where others were set in statute or services could not be charged for. The

online tests were undertaken at Brookside Community Centre. There had been a typographical error regarding the casino fees which would be amended. With regards to the Riding Establishment fees being lower than the Pet Shop, this was because the Pet Shop charge included a Vet Inspection Fee and the Riding Establishments needed a Secretary of State Inspector. The private hire operators fees were set with reference to statute and that the fees structure was within the Law. With regard to scrap metal collections, Members were advised to report any issues and to make a note of the registration plate of any collection vans.

Upon being put to the vote it was unanimously:-

**RESOLVED** – that subject to any responses received following the posting of notices regarding the fee level changes as required by legislation, that the level of proposed fees to come into force on 1<sup>st</sup> June 2017 be approved.

**LC -24      The Safety of Sports Grounds Act 1975 and Fire and Places of Sports Act 1987 – Regulated Stands Certificates for AFC Telford Utd Football Stadium**

The Group Manager – Development Team presented the report relating to the application for Regulated Stand Certificates for the David Hutchison (north), University of Wolverhampton (west) and Frank Nagington (south) stands at AFC Telford for the 12 month period 14 April 2017 to 14 April 2018. Two representatives from AFC Telford United were in attendance at the meeting.

An update was given on the two remaining issues raised at the Committee held on 11<sup>th</sup> October 2016, namely the barrier testing and the fire alarm system.

With regard to the barrier sites which did not accept the full “bedding in load”, these had now been repaired and retested and the barrier close to the stand tunnel had now passed the load test. The upper part only of the barrier in front of the corporate box had failed due to it being tubular rather than a box section and this area would remain temporarily closed until the barrier had been replaced and re-tested. It was expected that this closure would affect only 12 spectators who could be present in that area and would not cause any issues regarding spectator capacity.

With regard to the fire alarm, the installation had been completed and following testing a number of remedial measures identified. Repairs had been undertaken in October 2016 and there were some minor issues being attended to which included two fire notices which had been replaced and were now deemed satisfactory by the Fire Officer. An issue with the positioning of smoke detectors within two small areas of the stands were being addressed and advice had been sought from Q-Technical with regard to the self-contained rooms but the Fire Officer was satisfied with this area. The battery in the emergency light had been tested and the lightning conductor had been approved for 12 months.

It was identified that Appendix A had not been attached to the report and copies of Appendix A were tabled at the meeting. The meeting was adjourned at 6.54pm in order for Members to read the papers. At 7.01pm the meeting re-commenced.

During the ensuing debate, some Members asked if a copy of the report was available and when the repairs to the barriers would take place, if the lighting repair had been undertaken, what was the timescale for the replacement of the waste bins and with regard to the snack bar when would the work take place.

The Group Manager asked the representatives from the Club if the Report was available and they confirmed that they had paid the invoice but were awaiting the Report to come through. It was also confirmed by the Club representatives that there were only 2 remaining home matches left this season and that the repairs to the barriers would take place once the season had ended and there was time to get the barriers replaced properly. A match day inspection had recently taken place and the barriers had been approved providing the affected area was cordoned off. The area involving the lighting belonged to the Hotel and they had been asked to install the light, but there was no date given for this repair. The waste bins would be looked at in the closed season but in the meantime there were stewards on hand and the bins were not left unattended. The panel for the snack bar had been ordered and was due within the next 3-4 weeks.

The Group Manager confirmed that the safety group would meet regularly and monitor the repairs for progress.

Upon being put to the vote it was unanimously:-

**RESOLVED – that the Service Delivery Manager Development Management be authorised to grant the Safety certificate for the Regulated Stands for a period of 12 months, subject to the current existing conditions and the additional condition that the affected area of the West Stand, as referred to in paragraph 5 of the report at Appendix D to the Licensing Committee of 30 March 2017, is closed to the public and cordoned off until the barrier has been replaced and retested to the satisfaction of the Council.**

The meeting ended at 7.07 pm.

**Chairman:** .....

**Date:** .....

**Telford & Wrekin Council****Licensing Committee 16th January 2018****Licence Fees Review****Report of: Service Delivery Manager - Public Protection****1. Purpose**

- 1.1 For Members to consider the proposed level of Licence Fees and charges affecting Park Homes licences. The licence fees for the Hackney Carriage, Private Hire trades, Gambling and general licences remain unchanged for 2018/19.

**2. Recommendations**

- 2.1. Approve the level of proposed fees to come into force for Park Homes on 1<sup>st</sup> April 2018, subject to any responses received following the posting of notices as required by legislation.
- 2.2 To note that all other license fees and charges remain unchanged for the forth coming financial year.

**3. Summary**

- 3.1 The level of fees and other charges for Hackney Carriage, Private Hire, Gambling and General Licences we subject to a substantial review in 2016/17 and were subsequently implemented on 1<sup>st</sup> June 2017. Fees for Park Homes were approved on 19<sup>th</sup> July 2016 and implemented on 1<sup>st</sup> February 2017.
- 3.2 As a result it is proposed to keep licence fees for Hackney Carriages, Private Hire, General and Gambling Licences at the current level for the forthcoming financial year to allow all licence inspections to have been completed and for the improvements through a much leaner application process for Dual Driver Applications to take effect. A further review of licence fees will therefore be undertaken at the end of 2018.
- 3.3 The compliance test fees for Hackney Carriages and Private Hire Vehicles are charged at cost to the trade. The test fees will be increased by Telford & Wrekin Services in line with the Retail Price Indexation.

A reminder of the current fees for licenses are attached at **Appendix A**.

- 3.4 Since licence fees for Park Homes were implemented in February 2017, the administration and enforcement of Park Homes has since moved from the Environmental Health Team to the Licensing Service. The Public Protection Service Delivery Manager, together with the Council's Finance Officer, have undertaken a further review of the licence fees in light of this change. The current fees, together with the proposed fees are attached at **Appendix B** for members approval

#### **4.0 Financial Comment**

- 4.1 As stated in this report a detailed review of Hackney Carriage, Private Hire, Gambling and General license fees was undertaken during 2016/17 which resulted in revised licence fees being implemented from 1<sup>st</sup> June 2017. Licence fees have been calculated based on the principles of full cost recovery whilst having regard for statutory defined costs that can be included.
- 4.2 The Park Home fees detailed in the policy have also been calculated using the principle of total cost recovery. Hourly rates for officers include salary costs plus on costs and an amount to cover overheads. An estimate of officer time taken for each activity was made and then applied to the relevant hourly rate in order to arrive at a suitable fee.
- 4.3 Income generated from Licence Fees will go towards existing Public Protection income targets.  
MLB 15.12.17

#### **5.0 Legal Comment**

- 5.1 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.
- 5.2 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.
- 5.3 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 The EU Services Directive requires non-discriminatory, justified, proportionate, clear, objective, public, transparent and accessible process for the setting of fees.

#### **6.0 Equal Opportunities**

- 6.1 A Community Impact Assessment has been carried out on the review of Licence fees and charges. A copy is attached at **Appendix C**.

#### **7.0 Environmental Impact**

- 7.1 Not applicable for the purposes of this report.

## **8.0 Links with Corporate Priorities**

8.1 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”

## **9.0. Ward Implications**

9.1 This report has Borough wide Implications

## **10.0. Background Papers**

Local Government (Miscellaneous Provisions) Act 1976  
Local Government (Miscellaneous Provisions) Act 1982  
Town Police Clauses Act 1847  
Transport Act 1981  
Gambling Act 2005  
Animal Boarding Establishments Act 1963  
Breeding of Dogs Act 1973  
Pet Animals Act 1951  
Performing Animal’s (regulation) Act 1925  
Dangerous Wild Animals Act 1976  
Zoo Licensing Act 1981  
Riding Establishments Act 1970  
The Caravan Site and Control of Development Act 1960.  
Mobile Homes Act 2013

**Report prepared by**, Suzanne Fisher, Principal Licensing Officer, Licensing Services, Darby House - For further information please telephone 01952-383261 or email [Licensing@telford.gov.uk](mailto:Licensing@telford.gov.uk)

## Appendix A – Proposed Licence Fees (Which remain unchanged for 18/19)

### Private Hire/Hackney Carriage

| Licence  | B<br>Current Licence Fee<br>£ | C<br>Proposed Licence Fees<br>for Financial Year 2018/19<br>£ |
|--|-------------------------------|---|
| Driver (HC&PH) 3yr licence – New Application                                   | 220                           | 220   |
| Driver (HC&PH) 3yr licence – Renewal Application                               | 155                           | 155   |
| Street Knowledge Repeat Test   | 73                            | 73  |
| Private Hire Vehicle/Hackney Carriage (12mth licence) –<br>New Application     | 150                           | 150   |
| Private Hire Vehicle/Hackney Carriage (12mth licence) –<br>Renewal Application | 80                            | 80  |
| Vehicle Transfer   | 30                            | 30  |
| Private Hire Operator 5yr licence - New Application                            | 635                           | 635   |
| Private Hire Operator 5yr licence – Renewal Application                        | 590                           | 590   |
| Hackney Carriage Compliance Test   | 66                            | To be confirmed by TWS in the New Year                        |
| Hackney Carriage Retest  |                               |   |
| Private Hire Vehicle Compliance Test   | 51                            | To be confirmed by TWS in the New Year                        |
| Private Hire Vehicle Retest  |                               |   |

## Gambling Licences

| Classes Premises Licence                     |                  | Fee in respect of Provisional Statement Premises £ | Fee in respect of other Premises £ | First Annual Fee (Payable within 30 Days of Issue of Licence) £ | Annual Fee £ | Fee for Application to Vary a Licence £ | Fee for Application to Transfer a Licence £ | Fee for Application for Reinstatement of a Licence £ |
|--|------------------|--|------------------------------------|---|--------------|---|---|--|
| Regional Casino Premises Licence             | Current          | 6,960  | 13,050                             | 9,790   | 13,050       | 6,530                                   | 5,660                                       | 5,660  |
|  | Proposed 2018/19 | 6,960  | 13,050                             | 9,790   | 13,050       | 6,530                                   | 5,660                                       | 5,660  |
| Large Casino Premises Licence                | Current          | 4,350  | 8,700                              | 6,530   | 8,700        | 4,350                                   | 1,870                                       | 1,870  |
|  | Proposed 2018/19 | 4,350  | 8,700                              | 6,530   | 8,700        | 4,350                                   | 1,870                                       | 1,870  |
| Small Casino Premises Licence                | Current          | 2,610  | 6,960                              | 3,260   | 4,350        | 3,480                                   | 1,570                                       | 1,570  |
|  | Proposed 2018/19 | 2,610  | 6,960                              | 3,260   | 4,350        | 3,480                                   | 1,570                                       | 1,570  |
| Bingo Premises Licence                       | Current          | 344  | 602                                | 122   | 122          | 323                                     | 323   | 323  |
|  | Proposed 2018/19 | 344  | 602                                | 122   | 122          | 323                                     | 323   | 323  |
| Adult Gaming Centre Premises Licence         | Current          | 344  | 473                                | 100   | 100          | 237                                     | 237   | 237  |
|  | Proposed 2018/19 | 344  | 473                                | 100   | 100          | 237                                     | 237   | 237  |
| Betting Premises (Track) Licence             | Current          | 344  | 516                                | 122   | 122          | 280                                     | 280   | 280  |
|  | Proposed 2018/19 | 344  | 516                                | 122   | 122          | 280                                     | 280   | 280  |
| Family Entertainment Centre Premises Licence | Current          | 344  | 473                                | 100   | 100          | 237                                     | 237   | 237  |
|  | Proposed 2018/19 | 344  | 473                                | 100   | 100          | 237                                     | 237   | 237  |
| Betting Premises (other) Licence             | Current          | 344  | 516                                | 122   | 122          | 280                                     | 280   | 280  |
|  | Proposed 2018/19 | 344  | 516                                | 122   | 122          | 280                                     | 280   | 280  |

## Gambling Act 2005 – Other Fees

| <b>Application type</b>               | <b>Current Licence Fee</b><br>£ | <b>Proposed Licence Fee for<br/>Financial Year 2018/19</b><br>£ | <b>Maximum Licence Fee (Statutory)</b><br>£ |
|---------------------------------------|---------------------------------|---|---|
| Notification of Change - All Premises | 46                              | 46  | 50  |
| Copy Of Licence - All Premises        | 21                              | 21  | 25  |

## General Licences

| <b>Licence Type</b>   | <b>Current Licence Fee<br/>£</b> | <b>Proposed Licence Fee<br/>for Financial Year 2018/19<br/>£</b> |
|---|----------------------------------|--|
| Animal Boarding Kennels/Cattery – New Application               | 350                              | 350  |
| Animal Boarding Kennels/Cattery Renewal Application             | 270                              | 270  |
| Animal Boarding Kennels plus Dog Day Care - New Application     | 400                              | 400  |
| Animal Boarding Kennels plus Dog Day Care - Renewal Application | 315                              | 315  |
| Home Boarding – New Application                                 | 263                              | 263  |
| Home Boarding – Renewal Application                             | 225                              | 225  |
| Home Boarding plus Dog Day Care – New Application               | 350                              | 350  |
| Home Boarding plus Dog Day Care – Renewal Application           | 270                              | 270  |
| Dog Day Care – New Application                                  | 263                              | 263  |
| Dog Day Care – Renewal Application                              | 225                              | 225  |
| Dangerous Wild Animals – New Application (2yrs licence)         | 395 plus Vet's Fee (2yrs)        | 395 plus Vet's Fee (2yrs)  |
| Dangerous Wild Animals – Renewal Application (2yr licence)      | 360 plus Vet's Fee (2yrs)        | 360 plus Vet's Fee (2yrs)  |
| Dog Breeding – New Application                                  | 300                              | 300  |
| Dog Breeding – Renewal Application                              | 260                              | 260  |

| <b>Licence Type</b>  | <b>Current Licence Fee<br/>£</b> | <b>Proposed Licence Fee<br/>for Financial Year 2018/19<br/>£</b> |
|--|----------------------------------|--|
| Performing Animal Registration (for life of animal, i.e. no renewal) | 209 (life)                       | 209 (life)   |
| Pet Shop – New Application   | 320                              | 320  |
| Pet Shop – Renewal Application                                       | 260                              | 260  |
| Pleasure Boats – New Application                                     | 370                              | 370  |
| Pleasure Boats – Renewal Application                                 | 356                              | 356  |
| Riding Establishment – New Application                               | 245 plus Vet's Fee               | 245 plus Vet's Fee   |
| Riding Establishment – Renewal                                       | 230 plus Vet's Fee               | 230 plus Vet's Fee   |
| Sex Establishment – New Application                                  | 1187                             | 1187   |
| Sex Establishment – Renewal Application                              | 472                              | 472  |
| Sex Establishment -Transfer  | 689                              | 689  |
| Scrap Metal Site Licence – New Application                           | 355 (3yrs)                       | 355 (3yrs)   |
| Scrap Metal Site Licence – Renewal Application                       | 270 (3yrs)                       | 270 (3yrs)   |
| Scrap Metal Site Licence – Variation Application                     | 189                              | 189  |
| Scrap Metal Collector's Licence – New Application                    | 235 (3yrs)                       | 235 (3yrs)   |
| Scrap Metal Collector's Licence – Renewal Application                | 150 (3yrs)                       | 150 (3yrs)   |

| <b>Licence Type</b>   | <b>Current Licence Fee<br/>£</b>     | <b>Proposed Licence Fee<br/>for Financial Year 2018/19<br/>£</b> |
|---|--------------------------------------|--|
| Scrap Metal Collector's Licence – Variation Application   | 139                                  | 139  |
| Street Trading Consent – New Application (12mths)   | 319                                  | 319  |
| Street Trading Consent – Renewal Application (12mths)   | 200                                  | 200  |
| Street Trading Day Consent  | 60 plus £18 per day (up to 7 days)   | 60 plus £18 per day (up to 7 days)                               |
| Street Trading Day Consent (Umbrella for 5 Traders)   | 140                                  | 140  |
| Zoo – New Application including 4 inspections by Council officer during the 4yrs of the licence     | 1624 plus Zoo Inspector's Fee (4yrs) | 1624 plus Zoo Inspector's Fee (4yrs)                             |
| Zoo – Renewal Application including 6 inspections by Council officer during the 6yrs of the licence | 1961 plus Zoo Inspector's Fee        | 1961 plus Zoo Inspector's Fee                                    |
| Change of Details on a Licence  | 26                                   | 26   |
| Transfer of a Licence   | 46                                   | 46   |

## Appendix B – Proposed Licence Fees – Park Homes

### Annual Inspection Fees

| Band   | Band A | Band B | Band C | Band D | Band E | Band F | Band G | Band H |
|--|--------|--------|--------|--------|--------|--------|--------|--------|
| <b>No. of Units</b>                          | 1-5    | 6-10   | 11-20  | 21-30  | 31-40  | 41-50  | 51-74  | 75+    |
| <b>Current Fee</b>                           | £91    | £172   | £233   | £294   | £372   | £449   | £538   | £658   |
| <b>Proposed Fee Financial Year 2018/2019</b> | £105   | £198   | £269   | £340   | £429   | £519   | £621   | £760   |

### New Application Licence Fee

| Band   | Band A | Band B | Band C | Band D | Band E | Band F | Band G | Band H |
|--|--------|--------|--------|--------|--------|--------|--------|--------|
| <b>No. of Units</b>                          | 1-5    | 6-10   | 11-20  | 21-30  | 31-40  | 41-50  | 51-74  | 75+    |
| <b>Current Fee</b>                           | £282   | £325   | £392   | £480   | £544   | £616   | £680   | £817   |
| <b>Proposed Fee Financial Year 2018/2019</b> | £335   | £385   | £462   | £564   | £638   | £722   | £796   | £953   |

### Transfer and Standard Amendment Fee

|  |      |
|--|------|
| <b>Current Fee</b>                           | £116 |
| <b>Proposed Fee Financial Year 2018/2019</b> | £142 |

### Fees for Depositing Site Rules

|  |     |
|--|-----|
| <b>Current Fee</b>                           | £45 |
| <b>Proposed Fee Financial Year 2018/2019</b> | £53 |

### Charges for Enforcement Notices

|  |   |  |
|--|---|--|
|  | <b>Manager</b><br>Discussion and agreement to serve | <b>Licensing Officer</b> Preparation and service of notice |
| <b>Current Fee</b>                           | £38.62  | £32.09   |
| <b>Proposed Fee Financial Year 2018/2019</b> | £54.20  | £37.08   |

## **Appendix C- Community Impact Assessment**

It is intended that you complete this form if you have identified a high negative impact to our communities and employees.

Sections 1 & 2 should be completed early in policy development and before any consultation/engagement activity takes place

Sections 3 & 4 should be completed before policy approval.

**You will find the information from this assessment useful for the Equality Implications section of any report you are completing.**

### **Section 1 – Overview**

1. What is the title of the policy?

Annual Review of the Council's Licence fees for licences issued by the Licensing Service.

The current level of fees and other charges for Hackney Carriage and Private Hire, Gambling and General Licences were implemented by the Licensing Authority on 1<sup>st</sup> June 2017 and for Park Homes Licences on 1<sup>st</sup> February 2017.

A Council, when setting fees, should have regard to the impact that any increase may have upon the livelihood of licence holders.

It is lawful for a local authority to recover the costs of administering, and in some cases, enforcing the licensing regime. The principal aim is to protect the public and to provide an efficient and effective service to licence holders and stakeholders

2. This policy affects

- Customers/service-users
- Partners
- Licence holders

3. What period does the policy cover?

The proposed licence fees will cover the next financial year and comes into effect on 1<sup>st</sup> April 2018.

4.

|  |                                |
|--|--------------------------------|
| Name of person completing impact assessment and their post | Suzanne Fisher                 |
| Telephone  | 01952 381818                   |
| Date   | 12 <sup>th</sup> December 2017 |

## Section 2 – Impact Assessment

### a) Community Impact

1. Will the policy contribute to specific Priority Plan objective(s)?  
Yes (go to Q2)
2. The policy contributes to the Priority Plan for Community, Protection and Cohesion.

Provide information and advice on new legislation/guidance to regulated trade and businesses.

3. Will this policy have a significant impact on any of the following groups of people? Please mark all boxes indicating whether an impact has occurred, this could be **positive** or **negative**. Mark **None** if there is no impact. Help boxes are available to assist.

People of different ages

[Helpbox - Age](#)

People with ill health or people with a disability

[Helpbox - Disability](#)

People of different gender

[Helpbox - Gender \(Sex\)](#)

People who are transgender

[Helpbox - Transgender](#)

Different racial groups

[Helpbox - Race](#)

People with different religion or beliefs

[Helpbox - Religion or Beliefs](#)

People of different sexual orientation

[Helpbox - Sexual Orientation](#)

Women who are pregnant or breast-feeding

[Helpbox -Pregnancy and Maternity](#)

People that are married or in a civil partnership

[Helpbox - Marriage or Civil Partnership](#)

People affected by deprivation

[Helpbox - people affected by deprivation](#)

|  | Impact (X) |          |      |
|--|------------|----------|------|
|  | Positive   | Negative | None |
| People of different ages<br><a href="#">Helpbox - Age</a>  | X          |          |      |
| People with ill health or people with a disability<br><a href="#">Helpbox - Disability</a>                   | X          |          |      |
| People of different gender<br><a href="#">Helpbox - Gender (Sex)</a>   | X          |          |      |
| People who are transgender<br><a href="#">Helpbox - Transgender</a>  |            |          | X    |
| Different racial groups<br><a href="#">Helpbox - Race</a>  | X          |          |      |
| People with different religion or beliefs<br><a href="#">Helpbox - Religion or Beliefs</a>                   |            |          | X    |
| People of different sexual orientation<br><a href="#">Helpbox - Sexual Orientation</a>                       |            |          | X    |
| Women who are pregnant or breast-feeding<br><a href="#">Helpbox -Pregnancy and Maternity</a>                 |            |          | X    |
| People that are married or in a civil partnership<br><a href="#">Helpbox - Marriage or Civil Partnership</a> |            |          | X    |
| People affected by deprivation<br><a href="#">Helpbox - people affected by deprivation</a>                   | X          |          |      |

#### 4. What is the expected impact?

##### **People of Different Ages**

###### Community

In many cases licence holders will pay the same licence fee which could lead to a positive impact on their customers as licence fees have not increased. With Park Homes, where there has been a proposed increase, the council does not have any evidence that this is passed on to residents. We have no local data, however, national data, according to the Department for Transport Best Practice Guidance on Taxi and Private Hire Vehicle Licensing, says that low-income young women are one of the largest groups of users of taxis and private hire vehicles.

###### Licence Holders

The equality data collected by the Licensing Service shows that there is a variety of ages across the numbers of licence holders and any change in licence fee will therefore not impact on any particular age group.

##### **People with Ill Health or People with a Disability**

###### Community

In many cases licence holders will pay the same fee which will not contribute to any increase in taxi fares for disabled communities. Hackney Carriages and Private Hire Vehicles provide a door to door service for those disabled members of the community who are not able to use other forms of public transport. An overall decrease in fares resulting from a decrease in licence fee will have a positive impact on this characteristic.

##### **People of Different Gender**

Licence holders will pay the same licence fee, which might lead to taxi proprietors maintaining current levels of taxi fares for men and women. According to the Department for Transport Best Practice Guidance on Taxi and Private Hire Vehicle Licensing, low-income young women (amongst whom car ownership is low) are one of the largest groups of users of taxis and private hire vehicles.

##### **Different Racial Groups**

The equality data collected by the Licensing Service shows that there is a variety of ethnicities across the numbers of licence holders who will be paying similar licence fees for the forthcoming year. The policy could have a positive impact on this group of people if the proposed license fees see an increase in the numbers of drivers continuing with employment.

##### **People affected by Deprivation**

This policy will have a positive impact if taxi/private hire fees and fares are maintained at the current levels and not increased. According to the Department for Transport Best Practice Guidance on Taxi and Private Hire Vehicle Licensing, low-income young women are one of the largest groups of users of taxis and private hire vehicles.

#### 5. What engagement and consultation have you already carried out?

The Licensing Service carried out a benchmarking exercise with other local authorities in Telford & Wrekin Council's family group in 2016/2017 when the

current fees were set. This information is attached to a public report which was considered by the Council's Licensing Committee on 30<sup>th</sup> March 2017. A 28 day legal notice was published in the local press and on the Council's website advertising the proposed level of licence fees before they were implemented on 1<sup>st</sup> June 2017.

**You are at the end of Section 2 - have you completed all questions in this section?**

**Please ensure all questions are answered and then send your information to;**  
[Equalityanddiversity@telford.gov.uk](mailto:Equalityanddiversity@telford.gov.uk)

The Equality and Diversity Team will help you address/respond to any issues in  
**Section 3 – Mitigating Actions**

DRAFT

### **Section 3 – Mitigating Actions**

1. For any significant **negative** impacts identified in Section 2 (Questions 3 & 4), what action have you taken or will you be taking to reduce/manage these impacts?
2. For any significant positive impacts you identified in Section 2 (Questions 3 & 4) what action have you taken or will you be taking to maximise the opportunity?

The Licensing Service will be informing licence holders of the level of fees implemented on 1<sup>st</sup> April 2018 and will be monitoring the numbers of new applications received.

3. How do any of the above actions contribute to aims of the General Equality Duty;
  - **eliminate unlawful discrimination, harassment and victimisation**
  - **advance equality of opportunity**
  - **foster good relations between different groups**

The publication of a 28 legal notice ensured that members of the community who might be affected by the level of fees were given the opportunity to have their say, have their concerns listened to and responded to. This will also contributed to fostering good relations between different groups. By setting a review date of licence fees before the end of the next financial year, this will be monitored and reviewed.

### **Section 4 – Review and Monitoring**

1. From what date will this policy be implemented?

1<sup>st</sup> April 2018

2. When will the actual impacts of the policy be monitored and reviewed?

2018/2019

3. How will the actual impact of the policy be monitored and reviewed?

Licence fees will be further reviewed by the Council in 2018/2019 in order to set licence fees for the financial year 2018/19. The numbers of licences issued and the effects of the levels of fees implemented on 1<sup>st</sup> June 2017 will be assessed.

Ensure that appropriate confirmation has been given by your line manager.

## **Line Manager/Head of Service Agreement**

Community Impact Assessments will be published online and available on request. This will include the subject document, equality analysis, data sources and consultation evidence.

Please make sure that your Line Manager/Head of Service has been made aware of the content of the impact assessment and that they agree with it.

Arrange for your Line Manager/Head of Service to e-mail confirmation of agreement to; [equalityanddiversity@telford.gov.uk](mailto:equalityanddiversity@telford.gov.uk)

The Equality and Diversity team will create a summary for ease of access, please make sure that you forward any relevant documentation you have referred to with the e-mail.

**Thank you conducting this Community Impact Assessment, should you have any questions please contact 01952 382104 or e-mail [equalityanddiversity@telford.gov.uk](mailto:equalityanddiversity@telford.gov.uk)**

**TELFORD & WREKIN COUNCIL**

**LICENSING COMMITTEE – 16 JANUARY 2017**

**REVIEW OF TERMS OF REFERENCE**

**REPORT OF THE ASSISTANT DIRECTOR: GOVERNANCE,  
PROCUREMENT & COMMISSIONING**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

For the Licencing Committee to review its Terms of Reference attached at Appendix 1.

**2. RECOMMENDATION**

**2.1 That the Committee review and agree the Terms of Reference set out at Appendix 1.**

**3. SUMMARY IMPACT ASSESSMENT**

|   |  |  |
|---|--|--|
| <b>COMMUNITY IMPACT</b>                         | Do these proposals contribute to specific Priority Plan objective(s)?  |  |
|   | Yes  | The Committee is part of the Council's decision making framework and therefore contributes to all of the Council's priorities.                 |
|   | Will the proposals impact on specific groups of people?  |  |
|   | No   |  |
| <b>TARGET COMPLETION/DELIVERY DATE</b>          | If the Committee recommends any changes to the Terms of Reference; they will proceed to Council Constitution Committee and then, if approved, onto full Council at the earliest opportunity. |  |
| <b>FINANCIAL/VALUE FOR MONEY IMPACT</b>         | Yes/No   |  |
| <b>LEGAL ISSUES</b>                             | Yes/No   | The Constitution requires that the Terms of Reference be reviewed on an annual basis. The Council is required to comply with the Constitution. |
| <b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b> | Yes  | There are no other specific impacts arising from this report.  |
| <b>IMPACT ON SPECIFIC WARDS</b>                 | Yes  | Borough-wide impact  |

## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

- 4.1 The Constitution requires that Full Council should agree at its Annual Meeting the Terms of Reference for each of its Committees to enable the Council to efficiently conduct its business.
- 4.2 At the Annual Meeting on 25 May 2017, Full Council delegated authority to each Committee to review its own Terms of Reference.
- 4.3 The Terms of Reference forms part of the Constitution and was approved by Full Council in that context on 14 July 2016.
- 4.4 No changes to the Terms of Reference are suggested.

### **5. PREVIOUS MINUTES**

- 5.1 Council – 14 July 2016 and 25 May 2017

### **6. BACKGROUND PAPERS**

Constitution

***Report prepared by Deborah Moseley, Democratic & Scrutiny Services  
Team Leader. Telephone 01952 383215***

## **Licensing Committee – Terms of Reference and Procedure**

The Committee has the responsibility and delegated powers to act on behalf of the Council in respect of licensing matters within the Borough as follows.

### **Licensing and registration functions**

- (a) As set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853 (as amended) and including functions under the Licensing Act 2003 and the Gambling Act 2005 (excluding paragraphs 37/38 and 46A – 55).

### **Health & Safety at Work/ Fire Safety**

- (b) Functions under any of the relevant statutory provisions within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as an employer.
- (c) Matters relating to fire safety.

### **Health Act 2006**

- (d) All powers and duties under the Health Act 2006 Part 1 Chapter 1 and legislation given effect there under including authority to prosecute as it relates to smoking matters.

### **Miscellaneous**

- (e) Power to make payments or provide other benefits in cases of maladministration etc.
- (f) Powers in respect of common land, village greens and open space.
- (g) Powers in respect of the management and regulation of alcohol in public places, the provision and management of sites for the accommodation of gypsies and the closure of take away food shops.
- (h) Annually at the first meeting after the Annual Council Meeting consider its terms of reference.
- (i) Power to determine fees and charges in respect of any of the above functions.

### **PROCEDURE**

- (a) As a general rule the [Council Procedure Rules](#) govern the way that committees operate but these, with the exception of paragraph 14 of the Council Procedure Rules, may be varied or suspended at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.

Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions to ensure a fair hearing.