



**AGENDA ITEM: 8**

**LICENSING & APPEALS  
COMMITTEE:  
3 DECEMBER 2013**

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**Report of: Assistant Director Community Services**

**Relevant Managing Director: Managing Director (People and Places)**

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**SUBJECT: LICENSING & REGISTRATION - FEES & CHARGES 2014/15**

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Wards affected: Borough wide

**1.0 PURPOSE OF REPORT**

1.1 To consider proposed changes in licensing and registration fees and charges for the period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015.

**2.0 RECOMMENDATIONS**

2.1 That Hackney Carriage and Private Hire licensing fees and charges remain unchanged from those agreed for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014.

2.2 That with effect from the 1<sup>st</sup> April 2014, the proposed fees and charges contained in Table 1 in this report is approved.

**3.0 BACKGROUND**

3.1 The relevant licensing fees and charges levied by the Council are reviewed on an annual basis. This review is carried out to take account of any material or legislative changes that may impact upon the fees and charges levied by the Council.

**4.0 ISSUES**

4.1 Members will be aware of the Provision of Services Regulations 2009 (the Regulations), which came into force in the UK on 28 December 2009. Whilst the principal goal of the Regulations was to ensure UK compliance with the EU Services Directive, it is only recently that the potential impact of the Regulations on licence fees is being fully understood. The Regulations state that when setting fees, the only costs that may be brought into account are those of the

authorisation scheme itself. Therefore, the enforcement of the respective licence cannot be included in the licence fee. Accordingly, a cost recovery evaluation exercise has been undertaken to establish the fee levels for those licences detailed in Table 1.

- 4.2 Members should note that any licence fees not detailed in Table 1 are either currently set nationally or are not affected by the Regulations (i.e. Hackney Carriage and Private Hire licensing), but similar principles are applied.

## 5.0 PROPOSED FEES

- 5.1 In compliance with the Regulations, all costs associated with providing the relevant authorisation have been addressed.

### *Miscellaneous licences*

- 5.2 Table 1 details the proposed changes in the following licensing fees and charges for 2014/15.

<b>Table 1</b>	<b>Existing (2013/14)</b>	<b>Proposed (2014/15)</b>
<b>Street Trading</b>		
New application (12 month consent) or pro rata	£538.53	£538.53
Renewal (12 month consent) or pro rata	£538.53	£411.67
Variation	£42.89	£96.43
Replacement Consent	£42.89	£39.93
<b>Sexual Entertainment Venue licence</b>		
New / renewal	£6,152.28	£5,070.58
<b>Skin Piercing etc. registration</b>		
New registration	£93.34	£105.31
<b>Second Hand Goods Dealer registration</b>		
New registration	£100.46	£103.03
<b>Animal welfare licences – cat/dog boarding, dog breeding, pet shop</b>		
New / renewal (12 month licence)	£145.25	£159.52
<b>Animal welfare licences – riding establishment</b>		
New / renewal (+ vet fee) (12 month licence)	£283.85	£284.11
<b>Animal welfare licences – dangerous wild animals</b>		
New / renewal (+ vet fee) (2 year licence)	£320.60	£221.82
<b>Animal welfare licences – zoo</b>		
New / renewal (+ vet fee) (6 year licence)	£1,141.70	£1,157.71

- 5.3 Members will note a marginal increase in almost all of the licence fees detailed in Table 1 in 2014/15, which will only generate approximately £443.93 of additional annual income (based on the current number of relevant licences in force in the Borough). However, this cannot offset those fees that need to be decreased to comply with the Regulations, which will result in a reduction in the respective annual licence fee income of approximately £3171.50.

*Hackney Carriage and Private Hire fees and charges*

- 5.4 Current Hackney Carriage and Private Hire fees and charges are sufficient to cover substantive relevant costs during 2014/15. However, a percentage increase is expected during 2014/15 in consumable costs only (based on the current rate of inflation (October 2013 RPI (Retail Price Index)), which currently stands at 2.6%). The impact of this increase is negligible and would only serve to increase Private Hire and Hackney Carriage fees and charges by a small amount - as detailed in Table 2.

<b>Table 2</b>	<b>Existing (2013/14)</b>	<b>Proposed (2014/15)</b>
<b>Taxi Licensing - Private Hire</b>		
Private Hire Operator (12 month licence):		
1 - 10 Vehicles	£246.09	£246.23
11 - 20 Vehicles	£277.70	£277.84
21 - 30 Vehicles	£434.62	£434.76
31 - 40 Vehicles	£562.17	£562.31
41 - 50 Vehicles	£690.87	£691.01
Over 50 Vehicles	£830.85	£830.99
Private Hire Vehicle (12 month licence - incl. plate)	£257.37	£257.51
Private Hire Driver (12 month licence)	£55.31	£55.44
<b>Taxi Licensing – Hackney Carriage</b>		
Hackney Carriage (12 month licence - incl. plate)	£282.22	£282.36
Hackney Carriage Driver (12 month licence)	£60.95	£61.08
<b>Taxi Licensing – general</b>		
Transfer of Vehicle Licence (change of owner)	£27.08	£27.21
Change of Vehicle other than renewal + vehicle inspection fee	£41.89	£42.02

Replacement Vehicle Plate	£34.99	£35.13
Replacement Driver Badge	£31.60	£31.73
Duplicate Driver Licence	£27.08	£27.21
Duplicate Vehicle Licence	£33.87	£34.00
Re-sit Knowledge Test	£12.78	£12.78

5.5 The amount of additional income generated by this increase equates to approximately £180.00 (based on the current number of licences in force in the Borough). However, the cost of advertising proposed fees in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 is approximately £320.00, plus the costs required to administer the change in fees. Given that the cost of advertising and administration is more than the amount of potential income generated, no changes in Hackney Carriage and Private Hire licensing fees and charges are proposed for 2014/15.

5.6 Members should also note that other fees are levied in addition to the relevant fee for Hackney Carriage and Private Hire licences, but these costs are dictated by third parties (for example, enhanced Disclosure and Barring Service enhanced disclosure and medical examination) and are borne by the applicant.

5.7 However, should the Committee resolve to approve the fees detailed in Table 1, the Council is required to give notice under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 of its intention to vary the fees and charges for vehicle, driver and operator licences. The Notice will be published in the local press, on the Council's website and in the Licensing Reception at Robert Hodge Centre. Objections against the proposed increases can be made within 28 days from the date of the Notice. If any objections are received, the matter will be reported back to the next meeting of the Committee for further consideration.

## **6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

6.1 These services have the potential to impact upon many areas within the Community, particularly upon taxi services and the travelling public within West Lancashire. Therefore the proposal links with the following aspect of the Community Strategy: Transport (issue B).

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

7.1 There are currently no licensed Sexual Entertainment Venues in the Borough, so this will have no negative impact on existing licence fee income. Similarly, there is only 1 Dangerous Wild Animal and 1 Zoo licence issued in the Borough. Such licences are issued every 2 years and 6 years respectively and therefore will also have a minimal negative impact on existing licence fee income.

7.2 However, based on the existing amount of Street Trading Consents (25 as at time of writing this report), this will result in a decrease in the respective licence fee income of £3171.50 for 2014/15 and future years. When offset against the

anticipated additional income of £443.93 detailed in paragraph 5.3, this equates to an annual shortfall of £2727.57 for 2014/15. This shortfall has been identified in the budgetary process and will receive due consideration.

## **8.0 RISK ASSESSMENT**

- 8.1 The Council has a legal duty to carry out the functions of the legislation that dictates the proposed fees and charges contained in this report. Therefore the proposed fees and charges contained in this report are levied at a rate that serves to cover the costs to the Council. Accordingly, there is a potential impact upon the taxi trade, the travelling public and operators of the other licensed activities contained in this report.

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### **Background Documents**

None.

### **Equality Impact Assessment**

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

### **Appendices**

1. Equality Impact Assessment.



## Appendix 1

### Equality Impact Assessment - process for services, policies, projects and strategies

1.	<p>Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:</p> <p><i>People of different ages – including young and older people</i>  <i>People with a disability;</i>  <i>People of different races/ethnicities/nationalities;</i>  <i>Men; Women;</i>  <i>People of different religions/beliefs;</i>  <i>People of different sexual orientations;</i>  <i>People who are or have identified as transgender;</i>  <i>People who are married or in a civil partnership;</i>  <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i>  <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p><i>No. Whilst the proposed fee and charge increases may have an impact upon licence / registration holders, which may in turn, be passed on to the customer; the fees and charges set out in this report apply equally to all persons requiring a licence / registration.</i></p>
2.	<p>What sources of information have you used to come to this decision?</p>	<p><i>Legislation requires that all relevant licences / registrations attract a fee, without exception.</i></p>
3.	<p>How have you tried to involve people/groups in developing your service/policy/strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p><i>Where required, the recommendations contained in this report will be published in a local newspaper, on the Council's website and at the Licensing reception at Robert Hodge Centre. Any objections will be brought to the next session of Committee.</i></p>
4.	<p>Could your service/policy/strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:-</p> <p><i>Eliminate discrimination, harassment and victimisation;</i></p> <p><i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of</i></p>	<p><i>No. The recommendations contained in this report apply only to the licences / registrations required under relevant legislation.</i></p>

<p><i>people);</i></p> <p><i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	
<p><b>5.</b> What actions will you take to address any issues raised in your answers above?</p>	<p><i>Where required, the recommendations contained in this report will be published in a local newspaper, on the Council's website and at the Licensing reception at Robert Hodge Centre. Any objections will be brought to the next session of Committee.</i></p>