

**MEMBERS INTERESTS 2012**

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	<b>General</b>		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest <b>because</b> it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/>          <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>          <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of:  (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.  (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.  (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.  (iv) An allowance, payment or indemnity given to Members  (v) Any ceremonial honour given to Members  (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>	<i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

**'disclosable pecuniary interest'** (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

**Interest**

Employment, office, trade, profession or vocation

Sponsorship

**Prescribed description**

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;*

*"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;*

*"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;*

*"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;*

*"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;*

*"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

**'non pecuniary interest'** means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

**'a connected person'** means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

**'body exercising functions of a public nature'** means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

**NB** Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

## **EMPLOYMENT APPEALS SUB-COMMITTEE**

**HELD: 9 & 13 OCTOBER 2015**

Start: 10.30am (9 & 13 October)

Finish: 4.45pm ( 9 October)

Finish: 3.20pm (13 October)

### **PRESENT:**

Councillors:	Devine (Chairman) Delaney (Vice Chairman) Mee
Officers:	Principal Solicitor (Mrs K Lovelady) Member Services/Civic Support Officer (Mrs J Brown) Human Resources Advisor (Ms S Lewis)
Parties to The Appeal:	Management Assistant Director Community Services (Mr D Tilleray) Human Resources Officer (Mrs S Cloherty)
Appellant Appellant Advisor	Employee Payroll Number (2900520) GMB Representative (Mr R Carrick)
Witnesses	Assistant Director Street Scene Performance Monitoring Officer Operations Supervisory Officer Administration Support Officer -1 Administration Support Officer -2 Transport Manager Independent HR Consultant

#### **1. APOLOGIES**

There were no apologies for absence received.

#### **2. MEMBERSHIP OF THE COMMITTEE**

There were no changes to Membership of the Committee.

#### **3. URGENT BUSINESS**

There were no items of urgent business.

#### **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **5. EMPLOYMENT APPEALS PROCEDURE**

The Chairman and Principal Solicitor referred to the above procedure.

**6. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 2 (Identity of an Individual) and Paragraph 4 (Labour Relations) Part 1 of Schedule 12A outweighs the public interest in disclosing the information.

**7. APPEAL AGAINST SUMMARY DISMISSAL - PAYROLL REFERENCE: 2900520 (IDENTITY OF AN INDIVIDUAL - PARAGRAPH 2 AND LABOUR RELATIONS - PARAGRAPH 4)**

The Chairman welcomed both parties to the meeting.

Members were informed that the Sub – Committee was meeting to consider an appeal by an employee of the Council against summary dismissal.

In considering the Appeal the Sub – Committee had before it the following documents:-

- A. Managements' Statement of Case and Appendices.
- B. Investigation Statement of Case and Appendices.
- C. Appellants' Statement of Case.

The Sub – Committee, in accordance with the procedure heard the following aspect of the Appeal;

- i. An oral submission by Management.
- ii. An oral submission on behalf of the Appellant.
- iii. Questions put to each party by the other and questions put by Members to each party.
- iv. Questions put to all witnesses by each of the parties and Members.
- v. A summing up by Management and the Appellant's Representative.

Following the conclusion of summing up, both parties, together with the representative, withdrew from the meeting and the Sub – Committee gave consideration to their decision.

The Sub – Committee came to the following conclusion:-

RESOLVED: That the Appeal be Dismissed.

**PRESENT:** Councillor Devine (Chairman)

Councillors: Delaney Nixon  
McKay Patterson  
Ms Melling Mrs Stephenson  
C Marshall Wright  
Mee

Officers: Commercial, Safety and Licensing Manager (Mr P Charlson)  
Principal Solicitor (Mrs K Lovelady)  
Senior Licensing Officer (Miss M Murray)  
Member Services/Civic Support Officer (Mrs J Brown)

In attendance: Councillor Moran (Leader)

**26. APOLOGIES**

There were no apologies for absence received.

**27. MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillor Kay and the appointment of Councillor Ms Melling for this meeting only, thereby giving effect to the wishes of the political groups.

**28. URGENT BUSINESS**

There were no items of urgent business.

**29. DECLARATION OF PARTY WHIP**

There were no declarations of Party Whip.

**30. DECLARATIONS OF INTEREST**

Councillor Mee declared a pecuniary interest in relation to Agenda Item 16 - Application for Private Hire Driver Licence – WK/000208440 as the Applicant's partner is a neighbour of his.

**31. MINUTES OF SUB-COMMITTEES OR WORKING GROUPS**

There were no Minutes to receive.

**32. MINUTES**

RESOLVED: That the Minutes of the meeting held on 21 July 2015 be received as a correct record and signed by the Chairman.

**33. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE POLICY**

Consideration was given to the report of the Assistant Director Community Services as contained on pages 81 to 220 of the Book of Reports, the purpose of which was to approve amendments to the draft Hackney Carriage and Private Hire Licensing Policy Statement prior to public consultation.

The Commercial, Safety and Licensing Manager outlined the report and responded to questions and comments raised by Members. Reference was made to the following:-

- New Convictions Policy
- Banning of the use of e-cigarettes from Licenced Vehicles
- New Urgent Action Procedure
- Revised knowledge test including increased emphasis on licence conditions and controls to safeguard children and vulnerable adults
- Revised Hearing Procedure for new and existing Licence holders
- Clearer requirements for executive vehicles
- Private Hire Operator Conditions
- Implement the requirements of the Deregulation Act 2015
- Extend the Policy review period from three to five years

RESOLVED: A. That the amended draft Hackney Carriage and Private Hire Licensing Policy Statement as attached at Appendix 2 to the report be approved.

- B. That the Assistant Director Community Services be given delegated authority to subject the amended draft Hackney Carriage and Private Hire Licensing Policy Statement to a period of public consultation before returning the document to the Licensing and Appeals Committee for final approval.

**34. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 2 (Identity of an Individual) and Paragraph 7 (Criminal Matters) part 1 of Schedule 12A outweighs the public interest in disclosing the information.

**35. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000208060  
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000208060 having regard to the submission of a false Statutory Declaration, which accompanied the Application Form.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Application Number WK/000208060 be GRANTED and that a warning letter be sent with regard to the false Statutory Declaration.

(Note: The Officers from Community Services and the Leader left the meeting as Members considered their decision in this case).

**36. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000206421  
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000206421 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Application Number WK/000206421 be GRANTED with a letter reminding him of his future conduct.

(Note: The Officers from Community Services and the Leader left the meeting as Members considered their decision in this case).

**37. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000207048  
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000207048 having regard to the offences declared on the Statutory Declaration, which accompanied the Application Form.

The Applicant attended the meeting with his representative and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Application Number WK/000207048 be GRANTED.

(Note: The Officers from Community Services and the Leader left the meeting as Members considered their decision in this case).

**38. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000205359  
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider a Private Hire Driver Licence Number WK/000205359 having regard to the offences declared on the Statutory Declaration Form which accompanied the Application Form.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Application Number WK/000205359 be REFUSED.

(Note: The Officers from Community Services and the Leader left the meeting as Members considered their decision in this case).

**39. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WK/000207949  
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000207949 having regard to the submission of a false Statutory Declaration, which accompanied the Application Form.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That Application WK/000207949 be GRANTED.

(Note: The Officers from Community Services and the Leader left the meeting as Members considered their decision in this case).

**40. PRIVATE HIRE DRIVER LICENCE (WK/000208568)  
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7)**

Members were asked to consider a Private Hire Driver Licence having regard to the charge disclosed on the driver's Disclosure and Barring Service Certificate.

The driver attended the meeting and was interviewed by the Committee during which the Applicant was advised of his right of appeal to the Magistrates Court if he was aggrieved by the decision.

RESOLVED: That under the provisions of Section 61(1)b of the Local Government (Miscellaneous Provisions) Act 1976, the Private Hire Driver Licence Number LN/000004295 be revoked with immediate effect on the grounds of reasonable cause in that the driver is not a fit and proper person to hold such a licence having regard to the nature of the charge on the Disclosure and Barring Service



Certificate. If the licence holder be subsequently found innocent of all charges, he may reapply for his licence free of charge and that any remaining time limits on the length of his Private Hire Driver Licence (Disclosure and Barring Service certificate, DVLA mandate medical etc.) would be honoured as if the revocation had not taken place. For clarification, the renewal dates that are in place at the time of this decision would stand.

(Note: The Officers from Community Services and the Leader left the meeting as Members considered their decision in this case).

**41. APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - WL/000208440  
(IDENTITY OF AN INDIVIDUAL / CRIMINAL MATTERS - PARAGRAPHS 2 & 7).**

Members were asked to consider an Application for a Private Hire Driver Licence Number WK/000208440 having regard to the submission of a false Statutory Declaration, which accompanied the Application Form.

The Applicant attended the meeting and was interviewed by the Committee during which the Applicant was advised of her right of appeal to the Magistrates Court if she was aggrieved by the decision.

RESOLVED: That Application Number WK/000208440 be GRANTED.

(Note 1: Councillor Mee declared a pecuniary interest, as the Applicant's Partner is a neighbour of his and therefore left the Chamber during consideration of this item and did not return to the meeting following this item).

(Note 2: The Officers from Community Services and the Leader left the meeting as Members considered their decision in this case).

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- CHAIRMAN -





**AGENDA ITEM: 8**

**LICENSING & APPEALS  
COMMITTEE:  
1 December 2015**

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**Report of: Assistant Director Community Services**

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

**Contact for further information: Paul Charlson (ext 5246)  
(E-mail: paul.charlson@westlancs.gov.uk)**

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**SUBJECT: LICENSING FEES & CHARGES 2016/17**

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Wards affected: Borough wide

## **1.0 PURPOSE OF REPORT**

- 1.1 To consider proposed changes in licensing fees and charges for the period 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017.

## **2.0 RECOMMENDATIONS**

- 2.1 That with effect from the 1<sup>st</sup> April 2016, the proposed changes in Hackney Carriage and Private Hire licensing fees and charges contained in Table 1 in this report is approved.
- 2.2 That delegated authority is granted to the Assistant Director Community Services to give notice under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 of the Council's intention to vary the fees and charges for vehicle, driver and operator licences.
- 2.3 That with effect from the 1<sup>st</sup> April 2016, the proposed fees and charges contained in Table 2 in this report is approved.
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## **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. The landmark case of R (on the application of Hemming and Others) v Westminster City Council [2015] UKSC215 determined earlier this year in the

Supreme Court has had a profound effect on the way in which local authorities should set licence fees. The key tenets of reasonableness and proportionality were embodied by the case, meaning that fees should be set to cover only those costs of the specific licensing regime. This would include the clear separation of the costs of the determination of the licence and the costs of ensuring compliance with the relevant licensing regime (where appropriate). Moreover, any surplus or deficit left at the end of a given financial year should be considered when setting the fees for the following year.

#### 4.0 ISSUES

- 4.1 The principles of the Hemming case have been long embodied in the fee setting process by this Authority. Nevertheless, the decision of the Supreme Court has prompted a thorough review of all relevant fees and associated budgetary processes to ensure each fee is accurate and proportionate. Budget structures will also be amended to ensure all licence fee income can be correctly identified.
- 4.2 Members will recall that Hackney Carriage / Private Hire driver licences and Private Hire operator licences were amended in June 2015 to take account of the Deregulation Act 2015, which increased the duration of these licences to three and five years respectively.

#### 5.0 PROPOSED FEES

- 5.1 *Hackney Carriage and Private Hire*  
The proposed changes in Hackney Carriage and Private Hire fees and charges are detailed in Table 1.

<b>Table 1</b>	<b>Existing (2015/16)</b>	<b>Proposed (2016/17)</b>	<b>Unsuccessful application refund</b>
<b>Taxi Licensing – Hackney Carriage</b>			
Hackney Carriage – new (12 month licence - incl. plate)	£282.22	£256.15	£82.38
Hackney Carriage – renewal (12 month licence - incl. plate)	£282.22	£242.03	£107.09
Hackney Carriage Driver – new (3 year licence)	£97.56	£148.28	N/A
Hackney Carriage Driver – renewal (3 year licence)	£73.15	£98.86	N/A
<b>Taxi Licensing - Private Hire</b>			
Private Hire Vehicle – new (12 month licence - incl. plate)	£257.37	£229.56	£82.38
Private Hire Vehicle – renewal (12 month licence - incl. plate)	£257.37	£215.44	£107.09
Private Hire Driver – new (3	£91.92	£148.28	N/A

year licence)			
Private Hire Driver – renewal (3 year licence)	£67.51	£98.86	N/A
Private Hire Operator (5 year licence):			
1 - 10 Vehicles	£258.29	£215.65	£90.62
11 - 20 Vehicles	£289.90	£271.85	£189.47
21 - 30 Vehicles	£446.83	£428.37	£329.52
31 - 40 Vehicles	£574.38	£543.70	£444.85
41 - 50 Vehicles	£703.07	£708.56	£576.66
Over 50 Vehicles	£843.05	£808.37	£626.08
<b>Taxi Licensing – general</b>			
Transfer of Vehicle Licence (change of owner)	£27.21	£16.48	N/A
Change of Vehicle other than renewal + vehicle inspection fee	£41.02	£47.06	N/A
Replacement Vehicle Plate	£35.13	£16.48	N/A
Replacement Driver Badge	£31.73	£16.48	N/A
Duplicate Driver Licence	£27.21	£16.48	N/A
Duplicate Vehicle Licence	£34.00	£16.48	N/A
Re-sit Knowledge Test	£12.78	£16.48	N/A

5.2 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.

5.3 If the Committee resolves 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.

*Miscellaneous licences*

5.4 Table 2 details the proposed changes in the following licensing fees and charges for 2016/17.

Table 2

	Existing (2015/16)	Proposed (2016/17)	Unsuccessful application refund
<b>Street Trading</b>			
New application (12 month consent)	£538.53	£359.88	£82.38
New application (6 month Occasional Consent)	£304.62	£226.45	£49.43
New application (3 month Occasional Consent)	£181.20	£133.22	£33.75
New application (7 day Occasional Consent)	£75.66	£62.54	£27.53
Renewal (12 month consent)	£411.67	£288.21	£82.38
Variation	£96.43	£96.43	£49.43
Replacement Consent	£39.93	£16.48	N/A
<b>Sexual Entertainment Venue licence</b>			
New / renewal	£5,070.58	£3512.24	£1,351.02
<b>Skin Piercing etc. registration</b>			
New registration	£105.31	£105.31	N/A
<b>Second Hand Goods Dealer registration</b>			
New registration	£103.03	£82.38	N/A
<b>Animal welfare licences – cat/dog boarding, dog breeding, pet shop</b>			
New / renewal (12 month licence)	£145.25	£148.28	£49.43
<b>Animal welfare licences – riding establishment</b>			
New / renewal (+ vet fee) (12 month licence)	£283.85	£232.67	£82.38
<b>Animal welfare licences – dangerous wild animals</b>			
New / renewal (+ vet fee) (2 year licence)	£320.60	£259.15	£98.86
<b>Animal welfare licences – zoo</b>			
New / renewal (+ vet fee) (6 year licence)	£1,141.7	£2174.82	£1,845.30
<b>Scrap metal dealers</b>			
Site Licence – new and renewal (3 year licence)	£321	£280.09	£148.28
Additional named site on Site Licence (per site)	£225	£181.05	£82.41

Collectors' Licence	£169	£131.81	£65.90
Site Licence - variation	£90	£82.35	£32.95
Collectors' Licence – variation	£76	£82.35	£32.95
Inconsequential administrative changes or replacement licence	£14	£16.48	N/A

## **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 Based on the current number of licences, the estimated income from licence fees during 2016/17 is £168k. As the budget for 2016/17 is to be agreed in February 2016, exact service costs cannot be determined at time of writing this report. However, the estimated income is sufficient to match expenditure based on the current budget 2015/16.

7.2 The proposed fees detailed in this report may result in a decrease in licence fee income, but this is only in relation to the cost of the relevant licensing regime. It must be demonstrated that licence fee income is reasonable and proportionate. Income must not significantly exceed licence costs and any resultant surplus or deficit is considered when setting the fees for the following year. These issues have 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.

### **Background Documents**

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

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 Form



<b>Directorate: People and Places</b>		<b>Service: Community Services</b>	
<b>Completed by: Paul Charlson</b>		<b>Date: 20/11/15</b>	
<b>Subject Title: LICENSING FEES &amp; CHARGES 2016/17</b>			
<b>1. DESCRIPTION</b>			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	No		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty ( <b>Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations</b> ):	No		
Details of the matter under consideration:			
<p><i>If you answered <b>Yes</b> to any of the above go straight to Section 3</i></p> <p><i>If you answered <b>No</b> to all the above please complete Section 2</i></p>			
<b>2. RELEVANCE</b>			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	No	<i>*delete as appropriate</i>	
If <b>Yes</b> , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered <b>Yes</b> go to Section 3</i>			
If you answered <b>No</b> to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
<b>3. EVIDENCE COLLECTION</b>			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	All licence holders for which the Council can set the relevant licence fee.		
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	All sections of the public and businesses use or operate the licences outlined in this report.		

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
<b>4. DATA ANALYSIS</b>	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	All sections of the public and businesses use or operate the licences outlined in this report.
What will the impact of the work being carried out be on usage/the stakeholders?	Revised fees for licence applications and on-going charges.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	The proposed fees for PH & HC licensing will be published in the local press and the Council's website. Any objections will be brought back to this Committee.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	The proposed fees for PH & HC licensing will be published in the local press and the Council's website. Any objections will be brought back to this Committee.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
<b>5. IMPACT OF DECISIONS</b>	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.
<b>6. CONSIDERING THE IMPACT</b>	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions
<b>7. MONITORING AND REVIEWING</b>	
When will this assessment be reviewed and who will review it?	The proposed fees for PH & HC licensing will be published in the local press and the Council's website. Any objections will be brought back to this Committee.