



LICENSING COMMITTEE

Wednesday, 5 October 2016

LICENSING FEES 2017 (REP1480)

EXECUTIVE SUMMARY

1. To consider and approve the increase in licensing fees where the Council has the discretion to do so with effect from January 2017.

Is the report Open or Exempt?	Open
Wards Affected:	All Wards within the District
Cabinet Member:	Councillor Mary Rudd Cabinet Member for Community Health & Safety
Supporting Officer:	Caroline Evans Licensing Services Manager 01394 444678 caroline.evans@eastsoffolk.gov.uk

1 FEE STRUCTURE

1.1 The Council administers and issues a wide variety of licences and permits as part of its regulatory role.

1.2 Following the introduction of the Licensing Act 2003 and the Gambling Act 2005, the majority of the licence fees are now set or controlled by Government. However, the Council has some discretion to set its own fees and charges in relation to other licences.

1.3 This report considers options to increase income for the year beginning 01 January 2017.

The Council has the power to set its own fees for the following licences:

(a) Taxi Licensing

The Local Government (Miscellaneous Provisions) Act 1976, Pt II permits the Council to charge such fees as may be sufficient to cover in whole or in part the cost of licensing vehicles, their drivers and operators. The Act also contains provisions that enable a licensing authority to remit the whole or any part of a licence fee. These provisions have been used by the Council to give a 50% remission to vehicle proprietors providing facilities for the disabled.

(b) The Council has powers to set fees in respect of other licences and registrations as follows:

- i) Pleasure Boats (restricted to river use)
- ii) Gambling Act 2005 (Premises Licences)
- iii) Sex Establishments
- iv) Street Trading
- v) Skin Piercing Registration
- vi) Animal Welfare Licensing

1.4 Statutory fees are set by Government for the following:

(a) Licensing Act 2003 (all licences)

(b) Gambling Act 2005 (miscellaneous fees, including lottery permits)

1.5 No fee is chargeable for charitable collection permits.

2 PRIVATE HIRE OPERATORS – LEGISLATIVE CHANGE

2.1 Historically, Private Hire Operators' licences have been issued for a three year period.

2.2 Section 10 of the Deregulation Act 2015 amended the provisions within the Local Government (Miscellaneous Provisions) Act 1976 relating to the duration of licences for private hire operators.

2.3 Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 covers the grant of operators' licences; the default licence period is now set at FIVE years unless a lesser period is specified in the licence, as the district council think appropriate in the circumstances of the case.

2.4 The suggested fee structure would now be based on an administration fee and then an annual fee to maintain the licence. In this way by default we would charge the administrative fee and five times the annual maintenance fee; but we could easily calculate a one, two, three or four year licences if 'appropriate'.

3 RATE OF INCREASE

3.1 The Licensing Team have now fully aligned procedures and policies, and the team work across both Authorities using the same software.

- 3.2 For this reason we are seeking to make some adjustments to some of the fees, mainly those that are discretionary under the Gambling Act 2005, but also in relation to Sexual Entertainment Venues and Pleasure Boat Licensing, so that we have one fee table to cover both Suffolk Coastal and Waveney fees and charges.
- 3.3 We can see no reason for there to be different fees charged for the same procedures administered by the same team; and have done some benchmarking to evaluate where the changes should be made.
- 3.4 The Council's Finance team has advised that there should be a minimum increase in the region of 1.6%; rounded to the nearest pound. (June 2016 RPI). This is achievable where fees charged across both Suffolk Coastal and Waveney are already aligned.
- 3.5 Legislation allows fees to be set at a level to recover the cost of providing the Licensing service and therefore the proposed increase has to reflect officer time and resources required to administer an efficient and effective service.
- 3.6 The proposed fees, if approved, will be applied from **01 January 2017**.

4 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 4.1 By aligning fees and charges across both Suffolk Coastal and Waveney District Councils to reflect the partnership working already established by the Licensing Team, and in anticipation of the proposed merger of the two councils, and the creation of one East Suffolk Authority.

5 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 5.1 The charging of fees and the relevant income is a necessary balance between being fair to the fee paying customers and ensuring the Council Tax payers are not subsidising the licensing service or the licence holders.

6 OTHER KEY ISSUES

- 6.1 The decision affects the entire District.

7 OTHER OPTIONS CONSIDERED

- 7.1 An increase in the region of 1.6% (rounded) and in certain cases a change in fee to align the fees across both Authorities, are the only considered options.

8 REASON FOR RECOMMENDATION

- 8.1 That the fees and charges currently applied to licences are increased to the level required to cover the cost of running the service.

RECOMMENDATIONS	
1. That the increase in licence fees as set out in Appendix A be approved, to take effect from 01 January 2017.	

APPENDICES	
Appendix A	List of current fees and the proposed increases.

BACKGROUND PAPERS	
	None.