

To: General Purposes Licensing Committee

Date: 01 March 2011 **Item No:**

Report of: Head of Environmental Development

Title of Report: Licence Fees 2011/12

Summary and Recommendations

Purpose of report: To seek agreement of the licence fees for 2011/12 where the Council has discretion over the level of fee charged.

Report Approved by:

Finance: Paul Swaffied

Legal: Daniel Smith

Policy Framework:

Recommendation(s):

Committee is requested to:

- (a) note the licence fees set by statute, and
- (b) agree the licence fees for 2011/12 as laid out in this report.

Introduction

1. The purpose of this report is to agree licence fees for 2011/12, where the Council has discretion over the level of fee charged. This report covers fees other than Licensing and Gambling Act fees, which will be the subject of a separate report to the Licensing and Gambling Acts Committee. The proposed fees are set out in the appendices.
2. The general principles when setting fees are that they must be reasonable and relate to the cost of performing the function. Costs include staffing, administration, testing, inspections, hearings, enforcement and appeals.

Licence fees set by the Council

Street Trading Consents
Pavement Café Licences
Animal Boarding Establishments
Dangerous Wild Animals
Pet Shop
Riding Establishments
Acupuncture, tattooing, electrolysis and ear piercing
Motor Salvage Operators
Sex Establishments
HMO Licences
Hackney Carriage and Private Hire Licences
Road Closures

Licence fees set by statute

Integrated Pollution Prevention and Control Permits

Sex Establishments

3. On the 3rd October 2010, the General Purposes Licensing Committee approved the report by the Head of Environmental Development detailing the costs applicable to the licensing of Sex Establishments, following a request to determine the "reasonable fee" charged for this purpose, and no further increase to this fee is deemed appropriate at the present time.

Sexual Entertainment Venues

4. On 9th June 2010, the General Purposes Licensing Committee approved the report by the Head of Environmental Development detailing the level of fee to be set for the licensing of such premises, and no further increase to this fee is deemed appropriate at the present time.

Hackney Carriage and Private Hire Fees

5. The procedure for reviewing hackney carriage and private hire fees requires consultation on the proposed variation and any relevant objections must be considered before bringing the variation into force. The fees were last increased in November 2007.
6. Following consultation with COLTA, it was agreed that an increase of £49.00 was to be made to the Hackney Carriage vehicle licence fee, in order to meet the cost of the Unmet Demand Survey.

Hackney Carriage and Private Hire Administrative and Material Charges

7. Following an extensive review of costs of providing administrative services carried out by the Licensing Team Leader, and following consultation with and approval from the Trade, the introduction of a number of charges have been put forward, and can be found at **Appendix 1**. These charges have been calculated on the time spent in providing such services, and the recovery for the cost of materials supplied to the licensed trade.

Road Closures

8. The administration process for the application of a Road Closure has been transferred to the Licensing Team. Having reviewed the costs to facilitate and consult on applications received for Farmers Markets and City Events, and the time spent by Officers in this process, the overall costs to the department have been calculated as £250.00.
9. The making of temporary road closure orders under the Town Police Clauses Act 1847 is a discretionary service and the Council may make a charge for carrying it out (section 93 Local Government Act 2003) so long as the charge does not exceed the costs to the authority. Committee is asked to agree the fee as set out in Appendix 1.
10. It is proposed that the charge be waived in the case of road closures which are for the purposes of community events and street parties. Large events and those for a commercial purpose will be charged the normal fee.

Street Trading Consents

11. On the 8th February 2010, the General Purposes Licensing Committee approved the report by the Head of Environmental Development reviewing the Street Trading Scheme and Policy. This has caused some changes to the administration process which requires some additional resource; hence this has been reflected in the small rise in fees.
12. Consent badges are now being issued for all Consent Holders and there is a fee to cover the administration of a replacement.

Pavement Café Licenses

13. A review in fees was requested by North Area and Central, South & West Area Committees to make it more attractive to obtain.

Financial Implications

14. The Council is responsible for collecting licence fees for these functions. Predicted income from licence fees is included in the Council's budget.

Legal Implications

15. The Committee's responsibilities are set out in the Council's Constitution and include setting and reviewing licensing fees other than those covered by the Licensing Act 2003 and Gambling Act 2005.

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Background papers:

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GENERAL PURPOSES LICENSING COMMITTEE

APPENDIX 1

Environmental Development - Licence Fees 2010-11 set by the Council

	2010/11	2011/12	
Sex Establishments			
Sex establishment	8,000.00	8000.00	Set by General Purposes Licensing Committee 13.10.10 Subject to approval by General Purposes Licensing Committee.
Sex establishment transfer/vary	1,100.00	1100.00	
Sexual Entertainment Venues			
Sexual entertainment venues new	5,500.00	5500.00	Set by General Purposes Licensing Committee 09.06.10
Sexual entertainment venues renewal	5,000.00	5000.00	
Sexual entertainment transfer/vary	1,100.00	1100.00	
Taxi Licensing			
Taxi Licensing Fees increased in November 2007			
Vehicles			
Hackney Carriage Licence Fee 1YR	£351.00	£400.00*	Increase in fee or introduction of fee to cover true administrative cost to service for previously undercharged work, or uncharged work / materials. Subject to approval by General Purposes Licensing
Hackney Transfer of Ownership	£42.00	£100.00	
Hackney Change of Vehicle	N/A	£100.00	
Hackney Plate Deposit	N/A	£50.00	
Hackney Temporary Vehicle	N/A	£75.00	
Private Hire Licence Fee 1YR	£262.00	£262.00	
Private Hire Transfer of Ownership	£67.00	£100.00	
Private Hire Change of Vehicle	N/A	£100.00	

Private Hire Plate Deposit	N/A	£50.00	Committee
Private Hire Temporary Vehicle	N/A	£75.00	*Agreed by Colta to cover
Drivers			
Hackney Combined	£115.00	£115.00	Subject to approval by General Purposes Licensing Committee
Private Hire	£101.00	£101.00	
Additional Charges			
Local Knowledge Test	£15.00	£75.00	
Local Knowledge Re-Test	N/A	£75.00	
Disability Awareness Course	N/A	£45.00	
CRB check - all driver only, at cost	£36.00	£43.00	
DVLA check - for new applicants only, at cost	£5.00	£8.00	Increase in fee or introduction of fee to cover true administrative cost to service for previously uncharged work, or uncharged work / materials.
Licence badge/replacement badge	N/A	£10.00	
Replacement external plate	N/A	£25.00	
Replacement internal PHV sticker	N/A	£5.00	
Exempt badge/replacement badge	N/A	£25.00	
Replacement internal HC vehicle plate	N/A	£5.00	Subject to approval by General Purposes Licensing Committee
Replacement approved fare chart	N/A	£2.00	
Replacement approved no smoking signs (includes VAT)	N/A	£1.00	
Duplicate paper licence (replacement)	N/A	£2.00	
Fixed Penalty Notices Taxis	N/A	£50.00	
Operator's Licence			
Vehicle 3 & under	£490.00	£490.00	Subject to approval by General Purposes Licensing Committee
Vehicle 4 & over	£980.00	£980.00	

Temporary Road Closure Orders	N/A	£250.00	Introduction of fee to cover previously uncharged work. Fee will normally be waived for community events or street parties. Subject to approval of General Purposes Licensing Ctte.
Street Trading Consents (subject to Review by General Purposes Licensing Committee)			
Annual consent	6,540.00	7000.00	
Six months	3,270.00	3600.00	
Three months	1,635.00	1750.00	
One month	555.00	585.00	Subject to approval by General Purposes Licensing Committee.
One week	145.00	135.00	
Hard to let site	N/A	???	
Consent badge (replacement)	N/A	25.00	
Pavement Café Licenses			
Annual fee per table	654.00	350.00	Subject to a maximum charge of 10 tables. Reduction due to requests from North Area & Central, South & West Area Committees to review fees to make it more attractive. Subject to approval by General Purposes Licensing Committee.

<p>Other Licensing & Fees (subject to approval by General Purposes Licensing Committee)</p> <p>Animal Boarding Establishment Dangerous Wild Animals Dog Breeding Establishment Pet Shop Riding Establishment Acupuncture, tattooing, electrolysis & ear piercing (only payable on first registration) Motor Salvage Operators</p> <p>Transferring/Replacing Licenses & Certificates Other replacement license</p> <p>Integrated Pollution Prevention & Control Permits LAPPC Charges - Industrial processes covered by Environmental Permitting Regulations</p>	<p>150.00 350.00 150.00 150.00 355.00 95.00 190.00 84.00</p> <p>20.00</p> <p>See notes</p>	<p>160.00 365.00 160.00 160.00 370.00 100.00 200.00 90.00</p> <p>25.00</p> <p>See notes</p>	<p>Subject to approval by General Purposes Licensing Committee.</p> <p>The fee for each application and renewal will be calculated in accordance with DEFRA guidance. Fee set by Statute</p>
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