

To: General Purposes Licensing Committee

Date: 23 January 2017

Report of: Head of Planning and Regulatory Services

Title of Report: Miscellaneous Licensing: Licence Fees & Charges for the 2017/18 financial year

Summary and Recommendations

Purpose of report: To seek agreement of the licence fees for 2017/18 where the Council has discretion over the level of fee charged.

Report Approved by:

Finance: Jonathan Marks – Approved

Legal: Daniel Smith - Approved

Policy Framework: Vibrant Sustainable Economy
Street Trading Policy 2015

Recommendation(s):

Committee is recommended to:

a) Agree the licence fees and charges for 2017/18 as set out in Appendix A and recommend them to Council.

Introduction

1. The purpose of this report is to establish the licence fees and charges that should apply for 2017/18, for those activities where the Council has discretion as administered within the functions of the Business Regulation Team.
2. The fees and charges detailed within this report and found at Appendix A relate solely to the functions of the Business Regulation Team. A further report will be provided to Members in relation to the fees and charges related to the functions of the General Licensing Team.
3. The statutory principle in relation to the setting of fees is that they should be reasonable and should relate to the costs of performing the function, including staffing, administration, testing, inspections, hearings, regulation and appeals.

4. Licence fees set by the Council and administered in the Miscellaneous Licensing function consist of Acupuncture, Ear Piercing, Electrolysis & Tattooing, Animal Boarding Establishments, Dangerous Wild Animals, Dog Breeding Establishments, Pavement Cafes, Pet Shops, Riding Establishments, Street Trading Consents and Zoos.
5. An inflationary increase to these fees and charges is proposed to the current level of fees and charges to ensure the full cost recovery of the services provided with the exception of Street Café Licences which are dealt with separately within this report.

Street Café Licences

6. The annual licence fee of £750 was introduced for the 2013/14 financial year. There is no proposed change to the existing standard fee in order to promote street cafes and to encourage uptake.
7. A new fee of £350 is proposed to assist businesses in low footfall areas outside the city centre. This fee would apply to premises located in the existing Neighbourhood Shopping Centres (as listed in Appendix B (Appendix 9 of the Oxford Local Plan 2001-2016)).
8. The introduction of a reduced fee is recommended in the interests of encouraging increased vitality in low footfall out of town areas where small businesses may struggle to establish themselves. The level has been set to reflect the reduced impact, size and compliance risk of street cafes in these areas, whilst balancing the need to cover costs.

Financial Implications

9. The Council is responsible for collecting licence fees for these functions. Predicted income from licence fees is included in the Council's budget estimates for 2017/18.

Legal Implications

10. The power to levy fees is contained in the legislation relevant to each function or in the Local Government Act 2003 in relation to discretionary services. Licensing is not a revenue raising function and fees and charges should be reasonable and proportionate to the costs of the procedures and formalities of carrying out the function. It is expected that the impact of recent case law on licensing fee structures will result in fresh guidance in the coming year on the levying of fees. Officers will review fees in the light of any new guidance and advise the Committee accordingly.

Name and contact details of authors: **Lesley Rennie**
Business Regulation Team Manager
Tel: 01865 (25)2836
Email: lrennie@oxford.gov.uk