

To: General Purposes Licensing Committee

Date: 23 January 2017

Report of: Head of Community Services

Title of Report: Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments and Street Parties: Licence Fees and 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: Paul Swaffield

Legal: Daniel Smith –

Policy Framework: Vibrant Sustainable Economy

Recommendation:

Committee is recommended to:

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

Additional Papers:

Appendix One: Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments and Street Parties Fees and Charges 2017/18

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. This report does not cover the fees for Licensing and Gambling Act activities, which are reported separately to the Licensing and Gambling Acts Committee.

2. The fees and charges detailed within this report and found at **Appendix One** relate solely to the functions of the General Licensing Team. A further report will be provided to Members in relation to the fees and charges related to the functions of the Miscellaneous Licensing Team.
3. The statutory principle in relation to the setting of fees is that they should be reasonable, proportionate and not exceed the cost of the procedures and formalities of the relevant licensing scheme, including staffing, training, administration, testing, inspections, hearings, regulation and appeals.
4. Licence fees set by the Council and administered in the General Licensing function consist of Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers and Sex Establishments.

Commercial Events

5. 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, as long as the charge does not exceed the costs to the authority.
6. An increasing number of Road Closure applications have been made in the last year for events involving a commercial element, such as for a Continental Market, Christmas Market, Art Market, etc.
7. It is proposed that the fee of between £100 and £300 remains.

Hackney Carriage and Private Hire Licence Fees and Charges

8. The procedure for changing Hackney Carriage and Private Hire Licence fees requires consultation and all relevant objections must be considered before making any changes.
9. An extensive review of the costs of providing administrative functions for taxi licensing was carried out in 2011 and following consultation with the trade, a number of charges were approved by the General Purposes Licensing Committee on 1st March 2011.
10. On 29th September 2016 Council adopted the mandatory requirement for all licensed drivers to attend the Oxfordshire County Council Safeguarding Awareness Training. The charge of £15 relates solely to new applicants, who will pay the charge to the Licensing Authority who then pay the money to the County Council.
11. No changes to any of the other licence fees or charges are proposed.

Scrap Metal Dealers

12. The licensing of Scrap Metal Dealers and collectors is an executive function presided over by the City Executive Board. Therefore the setting of fees does not fall to this Committee. The current and proposed fees for this function can be found within the Appendix purely for Members to note.

Sex Establishments (Sexual Entertainment Venues)

13. On 9th June 2010, the General Purposes Licensing Committee approved the report of the Head of Environmental Development detailing the level of fee to be set for the licensing of such premises.
14. It is proposed that for 2017/18 that a small inflationary increase be applied in order that the Authority fully recovers its costs.

Sex Establishments (Sex Shops & Sex Cinemas)

15. In 2010, the General Purposes Licensing Committee approved the costs applicable to the licensing of Sex Establishments (Sex Shops), following a request to determine the “reasonable fee” charged for this purpose.
16. It is proposed that for 2017/18 a small inflationary increase be applied in order that the Authority fully recovers its costs.

Street Parties

17. The Council wishes to support the organisers of community based events such as street parties. It is, therefore, proposed to continue with the current practice of making no charge for small street parties or community events.

Financial Implications

18. 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

19. 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. Fees and charges should reasonably represent the costs of carrying out the function.

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