

To: General Purposes Licensing Committee
Date: 6th February 2023
Report of: Head of Regulatory Services and Community Safety
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 2023/24 financial year

Summary and recommendations	
Purpose of report:	To seek agreement of the licence fees for 2023/24 where the Council has discretion over the level of fee charged
Corporate Priority	Enable an Inclusive Economy
Policy Framework	None
Recommendation(s): That the General Purposes Licensing Committee resolves to:	
1. Agree the licence fees and charges for 2023/24 as set out in the Appendix 1 and recommend them to Council	

Appendices	
Appendix 1	Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments and Street Parties Fees and Charges 2023/24

Introduction

1. The purpose of this report is to seek agreement to the licence fees and charges that should apply for 2023/24, 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 1** 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 relevant legislation for the functions detailed in this report are Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, Scrap Metal Dealers Act 2013, Local Government (Miscellaneous Provisions) Act 1982.
4. 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, and regulation.
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 (Street Parties), Scrap Metal Dealers and Sex Establishments.

Commercial Events and events with no commercial element (including Street Parties)

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. A number of Road Closure applications have been made in the last years for events involving a commercial element, such as for Christmas Market, Little Clarendon Street Market, Art Market, North Parade Market, Christmas Light Festival etc.
7. A number of Road Closure applications have been submitted in the last years for Street Parties which do not include a commercial element. Such closures are community and local residents based and we can see steady increase of such events following the pandemic.
8. It is important to note that where the application meets the test of being for a community or charitable event with no commercial gain the fee can be waived by the Authority in support of such events.
9. Members are asked to note that the fees have been revised and minor increase has been applied to cover the Authority costs, due to inflationary pressures. Important to note is that the fees haven't been increased for more than five years. The fees can be found in **Appendix 1**.

Hackney Carriage and Private Hire Licence Fees and Charges

9. The Authority has introduced three (3) new fees and charges in this section
 - a) Private Hire Wheelchair Accessible Vehicle (WAV) fee of £100 - This fee offers a discounted fee for licensing a Private Hire Vehicle which is wheelchair accessible. This is to encourage the Private Hire sector to license more WAV's and ensure the service is accessible in Oxford.
 - b) Trust ID (DBS and / or RTW) fees of £12 / £8 - Authority has contracted a provider to be able to verify applicants ID documents for Disclosure & Barring Services (DBS) and Right to Work (RTW) checks online, via Trust

ID, secured and Home Office approved provider. Being able to complete the checks online, removes the need for face-to-face appointments at Town Hall, improves the efficiency, allow instant checks and ensure less delays for applicants.

10. Members should also note that the Hackney Carriage and Private Hire fees have been revised and minor increase has been applied to cover the Authority costs due to inflationary pressures. Important to note is that the fees haven't been increased for more than five years. The fees can be found in **Appendix 1**.

Scrap Metal Dealers

11. The licensing of Scrap Metal Dealers and collectors is an executive function which is the responsibility of Cabinet. Therefore the setting of fees does not fall to this Committee. The fees for this function can be found in **Appendix 1** for Members to note, which also have been revised due to inflationary pressures.

Sex Establishments and Sexual entertainment venues

12. Fees and charges for those functions have been revised and minor increase has been applied to cover the Authority costs, due to inflationary pressures. Important to note is that the fees haven't been increased for more than five years. The fees can be found in **Appendix 1**.

Financial implications

13. 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 2023/24.

Legal issues

14. 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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