

To: Council
Date: 21st February 2024
Report of: Executive Director for Communities and People
Title of Report: Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments Street Parties and Commercial Events: Licence Fees and Charges for the 2024/25 financial year

Summary and recommendations	
Purpose of report:	To seek agreement of the licence fees for 2024/25 where the Council has discretion over the level of fee charged
Key Decision:	No
Committee Chair with responsibility:	Cllr Mundy, Chair of the General Purposes Licensing Committee
Corporate Priority	Vibrant Sustainable Economy
Policy Framework	None
Recommendation(s): That the Council resolves to:	
1. Agree the licence fees and charges for 2024/25 as approved by the General Purposes Licensing Committee and as set out in the Appendix 1.	

Appendices	
Appendix 1	Commercial Events, Hackney Carriage and Private Hire, Road Closure Orders, Scrap Metal Dealers, Sex Establishments and Street Parties Fees and Charges 2024/25

Introduction

- The purpose of this report is to seek agreement to the licence fees and charges that should apply for 2024/25, 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. Several Road Closure applications are made each year 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 year 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.
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, Executive Director, in support of such events.
9. Members are asked to note that the fees have been revised and a minor increase of approximately 8% has been applied to cover the Authority costs, due to inflationary pressures. The fees and charges can be found in **Appendix 1**.

Hackney Carriage and Private Hire Licence Fees and Charges

9. There are no substantial amendments of the fees and charges for this financial year. A few outdated fees have been removed and one fee, Checks for Right to Work, has been amended following changes in processes. Disclosure and Barring Services (DBS) applications are no longer completed in house and have been outsourced to Taxi Plus provider, which specialises in DBS applications for taxi trade. The applicants log in directly to the provider online website and make the payment directly with them. However, to enable the Authority to carry out a

required regular DBS Online Update Service checks for all drivers, a new fee of £7.20 was introduced for that function (annually).

10. Members should also note that the Hackney Carriage and Private Hire fees have been revised and minor increase of an average between 7-8% has been applied to cover the Authority costs due to inflationary pressures. 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. The fees have been submitted to Cabinet for consultation in December 2023 and will go back for approval in February 2024. 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 these functions have been revised and minor increase of an average 8% has been applied to cover the Authority costs, due to inflationary pressures. 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 2024/25.

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.

Equality Impact

15. There are no adverse impacts anticipated on anyone with protected characteristics.

Environmental implications

16. There are few environmental considerations arising directly from this report and no impact is anticipated on the environment.

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