



Borough of Telford and Wrekin

Licensing Committee

Tuesday 14 March 2023

Licensing Fees

Cabinet Member:	Cllr Richard Overton - Deputy Leader and Cabinet Member: Housing, Enforcement and Transport
Lead Director:	Dean Sargeant - Director: Neighbourhood & Enforcement Services
Service Area:	Neighbourhood & Enforcement Services
Report Author:	Anita Hunt - Public Protection Group Manager
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Wards Affected:	All Wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable
Report considered by:	SMT- 28 February 2023 Licensing Committee – 14 March 2023

1.0 Recommendations for decision

It is recommended that Licensing Committee:

- 1.1 Review and approve the fees, charges and policy set out in Appendices A, B and C.
- 1.2 Agree that the approved fees, charges and policy take effect from 1st April 2023.

2.0 Purpose of Report

- 2.1 The purpose of this report is for Licensing Committee to review and approve the revised licensing fees, charges and policy that it proposed to take effect on 1st April 2023.

3.0 Background

- 3.1 A local authority can recover the costs of administering licences for Hackney Carriage/Private Hire, Gambling, general licences including Street Trading, Scrap Metal, Animal Establishments and Mobile Home Sites. There are also permits, registrations and licences where the level of fees are either set by statute or statutory instrument.
- 3.2 When setting fees the Council must have regard to the impact that any increase may have upon the livelihood of licence holders. The Council follows the Local Government Association guidance on locally set licence fees to ensure a fair and transparent approach for local businesses and communities. The Licensing Team strives to streamline processes and maximise efficiency in order to reduce costs and the burden on business.
- 3.3 In setting the proposed fees for Taxi, Street Trading and Gambling there has been a statutory 28 day consultation undertaken. This consultation commenced on 3 February 2023 until 2 March 2023, one response was received regarding taxi fees. Licencing Committee should note that the remaining areas of proposed adjustments to fees and charges do not require formal consultation.
- 3.4 Fees and other charges associated with licenced activity such as Private Hire, Hackney Carriage, Gambling, Mobile Homes and General Licences were previously reviewed in March 2022.
- 3.5 A full fees and charges review has been carried out to reflect any changes in legislation, government guidance, changes to processes and compliance requirements and to reflect any increase in associated costs.

4.0 Summary of main proposals

- 4.1 That committee review and approve the proposed fees, charges and Policy set out in the appendices.
- 4.2 That committee approve fees, charges and policy take affect from 1st April 2023.

5.0 Alternative Options

- 5.1 Committee can decide not to increase the fees/charges as set out in this report. In addition, Committee could decide to increase further. However, in proposing the changes as set out in the appendices, the council has reviewed associated costs and undertaken a benchmarking exercise.

6.0 Key Risks

- 6.1 Any change in policy will carry some inherent financial risk to the Council in the event of a legal challenge, however this has been mitigated by ensuing that current and relevant fee-setting and policy guidance has been considered and adhered to.

7.0 Council Priorities

7.1 The report supports the following Council priorities

- Every child, young person and adult lives well in their community
- All neighbourhoods are a great place to live
- Everyone benefits from a thriving economy
- A community-focussed innovative council providing efficient, effective and quality services

8.0 Financial Implications

8.1 A full review of license fees has been undertaken for 2023/24 with the Licensing Service. Licence fees have been calculated on a cost recovery basis taking into account the statutory costs that the service are allowed to recover and reflecting the inflationary increases of these associated costs.

8.2 In setting the fees and charges the Council has taken into account national guidance from both the Local Government Association on locally set licence fees and the Department for Communities, and the Local Government “A Guide for Local authorities on setting site licensing fees”. The aim of this is to ensure that the setting of the various fees is proportionate and transparent. In line with this the legislation only allows Councils to set fees and charges to recover costs incurred.

9.0 Legal and HR Implications

9.1 The Committee’s responsibilities are set out in the Council’s Constitution and include setting and reviewing licensing fees other than those set by statute.

9.2 The power to levy fees is contained in the legislation relevant to each function or otherwise in the Local Government Act 2003 in relation to discretionary services.

9.3 For taxi licensing sections 53 of the Local Government (Miscellaneous Provisions) Act 1976 permits the Council to recover such fee as they consider reasonable with a view to recovering the costs of issue and administration in respect of licences to drive private hire or hackney carriage vehicles.

9.4 Section 70 of the 1976 Act provides that a district Council may charge such fees for the grant of a vehicle and operators’ licence as may be resolved by them to cover the cost of providing stands and reasonable administrative and other costs in connection with the control and supervision of vehicles.

9.5 Generally under the Licensing Act 2003 and Gambling Act 2005, fees and charges are set by statute.

9.6 Fees charged must be reasonable in relation to costs incurred in the issue, administration and enforcement of licences covering the costs associated with the licensing process but not generate a profit.

10.0 Ward Implications

10.1 This report has implications for all wards in the Borough.

11.0 Health, Social and Economic Implications

11.1 Licensing of certain premises and activities is important to ensure that businesses comply with licence conditions, guidance and standards set out in legislation or by government bodies. This safeguards public safety by setting clear guidelines for licensees operating within the borough. Gambling regulation incorporates an overarching social responsibility to help prevent gambling addiction and to protect children and vulnerable adults from harm by restricting access to gambling. Regulating animal establishments also ensures that good standards of animal welfare is maintained.

11.2 An effective and efficient licensing service not only supports residents and businesses but provides opportunity to ensure compliance with relevant conditions and legislation is maintained. Such compliance ensures public safety is not compromised but also supports the Council in tackling health inequalities.

11.3 The recommendations contained within this report are not considered to have a direct impact on the Armed Forces Duty, specific socio-economic groups or town and parish councils.

12.0 Equality and Diversity Implications

12.1 Having had regard to the council's obligations it is considered that there are no human rights or equalities implications associated with the proposed fees and charges report, as they will apply equally to everyone regardless of any protected characteristic.

13.0 Climate Change and Environmental Implications

13.1 Licensing of scrap metal sites and mobile collector's plays an important part in reducing the effects of environmental crime such as fly tipping.

13.2 Licensing and monitoring of taxis ensures well maintained vehicles with the focus on lower emissions are provided. However, this relates to those vehicles that are licensed by the Council only.

14.0 Background Papers

None.

15.0 Appendices

- A Proposed Licence Fees 2023-2024
- B Proposed Fees 2023-2024 - Mobile Homes
- C Draft Mobile Homes Fees and Charges Policy 2023-2024

Licensing Fees

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	27/02/2023	03/03/2023	SH
Finance	27/02/2023	06/06/2023	PT
Director	23/02/2023	05/03/2023	DRS