

COUNCIL – 26 FEBRUARY 2024

GENERAL PURPOSES AND LICENSING COMMITTEE – 5 JANUARY 2024

FEES AND CHARGES FOR 2024-2025 - LICENSING SERVICE

1. RECOMMENDATIONS

1.1 That Council:

- i. Approves the proposed fees (with the exception of taxi licence fees) for financial year 2024/25 as set out in Appendix 1;
- ii. Approves the taxi licensing fees as proposed within Appendix 1 if no objections are raised during the public consultation period;
- iii. Delegates authority to General Purposes and Licensing Committee to make the decision as to the level of taxi licensing fees for 2024/25 should objections to the proposed fees be raised during the public consultation period.

2. INTRODUCTION

- 2.1 As part of the annual review of budgets, decisions are required by the General Purposes and Licensing Committee, to agree any non-statutory licensing fees and charges for the forthcoming financial year.

3. BACKGROUND

- 3.1 The Council has a statutory responsibility for the administration and enforcement of a wide range of licences, registrations and permits. Many of these allow the Council to set and charge a fee, to cover the costs of the administration and issue of these permissions.
- 3.2 The key principle for setting licensing fees, is that they should be reasonable and relate to the costs of performing the function, including staffing, administration, testing, inspections, hearings, regulation and appeals.
- 3.3 The basis in setting these fees is to ensure cost recovery, or as close to it as possible. Legal cases over the years have confirmed that licensing fees may not be used to generate a profit for councils and that fees should be reviewed regularly to ensure that neither a significant surplus nor deficit is created.
- 3.4 Fees set under the Licensing Act 2003 are set centrally by Government and the Council has no discretion to review or amend these. The current fee structure was set when the Act came into force in November 2005 and the fee regime has not been revised since this date.
- 3.5 However, the Council is able to set fees for a number of other licence types: taxis and private hire (drivers, vehicles and operators), animal welfare (boarding, home boarding, dog breeding, riding establishments, pet shops and zoos), residential caravan sites, skin piercing (tattooing, acupuncture, electrolysis, cosmetic piercing) and pleasure boats (boatmen and vessels).

4. ISSUES FOR CONSIDERATION

- 4.1 The setting of discretionary fees for licensing, is not a Portfolio Holder decision and fees and charges must be formally approved by the Council's General Purposes and Licensing Committee before they may be applied.
- 4.2 In addition, any proposed increase to taxi licensing fees must be advertised and open to consultation.
- 4.3 The proposed fees for licences and permits have been increased following a detailed review of the cost to deliver each function as well as benchmarking our charges against similar local authorities.

5. TAXI AND PRIVATE HIRE FEES

- 5.1 The proposed amendments to the taxi and private hire fees follow a comprehensive review of the service including officer time taken to process and issue permissions and the increased cost of consumables (vehicle plates, brackets, driver badges etc).
- 5.2 In addition, the review has taken into account the updated Department for Transport Statutory Taxi and Private Hire Vehicle Standards which requires Licensing Authorities to perform additional checks to promote public safety and best practice. These enhanced procedures require additional staff resource and have increased processing costs.
- 5.3 As a result of the Covid 19 pandemic and to support the local trade in recovery, taxi fees had not been increased since April 2017. However, following the review, increasing charges to some of the licensing fees are proposed to address rising costs of consumables and resource to implement processes.

6. IMPLEMENTATION OF ANY FEE CHANGES FOR TAXI LICENSING

- 6.1 Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires that any proposed increase to taxi licensing fees must be subject to a 28 day consultation period, following an advertisement.
- 6.2 As delegation for fee setting is given to General Purposes and Licensing Committee, if there are no objections to the proposed taxi and private hire fees, General Purposes and Licensing Committee are asked to recommend approval of the fees and charges to Full Council for implementation on 1 April 2024.
- 6.3 If objections are received to any of the taxi and private hire fees, responses must be considered by the General Purposes and Licensing Committee at the meeting on 8 March 2024, prior to implementation on 1 April 2024.

7. GAMBLING FEES

- 7.1 Gambling premises licence fees are capped, but there is discretion for fee setting up to this level. Permit and lottery fees are fixed under the Gambling Act 2005.

8. ANIMAL WELFARE, CARAVAN SITES AND SKIN PIERCING

- 8.1 Animal welfare, caravan site and skin piercing fees can be charged to recover the cost of providing the service only. These proposed fees in **Appendix 1** have also been set following a full review of the costs of providing the services, as well as benchmarking of fees charged by other local authorities in Hampshire and the area.

9. CONCLUSIONS

- 9.1 The setting of the proposed licensing fees and charges has been through a rigorous process, to cost the delivery of the service to businesses and members of the public.
- 9.2 The increased fees are proposed to take effect from 1 April 2024 with taxi and private hire fees effective from the same date, subject to advertising and consultation.

10. FINANCIAL IMPLICATIONS

- 10.1 Any financial implications have been reported for budgetary control and as part of the financial plan.

11. CRIME & DISORDER AND DATA PROTECTION IMPLICATIONS

- 11.1 There are none.

12. COMMENTS OF THE GENERAL PURPOSES AND LICENSING COMMITTEE

- 12.1 The Committee approved the recommendations to Council. The Committee discussed the increase to some of the fees and charges and acknowledged how the fees and charges were set based on costs estimated to deliver the functions. All fees and charges were benchmarked against other local authorities and some fees and charges, in the case of gambling licences, were below the national cap.

13. APPENDICES

Appendix 1 - Proposed fees for 2024/25

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Background Papers:

None