

CAMBRIDGE CITY COUNCIL

REPORT OF: Yvonne O'Donnell
Environmental Health Manager

TO: Licensing Committee

26 January 2016

WARDS: All

ANNUAL REVIEW OF LICENSING FEES AND CHARGES – 2016/ 17

1 INTRODUCTION

- 1.1 Cambridge City Council, as the Licensing Authority, is responsible for processing and issuing licences for a wide range of activities. This report sets out the fees and charges for licences and associated items, which it is proposed should be made with effect from 1st April 2016. The approved charges will be submitted to Full Council to note on 25th February 2016.

2. RECOMMENDATIONS

- 2.1 Members are recommended:

To approve the level of fees and charges with effect from 1st April 2016, as set out in Appendix A of this report, and to request officers to communicate the charges to the businesses, taxi trade and public.

3. BACKGROUND

- 3.1 The Council is required to review the charges which it makes for licences and other associated items, from time to time. Council policy is that an annual review will be undertaken.
- 3.2 The Council must seek to recover the costs associated with processing applications for licences and the administration and monitoring of compliance with conditions. However, it is not permitted to make a surplus nor to subsidise licence holders. The fees charged should be capable of withstanding legal challenge, should the need arise.

- 3.3 The cost to the Council of this work is regularly checked and real time costs have replaced estimates in compiling the figures. Where it is possible to reduce costs by use of more efficient working this is reflected in the charges made.
- 3.4 The proposed charges for 2016/17, together with the fees currently being charged, are set out in Appendix A.
- 3.5 Where changes to fees are indicated, these have been made with specific reference to the costs involved in the work required, rather than on the basis of a standardised approach.
- 3.6 Fees for renewals of Private Hire Operator licences now reflect a five yearly renewal and take into account the new renewal process which was implemented following de-regulation in October 2015.
- 3.7 Fees for a replacement licence or change of details now reflect the costs of administration for this, which had not been included previously.
- 3.8 Fees for licences issued under the Licensing Act 2003 for premises and personal licences are currently fixed by the Government and are included in Appendix A for information only.
- 3.9 Permit fees under the Gambling Act 2005 are set by the Government and the Licensing Authority has no discretion. However, premises licence fees are set subject to the maxima laid down by the Department of Culture, Media and Sport and delegated to officers to determine. They are included in Appendix A for information.
- 3.10 Fees for Scrap Metal Dealers and Scrap Metal Collectors licences have been set by the Executive Councillor for Environment and Waste and are included in Appendix A.
- 3.11 Fees for Animal Businesses, Skin Piercing and Sex Establishments have increased by 2.5%, in line with the rate of inflation.
- 3.12 Officers have reviewed the control of Street Trading account and recommend that consent fees for 2016/17 are kept at current 2014/15 prices. The Local Government (Miscellaneous Provisions) Act 1982 requires the City Council to set consent fees at a level only to recover costs, after taking in account surpluses and deficits from previous years.

4. OPTIONS

4.1 The Committee may resolve to:

4.1.1 Adopt the fees as set out in Appendix A

4.1.2 Adopt fees at a different level to those set out in Appendix A, but, in doing so, should explain the reasons for departing from them, so as to enable the Council to withstand a legal challenge.

5. CONSULTATIONS

5.1 Under the Local Government (Miscellaneous Provisions) Act 1976, the Council is required to consult on any changes to the fees and charges in respect of Hackney Carriage and Private Hire licensing.

5.2 A 28 day public consultation took place from 2 November 2015 to 29 November 2015. Four responses were received as detailed in Appendix B.

5.3 Of the four responses received, one focussed on budget setting within Licensing and Enforcement and was not entirely relevant to the Fees consultation. The matters raised by the individual have been considered and responded to outside of the consultation.

5.4 An additional two responses also were not entirely relevant to the Fees consultation and referred to Fares and Enforcement. These too have been considered and responded to outside of the consultation.

5.5 The final response related to emissions and vehicle running costs and has been responded to outside of the consultation.

6. CONCLUSIONS

6.1 The Council needs to demonstrate that the fees it charges for licences have been set in accordance with the law and best practice, so as to recover its allowable costs in administering the various licensing regimes for which it is responsible.

6.2 Fees should be set so as to avoid either a surplus or a subsidy, where possible, and adjusted, if necessary, in succeeding years to achieve and maintain the correct balance.

6.3 Members should determine which of the options, under Section 5 above, they wish to pursue or to determine such other course of action they consider appropriate.

7. IMPLICATIONS

(a) **Financial Implications**

The charges are set to recover the Council's allowable costs, as at present.

(b) **Staffing Implications**

Nil.

(c) **Equal Opportunities Implications**

Nil.

(d) **Environmental Implications**

Nil.

(e) **Procurement**

Nil.

(f) **Consultation and communication**

The charges proposed under the heading Taxi Licences have been the subject of a formal 28 day consultation.

(g) **Community Safety**

Nil.

APPENDICES

Appendix A: Table of proposed fees

Appendix B: Responses to Consultation

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

Calculation Spreadsheets

To inspect these documents contact Victoria Jameson on extension 7863.

The author and contact officer for queries on the report is Victoria Jameson on extension 7863.

Date originated: 03 February 2016

Date of last revision: 03 February 2016