

LICENSING AND REGULATION COMMITTEE

1 MARCH 2007

FEES AND CHARGES 2007/08

REPORT OF CITY SECRETARY AND SOLICITOR

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

This report sets out proposals for fees and charges in respect of the Licensing functions of the Council for 2007/08. The report does not cover fees under the Licensing Act (which are fixed by legislation), and in respect of fees under the Gambling Act 2005, it is proposed to set these using delegated powers, in consultation with the Chairman.

The fees for hackney carriage and private hire licenses are proposed to be increased by an inflationary increase of 3%.

RECOMMENDATIONS:

- 1 That the City Secretary and Solicitor be authorised to give public notice of the proposed increases in hackney carriage/private hire vehicle and operators' licences as set out in Appendix 1 to come into effect at the end of the objection period if the City Secretary and Solicitor considers that there are no material objections and in the event of objections being received the matter be brought back to the Committee.
- 2 That the City Secretary and Solicitor be authorised to increase all licensing fees and charges with effect from 1 April 2005, (other than for hackney carriage/private hire vehicle and operators licences) by an average of 3% as set out in Appendices 1 and 2.
- 3 That the City Secretary and Solicitor, in consultation with the Chairman, be authorised to set fees for licences and permits under the Gambling Act once the relevant regulations have been made.

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### FEES AND CHARGES 2007/08

### REPORT OF CITY SECRETARY AND SOLICITOR

#### DETAIL:

#### 1 Introduction

- 1.1 This report gives details of proposals for those fees and charges which are set by the City Council in respect of its licensing functions.
- 1.2 Fees under the Licensing Act 2003 are fixed by legislation, and are not therefore included in this report.
- 1.3 The report also sets out proposals for setting fees under the Gambling Act 2005.
- 1.4 An inflation increase of 3% has been applied to all other fees.

#### 2 Hackney Carriage and Private Hire Fees.

- 2.1 The statutory framework allows the Council to set fees so as to recover its reasonable administrative costs. Public advertisement has to be given of any changes to the operators and vehicle licence fees and any public comments considered before a final decision is made. This requirement does not extend to drivers' licences.
- 2.2 In respect of these fees, an inflationary increase of 3% is proposed, to maintain the basis of cost recovery. Appendix 1 shows the fees (both current and proposed).

#### 3 Other Licensing

- 3.1 The budget excludes the base budget for the Licensing Act 2003 which is now treated as a separate account as the fees will be set by the Government.
- 3.2 However, "other licensing" includes a number of licences which are administered by the City Secretary and Solicitor. Those relating to gaming will be replaced in 2007/08 by new licences and permits under the Gambling Act 2005. Section 4 below gives details of how it is proposed to set these fees.
- 3.3 As in the case of hackney carriage and private hire fees, an inflation allowance has been added to these other licensing fees, as set out in Appendix 2.

#### 4 Gambling Act 2005

- 4.1 The Gambling Act 2005 will be fully implemented during 2007/08. It is anticipated that the commencement date for submission of applications will be 21 May 2007, with a view to the new licences taking effect in September 2007.

- 4.2 The Act allows the Secretary of State to prescribe fees, but also allows flexibility for the Secretary of State to devolve the power to set fees to licensing authorities. The mechanism chosen by the Government is for licensing authorities to fix fees, on a cost-recovery basis only, and subject to prescribed maxima.
- 4.3 Given the limited number of licences and permits which are expected to be applied for in Winchester, and the fact that the regulations have yet to be issued, it is recommended that the power to set these fees is delegated to the City Secretary and Solicitor, in consultation with the Chairman.

OTHER CONSIDERATIONS:

5 CORPORATE STRATEGY (RELEVANCE TO):

- 5.1 The licensing functions relate to the priorities of “Safer and more inclusive communities”, and “Safeguarding our high quality environment for the future”.

6 RESOURCE IMPLICATIONS:

- 6.1 These fees and charges have been set on the basis of maintaining the policy of cost recovery across those areas of the licensing function where the City Council has the power to set fees.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix 1 – Hackney Carriage and Private Hire Fees

Appendix 2 – Other fees

**Appendix 1****WINCHESTER CITY COUNCIL****FEES FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES 2007/08**

<b>LICENCE</b>	<b>EXISTING FEE 2006/07</b>	<b>PROPOSED FEE 2007/08</b>
Private Vehicle Hire Operator *	£183 + £23 for 2nd and each subsequent vehicle	£189 + £24 for 2nd and each subsequent vehicle
Private Hire Vehicle *	£190	£196
Hackney Carriage Vehicle *	£190	£196
Hackney Driver	£ 93 Initial £ 69 Renewal	£96 Initial £71 Renewal
Hackney Driver and Private Hire Knowledge Re-Test	£ 23	£24
Private Hire Driver	£ 82 Initial £ 69 Renewal	£84 Initial £71 Renewal
Deposit on Plate	£ 37	£38
Transfer of Licensed Vehicle	£84	£87

\* fees subject to public advertisement prior to coming into effect, as set out in the Report.

**Appendix 2****WINCHESTER CITY COUNCIL****OTHER LICENSING FEES 2007/08**

<b>LICENCE</b>		<b>EXISTING FEE 2006/07</b>	<b>PROPOSED FEE 2007/08</b>
Game Dealer Licence		£49	£51
St Maurice Covert		£30	£31
Street Trader Permit		£85	£88
Tables and Chairs on Highway		£180	£186
Amusements Machines - Section 34(1) Gaming Section 34(5E) Gaming over 18's only	(Statutory)	£32 £250	£32 £250
Lotteries - Registration - Re-registration	(Statutory)	£35 £17.50	£35 £17.50
Street Collections, Carol Singing, House to House Collections )	(Statutory)	NO FEE	NO FEE