

LICENSING AND REGULATION COMMITTEE

5 FEBRUARY 2008

FEES AND CHARGES 2008/09

REPORT OF HEAD OF LEGAL SERVICES

Contact Officer: HOWARD BONE Tel No: 01962 848 552

RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

This report sets out proposals for fees and charges in respect of the Licensing functions of the Council for 2008/09. 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, increases are proposed for certain fees (where these are below the statutory ceilings).

The fees for hackney carriage and private hire licences are proposed to be increased by 8% in order to fund additional enforcement.

RECOMMENDATIONS:

- 1 That the Head of Legal Services 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 Head of Legal Services 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 Head of Legal Services be authorised to increase all licensing fees and charges with effect from 1 April 2008, (other than for hackney carriage/private hire vehicle and operators licences) by an average of 4% as set out in Appendices 1 and 2.
- 3 That the Head of Legal Services be authorised to increase fees for licences and permits under the Gambling Act with effect from 1 April 2008 by an average of 4% as set out in Appendix 3.

## LICENSING AND REGULATION COMMITTEE

5 FEBRUARY 2008

FEES AND CHARGES 2008/09

REPORT OF HEAD OF LEGAL SERVICES

### 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 An increase of 8% in hackney carriage and private hire fees is proposed, to cover additional enforcement costs.
- 1.3 Fees under the Licensing Act 2003 are fixed by legislation, and are not therefore included in this report.
- 1.4 The report also sets out proposals for setting fees under the Gambling Act 2005.
- 1.5 An inflation increase of 4% 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 It is planned to carry out increased enforcement work in 2008/09. In order to maintain the basis of cost recovery, an increase of 8% in fees is proposed. Appendix 1 shows the fees (both current and proposed).
- 2.3 Report LR263 elsewhere on this agenda sets out proposals for fare increases.
- 2.4 The proposed fees include the introduction of several new fees, including a retest fee for vehicles in the event that a test is failed, a fee for replacing a lost or damaged licence, a missed appointment fee, and a fee for the replacement of a lost plate.
- 2.5 The Taxi Review Informal Members/Officers Working Group has previously considered the possibility of carrying out a formal survey of demand for taxis in Winchester, which would be essential before any limitation on the numbers of licences issues could be introduced. It is anticipated that the cost of such a survey could be up to £15,000, for which there is no budget provision. The Working Group is meeting in February to consider the question of a survey in more detail, and a report back to this Committee would be made with their findings. If it is concluded that a survey should be carried out, a further fee increase would be required to cover the costs of this.

### 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 Head of Legal Services. An inflation allowance has been added to these other licensing fees, as set out in Appendix 2, of 4%.

### 4 Gambling Act 2005

- 4.1 The Gambling Act 2005 has now been fully implemented.
- 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 The Committee delegated powers to set the fees for Gambling Act applications when the legislation was introduced. It is proposed to increase those fees which are below the prescribed maxima by 4% in line with the Council's inflation increase in other areas.

### 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 3 – Gambling Act Fees

**Appendix 1****WINCHESTER CITY COUNCIL****FEES FOR HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES 2008/09**

<b>LICENCE</b>	<b>EXISTING FEE 2007/08</b>	<b>PROPOSED FEE 2008/09</b>
Private Vehicle Hire Operator *	£189 + £24 for 2nd and each subsequent vehicle	£204 + £26 for 2nd and each subsequent vehicle
Private Hire Vehicle *	£196	£212
Hackney Carriage Vehicle *	£196	£212
Hackney Driver	£96 Initial £71 Renewal	£104 Initial £77 Renewal
Missed appointment fee	-	£50
Retest fee for Hackney Carriage/Private Hire Vehicle	-	£20 if retested within three working days £55 for all other retests
Hackney Driver and Private Hire Knowledge Re-Test	£24	£26
Private Hire Driver	£84 Initial £71 Renewal	£91 Initial £77 Renewal
Replacement Plate	-	£25
Transfer of Licensed Vehicle (including test)	£87	£94
Transfer of Licensed Vehicle (no test required)	-	£35
Replacement of Lost/damaged licence	-	£11

\* 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 2007/08</b>	<b>PROPOSED FEE 2008/09</b>
St Maurice Covert		£31	£33
Street Trader Permit		£88	£92
Tables and Chairs on Highway		£186	£195
Street Collections, Carol Singing, House to House Collections )	(Statutory)	NO FEE	NO FEE

Appendix 3**Proposed Gambling Act 2005 Fees**

(existing fees in brackets)

<b>Permit Type</b>	<b>New Application</b>	<b>Annual Fee</b>	<b>Application to Vary</b>	<b>Application to Transfer</b>
Bingo Club	(1990) 2070	(1000) 1000	(840) 875	(600) 625
Betting premises (Excluding Tracks)	(2390) 3000	(600) 600	(840) 875	(600) 625
Tracks	(2260) 2350	(1000) 1000	(840) 875	(600) 625
Family Entertainment Centre	(1990) 2000	(750) 750	(840) 875	(600) 625
Adult Gaming Centre	(2000) 2000	(1000) 1000	(840) 875	(600) 625

<b>Permit Type</b>	<b>Application for Re-Instatement</b>	<b>Application for Provisional Statement</b>	<b>Licence Application (Provisional Statement Holders)</b>	<b>Copy Licence</b>	<b>Notification of Change</b>
Bingo Club	(620) 645	(780) 810	(890) 925	25	50
Betting premises (Excluding Tracks)	(620) 645	(780) 810	(890) 925	25	50
Tracks	(620) 645	(780) 810	(890) 925	25	50
Family Entertainment Centre	(620) 645	(780) 810	(890) 925	25	50
Adult Gaming Centre	(620) 645	(780) 810	(890) 925	25	50