

14 January 2008

Dear Councillor

**LICENSING AND SAFETY COMMITTEE - WEDNESDAY, 16TH JANUARY 2008**

I am now able to enclose, for consideration at the above meeting of the Licensing and Safety Committee, the following reports that were unavailable when the agenda was printed.

**Agenda No    Item**

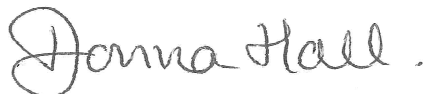
6.    **Annual Review of Licence Fees (Pages 25 - 30)**

Report of the Corporate Director of Governance (enclosed).

9.    **Hackney Carriage Driver failing to deal properly with found property (Pages 31 - 34)**

Report of the Corporate Director of Governance (enclosed).

Yours sincerely



Donna Hall  
Chief Executive

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**Distribution**

1.    Agenda and reports to all Members of the Licensing and Safety Committee (Councillor Iris Smith (Chair) and Councillors Judith Boothman, Terry Brown, Magda Cullens, David Dickinson, Mrs Doreen Dickinson, Pat Haughton, Keith Iddon, Margaret Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape, John Walker and Mrs Stella Walsh for attendance.

**This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.**

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون کیجئے: 01257 515823



Report of	Meeting	Date
Corporate Director of Governance	Licensing and Safety Committee	16 January 2008

**ANNUAL REVIEW OF LICENCE FEES**

**PURPOSE OF REPORT**

1. To present to Members the proposed licensing fees for 2008/2009 and to inform the Committee of those licensing fees which we are obliged to collect as a statutory function.

**RECOMMENDATION(S)**

2. Members are asked to consider the report and support the proposed fees as attached.

**EXECUTIVE SUMMARY OF REPORT**

3. Licensing fees were last reviewed on 22 November 2006 when Members approved recommendations contained in that report.
4. The purpose of this report is to underpin the financial liabilities of the Council’s licensing section. In the majority of cases the services that the licensing section deliver are provided for by statute, where the Council may recover the reasonable cost involved in providing that service.
5. In order that the Council can maintain the high standards of service delivery expected by our customers, the fees associated with the various licences where applicable will need to be set according to the cost of realistically delivering the service and it would be prudent to increase such charges by not more than 3% for this financial year.
6. It is recognised that various secondary services which the section provides, have been delivered at a financial cost to the authority. This report recognises this situation and proposes to address this issue by maintaining a minimal charge of £21.00 for the administration of the various licensing functions.
7. It is also accepted by the licensing manager that the financial liabilities may alter in the near future due to impending change in the directorship of the licensing section. Members will be kept informed should the financial liabilities of the section require re-addressing.

**CORPORATE PRIORITIES**

8. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	√



**BACKGROUND**

9. Hackney Carriage and Private Hire vehicles fees have previously been reduced for wheelchair accessible vehicles as an incentive to operators and owner-drivers to provide wheelchair accessible vehicles. It is proposed that this reduced rate is now removed from the licensing fees structure, in the last 12 months there have been no new vehicles licensed with this authority as a wheelchair accessible. Seven hackney vehicles have now been added to the hackney carriage fleet which are wheelchair accessible this being a condition of their licence. In the same period no representations have been received to the licensing section with regard to the provision of disabled facilities regarding taxi access.
10. Members are reminded that Chorley Council has maintained a restriction to the number of hackney carriages that may be licensed at any one time to a number no greater than 37 vehicles, seven of which are conditioned to be wheelchair accessible.
11. In order that the existing Hackney Carriage operators may continue to enjoy the benefits of restricted Hackney Carriage numbers the provision of Hackney Carriage services must be established every 3 years. This has normally been achieved by conducting an unmet demand survey, the cost of which is normally met by the Hackney Carriage operators.
12. It is expected that an unmet demand survey be conducted during 2008, the cost of which is expected to be in the region of £9,000.00. This amount has not been accounted for in the licensing budget. Each Hackney Carriage operator has over the last 3 years repaid a fee of £77.00 per annum. This was to repay an amount of £6855.00 which was the cost of undertaking the last unmet demand survey which took place in April 2005.
13. In order that the Council is not disadvantaged in terms of budgeting control, Members are asked to consider that the cost of the impending unmet demand survey be attached proportionally to each Hackney Carriage licence fee at the next renewal of the Hackney Carriage licence for each of the 37 vehicles.
14. The cost will be proportioned as follows: Cost of survey and cost of administration (30 officer hours) ÷ number of Hackney Carriages.
15. In order to maintain the service levels required, it is recommended that increases in the fee for taxi driving licences will be broadly in line with inflation. However it would be prudent to combine the separate fees for the Criminal Record Bureau (CRB), knowledge test and the application fee in order to reduce administrative costs, this will benefit the Council in respect of maximising existing resources and reduce the number of times the customer has to visit the Council offices.
16. The licensing office has to date offered Taxi Drivers the option to take up at any time during the period of validity of the licence, a second taxi driving licence, for either Hackney or Private Hire, the principle being that it is not of the type as originally issued eg, a taxi driver holds a Hackney Driver licence issued in September, he then requests a Private Hire licence in July at a cost of £15.00. This is then issued for a period of 12 months, avoiding the full licence fee and CRB checks for a further 10 months until that licence expires. It is proposed that those wishing to apply to drive both Hackney Carriages and Private hire vehicles apply at the time of application for both licences, both licences will then run co-terminously, and that an extra cost of £21.00 to cover additional administration and the second driving licence and badge will be applied. It is accepted that the initial costs and checks involved in providing a drivers licence for a Hackney Carriage are the same as for a Private Hire driver, and vice versa.
17. At present there is clearly room to abuse the present system and this presents administrative problems with regards to CRB checks.

- 18. There is no proposal to adjust those fees that have been set with regards to The Gambling Act 2005, as the fees have not been in place for a sufficient period of time to evaluate against service provision.
- 19. Members are reminded that there is no scope to adjust those fees associated with the Licensing Act 2003, as these are fixed by central government. However, it is expected that following a government review of these charges in 2007 it is expected that some adjustment will be announced during 2008. Should any changes be announced in the future Members will be informed as the fees associated with this statutory function are recognised in the Council's budget.
- 20. Members attention is drawn to the miscellaneous licence fees where the increase has been broadly kept to the rate of inflation. However where those fees have fallen below the value for realistically providing the service, in that instance the minimum service delivery cost is applied. This is estimated to be not less than £21.00.
- 21. Attached proposed fees and charges from 1 April 2008.
- 22. The proposed increases in fees must be advertised and any representations must be considered by this Committee.

**IMPLICATIONS OF REPORT**

- 23. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance	√	Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	

**COMMENTS OF THE CORPORATE DIRECTOR OF BUSINESS TRANSFORMATION**

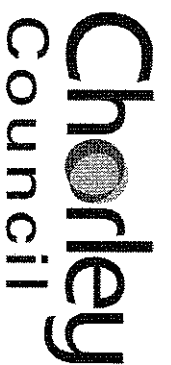
- 24. The Director had no further comments to make.

ANDREW DOCHERTY  
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Stephen Culleton	5665	7 January 2008	LEGREP/0701LM3

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**PROPOSED FEES AND CHARGES  
FROM 1 APRIL 2008**

**TAXI FEES**

Hackney Carriage Licence:	12 months	£416.00
	6 months	£216.00
	4 months	£155.00
Private Hire Operator's Licence:	1 - 5 vehicles	£260.00
	6 - 10 vehicles	£309.00
	11 + vehicles	£364.00
	12 months (new)	£220.00
Private Hire Vehicle Licence:	12 months (renewal)	£208.00
	6 months (new)	£125.00
	6 months (renewal)	£115.00
	4 months	£85.00
Driver's Licence	Grant	£47.00
	Renewal	£47.00
Knowledge Test		£21.00
Vehicle Change /Transfer Fee (Including plate)		£46.00
Second Drivers Badge		£20.00
Administration Fee (For 1 <sup>st</sup> hour or part thereof)		£26.00
Replacement Plate		£20.00
Replacement Badge		£21.00
Replacement Tariff Card		£21.00
Copy Licence		£21.00
DVLA Check		£21.00
Criminal Record Bureau Check (subject to change by CRB)		£36.00

<b>Alcohol Licensed Premises Gaming Machine Permits</b>	
Notification of intention to use 2 Gaming machines	£50.00
Licensed Premises Gaming Machine Permit: New operator	£150.00
Existing operator	£100.00
Annual Fee for licensed premises gaming machine permit	£50.00
Copying permit	£15.00
Varying permit	£100.00
Change of name	£25.00
Transfer licensed premises gaming machine permit	£25.00
<b>Club Gaming Permits</b>	
Club Gaming Permit: New operator	£200.00
Existing operator	£100.00
Or if have club certificate under Licensing Act 2003	£100.00
Club Machine Permit: New operator	£200.00
Existing operator	£100.00
Or if have club certificate under Licensing Act 2003	£100.00
Annual Fee for Club Machine Permit / Club Gaming Permit	£50.00
Copying permit	£15.00
Varying permit	£100.00
<b>OTHER FEES</b>	
Second Hand Goods Dealers (Shop Premises)	£99.00
Second Hand Goods Dealers (Stalls)	£37.00
Sex Shop Licence	£1,925.00
Motor Salvage Operators	£100.00
<p>Chorley Council Licensing Section Civic Offices Union Street Chorley Lancs PR7 4DJ</p> <p>Tel: 01257 515164 Email: licensing@chorley.gov.uk</p>	

**LICENSING ACT 2003 FEES**

(These fees are set by regulation and are subject to change)

Replacement of licence/certificate or summary following theft, loss etc	£10.50
Application for a provisional statement where premises being built, etc	£315.00
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.00
Application for transfer of premises licence	£23.00
Interim authority notice following death etc. of licence holder	£23.00
Notification of change of name or alteration of rules of club	£10.50
Change of relevant registered address of club	£10.50
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.00

See also the Licensing Act 2003 (Fees) Regulations 2005 that can be found on [www.culture.gov.uk](http://www.culture.gov.uk) then please go to 'what we do', then go to 'alcohol and entertainment' and then 'fee levels'.

**Premises Licence and Club Premises Certificate Fees**

New premises fee structures are banded and based on the non-domestic rateable value of the premises i.e. business rates not the amount payable).

Band	A	B	C	D	E
Rateable Value of Premises	£1-£4,300	£4,301-£33,000	£33,001-£87,000	£87,001-£125,000	£125,001 & above
Application Fee	£100	£190	£315	£450	£635
Annual Fee	£70	£180	£295	£320	£350

**Personal Licence and Other Fees**

TEN (Temporary Event Notice)	£21.00
Replacement of TEN Cert following theft, loss etc. of temporary event notice	£10.50
Application for a grant or renewal of a Personal Licence	£37.00
Replacement of personal licence following theft, loss etc.	£10.50
Change of name or address of personal Licence Holder	£10.50
Right of freeholder etc. to be notified of licensing matters	£21.00

**GAMBLING ACT 2005 FEES**

Classes of premises licence	Application fee	Annual fee	Application to vary a licence	Application to transfer a licence	Application for reinstatement of a licence	Application for provisional statement
Regional casino premises	£15,000	£15,000	£7,500	£6,500	£6,500	£15,000
Large casino premises	£10,000	£10,000	£5,000	£2,150	£2,150	£10,000
Small casino premises	£8,000	£5,000	£4,000	£1,800	£1,800	£8,000
Converted casino premises		£3,000	£2,000	£1,350	£1,350	
Bingo premises licence	£3,500	£1,000	£1,750	£1,200	£1,200	£3,500
Adult gaming centre premises	£2,000	£1,000	£1,000	£1,200	£1,200	£2,000
Betting premises (track)	£2,500	£1,000	£1,250	£950	£950	£2,500
Family entertainment	£2,000	£750	£1,000	£950	£950	£2,000
Betting premises (other) licence	£3,000	£600	£1,500	£1,200	£1,200	£3,000
Lottery registration	£40.00	£20.00				



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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