

Report of	Meeting	Date
Director of People and Places	Licensing and Public Safety Committee	9 March 2011

ANNUAL REVIEW OF LICENCE FEES

PURPOSE OF REPORT

1. To present to Members the proposed licensing fees for 2011/2012 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 receive responses to the proposed increase in fees and charges and report to the Executive Member for Transformation.
3. That Members delegate the consideration of any representations received and subsequent reporting to the Executive Member, to the Director of People and Places in consultation with the Chair of Licensing and Public Safety Committee.

EXECUTIVE SUMMARY OF REPORT

4. Licensing fees were last reviewed in March 2010 when Members approved recommendations contained in that report.
5. The purpose of this report is to underpin the financial liabilities of the Council's Public Protection Team. In the majority of cases the licensing services that the Public Protection Team deliver are provided for by statute, where the Council may recover the reasonable cost involved in providing that service.
6. 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 4% for this financial year and any fees affected by the increase shall be amended to the nearest pound. This is in line with the increase in fees and charges across other Council services.

REASONS FOR RECOMMENDATION

(If the recommendations are accepted)

7. To ensure that the fees which the Council has discretion to set are in line with the cost of providing the associated licensing service.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. None

CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			X

BACKGROUND

10. 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. Should any amended regulations regarding Licensing Act 2003 fees become apparent in the future members will be advised.
11. With regard to fees that have been set by statute under The Gambling Act 2005, the Council has no discretion to increase fees other than within the banding of the fees and charges set by statute. As the Council has previously determined to set the fees and charges within the upper most band for this element of the public protection service there is no scope for any increase in fees and charges. Issues of enforcement regarding gambling have occupied the time of the public protection officers this year. Further enforcement actions and proactive measures taken in partnership with the Gambling Commission, have led to a regularised and legitimate structure of gambling within Chorley and for this reason the fees attached to premises and gaming licenses, authorised under the Gambling Act 2005 will remain unchanged.
12. With regard to private hire and hackney carriage licence fees the Council held these for 2010/11 but Members will be aware that inflationary pressures have been brought to bear on Council costs and these should be passed on to those receiving the service. It is proposed that the fees and charges are increased by 4% in line with other fee and charge increases.
13. The proposed increases in hackney carriage and private hire licensing fees are required be advertised and a 28 day period allowed for any objections to be received. Should objections be received it is proposed that they will be considered by the Director of People and Places in consultation with the Chair and a delegation be given by Members for this to take place. The Director will then report the results of the Consultation to the Executive Member for Transformation who will consider the responses and decide whether to proceed with the increase in Fees and Charges.
14. Appendix A sets out the effect of the proposed increases.
15. Appendix B sets out the Notice of Proposed Fees which the Council are required to publish if the private hire and hackney carriage increases in fees and charges are approved.

IMPLICATIONS OF REPORT

16. This report has implications in the following areas and the relevant Directors' comments are included

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

COMMENTS OF THE HEAD OF GOVERNANCE

17. The responsibility for setting the fees lies with full council and they have proposed an increase of 4%. Before implementation the Council are obliged to advertise the proposed increase and receive representations. The proposal that these responses are reported by this Committee to the Executive Member for Transformation (who has authority to adopt the increase as it forms part of the budget process) is appropriate. Given the significant delay until the next Licensing and Public Safety Committee it is similarly appropriate in order to ensure that this matter is dealt with in a timely fashion, to delegate to the Director of People and Places in consultation with the Chair of this Committee the power to collate and report to the Executive Member the results of the responses.

COMMENTS OF THE DIRECTOR OF TRANSFORMATION

18. I agree with the comments above from the Head of Governance in respect of the budget setting process and adoption of the fees.

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	24 February 2011	fees