

10 January 2018 at 6.00 pm

Conference Room, Argyle Road, Sevenoaks
Despatched: 21.12.17



Licensing Committee

Membership:

Chairman, Cllr. Mrs. Morris; Vice-Chairman, Cllr. Clark
Cllrs. Dr. Canet, Clack, Esler, Kelly, Lake, McArthur, Parkin, Pett, Mrs. Bosley,
Halford and Raikes

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Minutes To agree the Minutes of the meeting of the Committee held on 12 July 2017, as a correct record.	(Pages 1 - 2)	
2. Declarations of interest Any interests not already registered.		
3. Actions from the previous meeting		
4. Appointments to Licensing Hearing sub-committees	(Pages 3 - 4)	Vanessa Etheridge Tel: 01732 227199
5. Gambling Act 2005: Licence Fees from April 2018	(Pages 5 - 10)	Sharon Bamborough Tel: 01732227325
6. Local Government (Miscellaneous Provisions) Act 1982 - Licence Fees From April 2018	(Pages 11 - 14)	Sharon Bamborough Tel: 01732227325
7. Hackney Carriage and Private Hire Licensing: Licence Fees from April 2018	(Pages 15 - 22)	Sharon Bamborough Tel: 01732227325

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

LICENSING COMMITTEE

Minutes of the meeting held on 12 July 2017 commencing at 6.00 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice Chairman)

Cllrs. Dr. Canet, Kelly, Lake, McArthur, Parkin, Pett, and Raikes

Apologies for absence were received from Cllrs. Esler, Mrs. Bosley and Halford

A minute's silence was held for Cllr. Cooke and Claire Perry, the Licensing Partnership Manager.

1. Minutes

Resolved: That the minutes of the Licensing Committee held on 4 January 2017 and of the Licensing Hearing held on 30 January 2017, be approved and signed by the Chairman as a correct record.

2. Declarations of interest

There were none.

3. Actions from the previous meeting

There were none.

4. Appointments to Licensing Hearing Sub-Committees

The Committee considered a report setting out the proposed memberships for the Sub-Committees for Licensing Hearings.

Resolved: That the following memberships of the Licensing Sub-Committees, be approved

Sub-Committee A - Cllrs. Clark, Esler and Kelly

Sub Committee B - Cllrs. McArthur, Pett and Raikes

Sub Committee C - Cllrs. Halford, Lake and Mrs. Parkin

Sub Committee D - Cllrs. Mrs. Bosley, Dr. Canet and Vacancy

Cllr. Mrs Morris a floating Member.

THE MEETING WAS CONCLUDED AT 6.14 PM

CHAIRMAN

APPOINTMENTS TO LICENSING HEARING SUB-COMMITTEES

Licensing Committee - 10 January 2018

Report of Chief Officer Corporate Services

Status: For Decision

Key Decision: No

Portfolio Holder Cllr. Anna Firth (Legal and Democratic Services)

Contact Officer Vanessa Etheridge, Ext. 7199

Recommendation to Licensing Committee: That the memberships of the Licensing Sub-Committees as set out in paragraph 3 below be approved.

Reason for recommendation: For compliance with Part 8 of the Sevenoaks District Council Constitution

Introduction and Background

- 1 At the meeting on 12 July 2017 the Committee agreed the memberships of the Licensing Hearing Sub Committees. At that time there was a vacancy on the Committee and Sub Committee D was left with a vacancy.
- 2 Since that time Cllr Miss Stack has been appointed, at Council on 22 November 2017, to serve on the Licensing Committee. This report therefore seeks affirmation of the current sub-committee groups and the appointment of Cllr. Clack to Sub Committee D.

Proposed Memberships

- 3 The proposed memberships for the Sub-Committees are set out below:

Sub-Committee A - Cllrs. Clark, Esler and Kelly

Sub-Committee B - Cllrs. McArthur, Pett and Raikes

Sub-Committee C - Cllrs. Halford, Lake, and Parkin

Sub-Committee D - Cllrs. Mrs. Bosley, Dr. Canet and Clack

Cllr. Mrs Morris to be a floating Member

Any member of the Licensing Committee may act as a substitute on any of the Licensing Sub-Committees. However, the Democratic Services Team

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would aim to select a Member to act as reserve attendee for each hearing in case of non-attendance.

Key Implications

Financial

None directly arising from this report.

Legal Implications and Risk Assessment Statement

The recommendation is in line with best practice and is to comply with the Committee's terms of reference.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Appendices

None

Background Papers

[Previous reports to Committee and Annual Council Papers](#)

Jim Carrington-West
Chief Officer for Corporate Services

GAMBLING ACT 2005: LICENCE FEES FROM APRIL 2018

Licensing Committee - 10 January 2018

Report of Chief Officer Environmental and Operational Services

Status: For Decision

Also considered by: Council - 20 February 2018

Key Decision: No

This report supports the Key Aim of Safe Communities to aid in the reduction of crime within the District.

Portfolio Holder Cllr. Anna Firth (Legal and Democratic Services)

Contact Officer Sharon Bamborough, Ext. 7325 / 07970 731616

Recommendation to the Licensing Committee:

That Full Council be recommended to approve the appropriate fee levels as set out in Appendix A.

Recommendation to Council:

That subject to the comments of the Licensing Committee, the fees set out in Appendix A are approved.

Reason for recommendation: to ensure that the Council complies with its statutory duty and ensure that the licensing of Gambling premises is self financing, in accordance with the Council's Service and Budget Plan. A fees model, similar to the one used to first set the Gambling Act fees in 2007 was used.

Introduction and Background

- 1 The Gambling Act 2005 Section 212 gives the Secretary of State power to make regulations prescribing the fees payable to the Licensing Authority. It also gives the power to devolve to Licensing Authorities in England and Wales the freedom to set fees for premises licence applications, subject to any constraints the Secretary of State may prescribe which includes a maximum fee level. The government has decided that for England and Wales, Licensing Authorities will determine their own fees for gambling premises licences but that the Secretary of State will prescribe the maximum fee payable for each category of licence.

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- 2 The maximum levels have been included in Appendix A in brackets for comparison purposes. The previous years fees are printed in italics for your information. Those cells that are shaded in the body of the table are where we have reached the maximum fee level that may be set.
- 3 There is an initial fee to cover the cost of application and an annual fee.
- 4 Licensing Authorities have been asked to set fees to ensure full cost recovery and that the fee levels represent fairness and value for money for the gambling industry. All Licensing Authorities must set their fees upon a cost recovery basis only and will be required to review their fee levels on an annual basis to ensure this.
- 5 Fees must be set for all types of premises licences and Temporary Use Notices (TUN's).

Premises type

- Casinos
 - Bingo
 - Betting (off-course)
 - Tracks (on-course betting)
 - Adult Gaming Centres
 - Family Entertainment Centres
- 6 Fees must be set by each Licensing Authority for the following:
 - Application for a (new) premises licence
 - Application to vary a premises licence
 - Application to transfer the licence
 - Application for re-instatement of the premises licence
 - Application for a provisional statement
 - Application for a premises licence for a premises which already has a provisional statement
 - Fee to accompany a request for a copy of the premises licence
 - Fee to accompany a notification of change of circumstances (only relevant change is that of address)
 - Fee to accompany a temporary use notice

- 7 The District currently has six betting premises that will be affected by the proposed fee increases. There are no other gambling premises currently operating in the District. The betting premises are:
- William Hill – Swanley
 - Betfred – Swanley
 - Ladbrokes – Swanley
 - Coral – St. John’s Hill, Sevenoaks
 - Coral – London Road, Sevenoaks
 - Coral - Edenbridge
- 8 The fees have been calculated by examining the time it takes to carry out the various tasks in processing the application and who in the authority is likely to carry them out. The hourly rates of staff are fed in to a spread sheet (originally produced by LACORS to calculate the Gambling Act fees) to calculate costs for each type of activity.
- 6 The type of tasks involved in Gambling premises application include assistance to applicant, checking of an application upon receipt, processing the application, assess representations for relevance, undertake informal mediation, undertaking site visits where necessary. Once processed determining the licence or arranging a hearing and holding a hearing, notification of the decision, prepare and issue the licence, update the records/register, appeal preparation and holding an appeal hearing.
- 7 The costs associated with an appeal and hearings have been estimated and an estimation has been made as to the likelihood of these events occurring is entered into the final calculations. The risk of appeals and hearings occurring has been based on the experience of our partners within the Licensing Partnership.
- 8 The result of the calculations is set out in Appendix A of the report. There are three figures for each licence type/fee. The figure in bold font is the new proposed fee, the figure in brackets is the maximum fee set by the legislation and the figure in italics is the existing fee. Those cells that are shaded in the body of the table are where we have reached the maximum level of fee that can be set.

Other Options Considered and/or Rejected

- 9 If the Licensing Committee were minded not to approve these fees the Council would not be able to meet the Council’s Service and Budget Plan or ensure the licensing of Gambling premises was self-financing.

SEVENOAKS DISTRICT COUNCIL'S GAMBLING ACT 2005 - FEES
From April 2018

Premises Type	New Application			Annual Fee		
	£			£		
Existing Casinos	n/a			n/a		
	Proposed	cap	<i>existing</i>	Proposed	cap	<i>existing</i>
New Small Casino	8000	(8,000)	7820	4449	(5000)	4340
New Large Casino	9225	(10,000)	9000	7180	(10000)	7005
Bingo Club	2275	(3500)	2220	800	(1000)	780
Betting Premises (excluding Tracks)	2860	(3000)	2790	579	(600)	565
Tracks	1784	(2500)	1740	800	(1000)	780
Family Entertainment Centres	1784	(2000)	1740	656	(750)	640
Adult Gaming Centre	1784	(2000)	1740	800	(1000)	780
Temporary Use Notice	231	(500)	225	N/A		

	Application to Vary	Application to Transfer	Application for Re-Instatement	Application for Provisional Statement	Licence Application (provisional Statement holders)	Copy Licence	Notification of Change
	£	£	£	£	£	£	£
BOLD = proposed fee (figure) = statutory CAP Italics =existing fee Blue / shading = cap reached							
Existing Casinos	n/a	n/a	n/a	n/a	n/a	n/a)	n/a)
New Small Casino	3916 (4000) <i>3820</i>	1686 (1800) <i>1645</i>	1686 (1800) <i>1645</i>	8000 (8000) <i>7875</i>	2880 (3000) <i>2810</i>	12 (25) <i>12</i>	29 (50) <i>28</i>
New Large Casino	4382 (5000) <i>4275</i>	2142 (2150) <i>2090</i>	2142 (2150) <i>2090</i>	9230 (10000) <i>9005</i>	4228 (5000) <i>4125</i>	12 (25) <i>11</i>	29 (50) <i>28</i>
Bingo Club	1712 (1750) <i>1670</i>	1200 (1200) <i>1200</i>	415 (1200) <i>405</i>	2275 (3500) <i>2220</i>	1200 (1200) <i>1200</i>	12 (25) <i>11</i>	29 (50) <i>28</i>
Betting Premises (excluding tracks)	1500 (1500) <i>1500</i>	1200 (1200) <i>1200</i>	395 (1200) <i>385</i>	1784 (3000) <i>1740</i>	1200 (1200) <i>1200</i>	12 (25) <i>11</i>	29 (50) <i>28</i>
Tracks	1250 (1250) <i>1250</i>	950 (950) <i>950</i>	395 (1200) <i>385</i>	1737 (2500) <i>1695</i>	950 (950) <i>950</i>	12 (25) <i>11</i>	29 (50) <i>28</i>
Family Entertainment Centres	1000 (1000) <i>1000</i>	950 (950) <i>950</i>	400 (950) <i>390</i>	1777 (2000) <i>1735</i>	950 (950) <i>950</i>	12 (25) <i>11</i>	29 (50) <i>28</i>
Adult Gaming Centre	1000 (1000) <i>1000</i>	1200 (1200) <i>1200</i>	400 (950) <i>390</i>	1777 (2000) <i>1735</i>	1200 (1200) <i>1200</i>	12 (25) <i>11</i>	29 (50) <i>28</i>

SEVENOAKS DISTRICT COUNCIL'S GAMBLING ACT 2005 - FEES
From April 2018

Temporary Use Notice	n/a	n/a	n/a	n/a	n/a	12 <i>(25)</i> <i>11</i>	29 <i>(50)</i> <i>28</i>
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The proposed new fees as shown in bold type in the table above. For ease of reference the maximum fees identified by DCMS that could be charged are shown in brackets and last year's fees are in italics. Those cells that are shaded in the body of the table are where we have reached the maximum level of fee that can be set.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982: LICENCE FEES FROM APRIL 2018

Licensing Committee - 10 January 2018

Report of Chief Officer Environmental and Operational Services

Status: For Decision

Also considered by: Council - 20 February 2018

Key Decision: No

This report supports the Key Aim of Safe Communities to aid in the reduction of crime within the District.

Portfolio Holder Cllr. Anna Firth (Legal and Democratic Services)

Contact Officer Sharon Bamborough, Ext. 7325 / 07970 731616

Recommendation to the Licensing Committee:

That Full Council be recommended to approve the appropriate fee levels as set out in paragraph 4 of the report.

Recommendation to Council:

That subject to the comments of the Licensing Committee, the fees set out in paragraph 4 of the report, be approved.

Reason for recommendation: to ensure that the Council complies with its statutory duty and ensure that the licensing of Sexual Establishments is self financing, in accordance with the Council's Service and Budget Plan. A fees model, similar to the one used to first set the Gambling Act fees in 2007 was used.

Introduction and Background

- 1 The fees have been calculated by examining the time it takes to carry out the various tasks in processing the application and who in the authority is likely to carry them out. The hourly rates of staff are fed in to a spread sheet (originally produced by LACORS to calculate the Gambling Act fees) to calculate costs for each type of activity.
- 2 The type of tasks involved in Sexual Establishment premises application include assistance to applicant, checking of an application upon receipt, processing the application, assess representations for relevance, undertake

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informal mediation, undertaking site visits where necessary. Once processed determining the licence or arranging a hearing and holding a hearing, notification of the decision, prepare and issue the licence, update the records/register, appeal preparation and holding an appeal hearing.

- 3 The costs associated with an appeal and hearings have been estimated and an estimation has been made as to the likelihood of these events occurring is entered into the final calculations. The risk of appeals and hearings occurring has been based on the experience of our partners within the Licensing Partnership. This has been increased in likelihood following the applications at Maidstone Borough Council.
- 4 The result of the calculations is that a fee of £3,670 is set for a new application or a renewal application. The experience of our partners is that as many representations are received for a new and renewal application. However, there is less likely to be a hearing for a transfer of an application and therefore this cost is set at £1,840. *The existing fee is £3,580 for new/renewal and £1795 for transfers. An inflationary increase has been applied in recognition that general staffing and overhead costs will increase next year.*

Other Options Considered and/or Rejected

- 5 If the Licensing Committee were minded not to approve these fees the Council would not be able to meet the Council's Service and Budget Plan or ensure the licensing of Sexual Entertainment Venue premises was self-financing.

Key Implications

Financial

The cost of licence fees takes into account the need to maintain a 'self financing' position for the service. The proposals contained in this report will achieve this. However, there are no Sexual Entertainment Venues within the District at the moment.

Legal Implications and Risk Assessment Statement.

Should parts of industry believe the authority's fees are at a level which is greater than the costs of the statutory functions then it would be open to them to undertake a judicial review proceeding. Should this arise, the authority would need to evidence how it arrived at the fee levels to demonstrate that they have been calculated on a cost recovery basis only.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

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HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING: LICENCE FEES FROM APRIL 2018

Licensing Committee - 10 January 2018

Report of Chief Officer Environmental and Operational Services

Status: For Decision

Key Decision: No

This report supports the Key Aim of Safe and Caring Communities and Dynamic and Sustainable Economy

Portfolio Holder Cllr Anna Firth (Legal and Democratic)

Contact Officer Sharon Bamborough, Ext. 7325 / 07970 731616

Recommendation to Licensing Committee:

That the Licensing Committee recommend that the fee levels as set out in paragraph 10 of the report are appropriate for consultation with the taxi trade.

If following consultation there are no adverse comments to the proposed levels the recommendation is that the proposed fees and charges are implemented from 1st April 2018 and no further meeting is required to confirm the fees.

Reason for recommendation:

To ensure that the Council complies with its statutory duty and ensure that the 'Taxi Licensing' service remains self-financing, in accordance with the Council's Service and Budget Plan.

Introduction and Background

- 1 This taxi licensing service is required to be self-financing and the proposed increases to fees will ensure this is maintained.
- 2 The licence fees and associated costs of 'taxi' licensing are proposed to be increased in line with the Council's Service and Budget Plan. A fees model, similar to the one used to first set the Gambling Act fees in 2007 was used to calculate the fees and charges. The fees have been calculated by examining the time it takes to carry out the various tasks in processing the application and who in the authority is likely to carry them out. The hourly rates of staff are fed in to a spread sheet to calculate costs for each type of activity.

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- 3 Careful monitoring of income and expenditure has been carried out over the current financial year and the income from licence fees and associated costs, together with expenditure has been in accordance with the objectives laid out in the budget plan. There are minimal changes to the fees this year due to efficiency savings that have been made within the Licensing Partnership. Only an inflationary increase is proposed.
- 4 In May 2017 a new computerised knowledge test was introduced across the partnership to replace the existing practical test which would be conducted in the cars. Due to the initial outlay of materials and time estimates to conduct the tests, an initial fee of £50.00 per person was set, and this has covered the costs of running the new style tests and equipment. Looking ahead, we have re-assessed the overheads and man-hours which will be required to manage the tests, and have been able to reduce the costs down in the next financial year to £46.00 per person.
- 5 A change to procedure now requires the new applicants for Hackney Carriage and Private Hire drivers licences to successfully pass the knowledge test *before* an application will be accepted, so the cost of the test is now shown separately to the application fee.
- 6 The type of tasks involved in taxi licensing applications include assistance to applicant, checking of an application upon receipt, processing the application. Once processed determining the licence or arranging a hearing and holding a hearing, notification of the decision, prepare and issue the licence, update the records/register, appeal preparation and holding an appeal hearing. Compliance tests of drivers, vehicles and operators. Training of Officers and Members has also been included, as well as the cost of consumables.
- 7 In September 2016 all Council Chief Executives were contacted by the Driving Standards Agency (DVSA) to advise them that they were withdrawing the service of testing the driving standards for new drivers. The Council found an alternative test which costs applicants less money but maintains the standards of the previous test. The fee is now £70. All new drivers are required to take the test in accordance with the Council's 'Taxi Licensing Policy'. The fee is paid by the applicant directly to TGTraining.
- 8 The Cedars Surgery at Swanley is the current approved Centre for medical examinations with respect to Driver Licence applications in accordance with the Taxi Licensing Policy. Cedars Surgery won the tender during 2015 with a reduced fee payable by the applicant of £45, previously the cost was £50. This is the second reduction in the cost of the medical fee.
- 9 The fee for the Disclosure Barring Service (DBS) Enhanced Search remains the same at £44. However, applicants can now register online when they apply for a DBS search. The registration lasts for one year and costs £13 per year. This would save an applicant £5 over three years. It allows applicants to take their search certificate from one job to the next and removes the need for an enhanced search to be carried out upon renewal. The Licensing

Team promotes the uptake of the online checking service as it assists in streamlining the online form application process.

- 10 The three costs mentioned in the preceding paragraphs, which a new applicant has to pay, means, that in addition to the licence fee set by Members, a new applicant for a Hackney Carriage driver licence will have to pay, if the recommended licence fee increase is approved, a total of £394 from 1 April 2018 whilst an applicant for a renewal of a licence will pay a total of £192 from the same date.

	Application for a new HC driver licence	Renewal of a HC driver's licence	Application for a new PH driver licence	Renewal of a PH driver's licence
Computerised Knowledge test	£46.00	Not applicable	£46.00	Not applicable
Application	£189.00	£103	£154	£103
DBS enhanced search	£44.00	£44.00	£44.00	£44.00
Medical (paid direct to centre)	£45.00	£45.00	£45.00	£45.00
Driving Standards Assessment test	£70	Not applicable	£70	Not applicable
Total	£394	£192	£359	£192

	Existing Fees	New Fees from April 2018
Hackney Carriage Driver Licence		
Computerised Knowledge test	(£50 deducted from application fee)	£46
On initial application	£230 (including knowledge test) for three years	£189 (excluding knowledge test fee) for three years

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	Existing Fees	New Fees from April 2018
Disclosure Barring Service search fee	£44 every three years or £13 per year if they sign up to the DBS online service	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£274 for three years	£279 for three years
On renewal	£100 for three years	£103 for three years
Disclosure Barring Service search fee	£44 every three years or £13 per year if they sign up to the DBS online service	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£144 for three years	£147 for three years
Hackney Carriage Vehicle Licence	£325 for one year	£333 for one year
Private Hire Operator Licence		
On initial application - 5 year licence	£480 for five years	£492 for five years
On renewal - 5 year licence	£465 for five years	£477 for five years
On initial application - 3 year licence	£330 for three years	£338 for three years
On renewal - 3 year licence	£315 for three years	£323 for three years
On initial application - 1 year licence	£180 for one year	£185 for one year
On renewal - 1 year licence	£170 for one year	£174 for one year
Private Hire Driver Licence		
Computerised knowledge test	£50	£46
On initial application	£150	£154

	Existing Fees	New Fees from April 2018
Disclosure Barring Service search fee	£44 every three years or £13 per year if they sign up to the DBS online service	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£244 for three years	£244 for three years
On renewal	£100 for three years	£103 for three years
Disclosure Barring Service search fee	£44 every three years or £13 per year if they sign up to the DBS online service	£44 every three years or £13 per year if they sign up to the DBS online service
Total (including DBS fee)	£144 for three years	£147 for three years
Private Hire Vehicle Licence	£325 for one year	£333 for one year
Additional Costs		
Change from Hackney Carriage to Private Hire	£70	£72
Change from Private Hire to Hackney Carriage	£90	£92
Replace vehicle plate	£23	£24
Replace driver badge	£10	£10
Vehicle re-test	£54.85	£54.85
Vehicle partial re-test	£27.43	£27.43
Change of ownership of licensed vehicle	£69	£71
Failure to attend in time for the vehicle test (10 minutes prior to the test start time)	£27.43	£27.43

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	Existing Fees	New Fees from April 2018
Failure to attend with correct documentation	£27.43	£27.43
Copy of existing paper licence	£12	£12
Change of address details for a replacement licence	£12	£12
Change of name for a vehicle or operator licence	£12	£12
Change of name and address for a driver badge	£21	£22
Medical fee for a new and renewal driver licence for Hackney Carriage and Private Hire payable directly to The Cedars Surgery	£45 for three years payable directly to the surgery	£45 for three years payable directly to the surgery
<p>Replacement Vehicles</p> <p>If a licensed vehicle is replaced during the valid licence period then the cost of licensing the replacement vehicle will be £296. However, if the vehicle is replaced within six months of the issue of the licence then the fee will be reduced by £60.</p> <p>If a licensed vehicle is replaced temporarily for up to 2 months because of damage to it then the fee will be £100 to test and licence the replacement vehicle and a further £100 to test and re-licence the original vehicle.</p>		

- 11 The figures provided for the types of licence are as a result of using the spreadsheets as detailed above. This provides us with a far more accurate method of determining whether the Council is covering its costs for the Taxis and Private Hire Licensing service.
- 12 The Licensing Partnership will email those Hackney Carriage Proprietors, Private Hire Operators and Drivers where we have their email addresses to advise them of the proposed fees. Should adverse comments be received regarding the fees a further Licensing Committee meeting will be held to provide them the opportunity to make comment. A Notice will also be available on the Council's website.

Other Options Considered and/or Rejected

- 13 If the Licensing Committee were minded not to approve these fees the Council would not be able to meet the Council's Service and Budget Plan or ensure the Taxi Licensing Service was self-financing.

Key Implications

Financial

The cost of licence fees takes into account the need to maintain a 'self financing' position for the service. The proposals contained in this report will achieve this.

Legal Implications and Risk Assessment Statement.

Should parts of industry believe the authority's fees are at a level which is greater than the costs of the statutory functions then it would be open to them to undertake a judicial review proceeding. Should this arise, the authority would need to evidence how it arrived at the fee levels to demonstrate that they have been calculated on a cost recovery basis only.

Equality Impacts

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Appendices None

Background Papers None

Richard Wilson
Chief Officer Environmental and Operational Services

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