



## Licensing, Health and Safety and General Purposes Committee

**Date:** Wednesday, 16 March 2016

**Time:** 6.00 pm

**Venue:** Committee Room 1 - Wallasey Town Hall

**Contact Officer:** Anne Beauchamp

**Tel:** 0151 691 8608

**e-mail:** [annebeauchamp@wirral.gov.uk](mailto:annebeauchamp@wirral.gov.uk)

**Website:** <http://www.wirral.gov.uk>

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### AGENDA

**1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee are asked to consider whether they have any disclosable pecuniary or non pecuniary interests in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

**2. MINUTES**

To approve the accuracy of the minutes of the special meeting held on 25 February 2016 (to follow).

**3. PERIODIC REVIEW OF LICENSING FEES FOR MARRIAGE PREMISES LICENCES (Pages 1 - 4)**

**4. PERIODIC REVIEW OF LICENSING FEES FOR SEXUAL ENTERTAINMENT VENUE LICENCES (Pages 5 - 8)**

**5. PERIODIC REVIEW OF LICENSING FEES FOR TAXIS AND PRIVATE HIRE VEHICLES (Pages 9 - 14)**

**6. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR (PART 1)**

To consider any other business that the Chair accepts as being urgent.

**7. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

**8. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR (PART 2)**

To consider any other business that the Chair accepts as being urgent.



## LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

16 MARCH 2016

<b>REPORT TITLE</b>	<b>PERIODIC REVIEW OF LICENSING FEES FOR MARRIAGE PREMISES LICENCES</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

### REPORT SUMMARY

The purpose of this report is for Members of the Licensing, Health and Safety and General Purposes Committee to review and approve the licence fees in respect of Marriage Premises with effect from 1 April 2016.

### RECOMMENDATION/S

That Members of the Licensing, Health and Safety and General Purposes Committee approve the Marriage Premises Licence fee of £370 to remain unchanged.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

1.1 It is a statutory requirement for this Committee to approve the licence fee.

### **2.0 OTHER OPTIONS CONSIDERED**

2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

3.1 The Council are legally entitled to charge such a fee for licences that they consider reasonable with a view to recover the costs of the issue and administration of the licence.

3.2 Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 the cost of a licence must be related to the cost of the licensing scheme itself. It is therefore appropriate for a local authority to recover their administrative and other associated costs.

3.3 Estimated costs to the Licensing Section of licensing such premises has previously been calculated at £370 per application. A review of the costs has been undertaken and it has been identified that there will be no increase in the costs of licensing such premises and recommend that the licence fee of £370 remain unchanged.

### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are cost implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

### **5.0 LEGAL IMPLICATIONS**

5.1 A decision of the Committee may be subject to legal challenge.

### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

### **7.0 RELEVANT RISKS**

7.1 There are none arising directly from this report.

### **8.0 ENGAGEMENT/CONSULTATION**

8.1 There is no legal obligation to consult in the implementation of this legislation.

### **9.0 EQUALITY IMPLICATIONS**

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

**REPORT AUTHOR:** ***Margaret O'Donnell***  
*Licensing Manager*  
telephone: (0151) 691 8606  
email: [margaretodonnell@wirral.gov.uk](mailto:margaretodonnell@wirral.gov.uk)

**APPENDICES**

None

**REFERENCE MATERIAL**

None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Licensing, Health and Safety and General Purposes Committee</b>	<b>28 January 2015</b>

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## LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

16 MARCH 2016

<b>REPORT TITLE</b>	<b>PERIODIC REVIEW OF LICENSING FEES FOR SEXUAL ENTERTAINMENT VENUE LICENCES</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

### REPORT SUMMARY

The purpose of this report is for Members of the Licensing, Health and Safety and General Purposes Committee to review and approve the licence fee in respect of Sexual Entertainment Venue Licences with effect from 1 April 2016.

### RECOMMENDATION/S

That Members of the Licensing, Health and Safety and General Purposes Committee approve the Sexual Entertainment Venue Licences fee of £1226 to remain unchanged.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

1.1 It is a statutory requirement for this Committee to approve the licence fee.

### **2.0 OTHER OPTIONS CONSIDERED**

2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

3.1 The Council are legally entitled to charge such a fee for licences that they consider reasonable with a view to recover the costs of the issue and administration of the licence.

3.2 Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 the cost of a licence must be related to the cost of the licensing scheme itself. It is therefore appropriate for a local authority to recover their administrative and other associated costs.

3.3 Estimated costs to the Licensing Section of licensing such premises has previously been calculated at £1226 per application. A review of the costs has been undertaken and it has been identified that there will be no increase in the costs of licensing such premises and recommend that the licence fee of £1226 remain unchanged.

### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are cost implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

### **5.0 LEGAL IMPLICATIONS**

5.1 A decision of the Committee may be subject to legal challenge.

### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

### **7.0 RELEVANT RISKS**

7.1 There are none arising directly from this report.

### **8.0 ENGAGEMENT/CONSULTATION**

8.1 There is no legal obligation to consult in the implementation of this legislation.



## 9.0 EQUALITY IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

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*Licensing Manager*  
telephone: (0151) 691 8606  
email: [margaretodonnell@wirral.gov.uk](mailto:margaretodonnell@wirral.gov.uk)

## APPENDICES

None

## REFERENCE MATERIAL

None

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
<b>Licensing, Health and Safety and General Purposes Committee</b>	<b>28 January 2015</b>

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## LICENSING ACT 2003

### LICENSING ACT 2003 SUB-COMMITTEE

16 MARCH 2016

<b>REPORT TITLE</b>	<b>PERIODIC REVIEW OF LICENSING FEES FOR TAXIS AND PRIVATE HIRE VEHICLES</b>
<b>REPORT OF</b>	<b>ASSISTANT CHIEF EXECUTIVE</b>

### REPORT SUMMARY

The purpose of this report is for Members of the Licensing Health and Safety and General Purposes Committee to review and approve the licence fees in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 25 April 2016.

### RECOMMENDATION/S

That Members of the Licensing Health and Safety and General Purposes Committee review and approve the licence fees as set out in Appendix 1 in respect of Hackney Carriage, Private Hire and Operator Licences with effect from 25 April 2016, subject to any objections being received as part of the consultation process.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is a statutory requirement for this Committee to review and approve the licence fees.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 There is no provision for other options to be considered.

### **3.0 BACKGROUND INFORMATION**

The Council are legally entitled to charge such a fee for licences that they consider reasonable with a view to recover the costs of the issue and administration of the licence.

- 3.1 Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 the cost of a licence must be related to the cost of the licensing scheme itself. It is therefore appropriate for a local authority to recover their administrative and other associated costs.
- 3.2 The fees for Hackney Carriage, Private Hire and Operator Licences must be reviewed on an annual basis to determine whether the income received from the previous year has been in line with the cost of delivering the service. This review has been undertaken and it has been identified that the projected income received for the financial year 2015-2016 will not cover the costs of delivering the service.

### **PROPOSED FEES**

- 3.3 A review of the licensing budget in respect of the expenditure and income relating to the issue and the administration of licences for Hackney Carriage and Private Hire vehicles, Drivers and Operators has identified a projected deficit of income against expenditure to the sum of £9,123.00. In addition it has been identified that the current fee structure does not reflect the administration costs of all the processes that are currently undertaken by the Licensing Service in respect of Private Hire and Hackney Carriage functions.
- 3.4 It is proposed that in order to recover the deficit the current fees are increased by 4%. The proposed fees set out in the table in Appendix 1 are considered appropriate to recover the administration and associated costs of the service.
- 3.5 Members are asked to approve the fee structure proposed in Appendix 1 to be advertised for a period of 28 days. If any objections are received, they will be reported back to this Committee for consideration. If no objections are received Members are asked to approve the implementation of the fee structure in Appendix 1 from 25 April 2016.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are cost implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

#### **5.0 LEGAL IMPLICATIONS**

5.1 A decision of the Committee may be subject to legal challenge.

#### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are implications to the Council in undertaking this legal duty and this is recognised in the legislation which gives provision for the Council to recover the costs of administering the scheme and to ensure compliance.

#### **7.0 RELEVANT RISKS**

7.1 There are none arising directly from this report.

#### **8.0 ENGAGEMENT/CONSULTATION**

8.1 Increases in respect of Hackney Carriage and Private Hire Vehicle Licences and Private Hire Operators Licences must be advertised for a period of 28 days and if any objections are received, they will be reported back to this Committee for consideration.

#### **9.0 EQUALITY IMPLICATIONS**

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

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*Licensing Manager*  
telephone: (0151) 691 8606  
email: [margaretodonnell@wirral.gov.uk](mailto:margaretodonnell@wirral.gov.uk)

#### **APPENDICES**

- **APPENDIX 1 – Fee structure**

#### **BACKGROUND PAPERS/REFERENCE MATERIAL**

#### **BRIEFING NOTES HISTORY**

#### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

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**HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES**

	Current Fee (£)	Proposed Fee (£)
New Driver Licence Application Fee	55.00	<b>58.00</b>
Grant of Private Hire / Hackney Carriage Driver Licence – 3 years	115.00	<b>120.00</b>
Renewal Private Hire / Hackney Carriage Driver Licence – 3 years	115.00	<b>120.00</b>
New Private Hire Vehicle Licence - 12 months	169.00	<b>175.00</b>
Renewal Private Hire Vehicle Licence - 12 months	164.00	<b>170.00</b>
New / Renewal Hackney Carriage Vehicle Licence - 12 months	164.00	<b>170.00</b>
New Private Hire Vehicle Licence - 6 months	92.00	<b>95.00</b>
Renewal Private Hire Vehicle Licence - 6 months	87.00	<b>90.00</b>
New / Renewal Hackney Carriage Vehicle Licence - 6 months	87.00	<b>90.00</b>
Private Hire Operator - 1 vehicle                      5 years	461.00	<b>480.00</b>
Private Hire Operator - 2-10 vehicles                      5 years	816.00	<b>849.00</b>
Private Hire Operator - 11-50 vehicles                      5 years	1028.00	<b>1070.00</b>
Private Hire Operator - 51+ vehicles                      5 years	1241.00	<b>1290.00</b>
Private Hire Operator - each extra office	50.00	<b>52.00</b>
Vehicle Licence transfer	20.00	<b>21.00</b>
Replacement front vehicle plate/rear vehicle plate – plate lost (where new licence required)	30.00	<b>32.00</b>
Replacement front vehicle plate/rear vehicle plate – plate damaged	-	<b>10.00</b>
Change of registration number	-	<b>32.00</b>
Replacement driver badge	10.00	<b>10.00</b>
Replacement/copy licence	10.00	<b>10.00</b>

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