



Report to: Licensing and Environmental Health Committee, 11 Dec 2023

Report of: The Head of Worcestershire Regulatory Services on behalf of Worcester City Council

Subject: PROPOSED LICENSING & ENVIRONMENTAL HEALTH FEES AND CHARGES -2024/25

1. Recommendation

That Committee:

- 1.1 Note the contents of this report, in particular the draft Licensing & Environmental Health fees and charges for 2024/25 at Appendix 1**
- 1.2 Approves the undertaking of a 28-day statutory consultation in respect of hackney carriage, private hire vehicles and operators' licence fees & charges, as required by section 70 of the Local Government (Miscellaneous Provisions) Act 1976**
- 1.3 Resolves to recommend the draft Licensing & Environmental Health fees and charges for 2024/25 to Income Management Committee on 24th January 2024 for their approval, subject to the review of any consultation feedback received by way of recommendation 1.2.**

2. Background

- 2.1 As part of the legal agreement established with the formation of Worcestershire Regulatory Services, licensing remains a reserved matter. As a reserved matter all policy decisions, as well as income and fee setting remain the responsibility of the council.
- 2.2 It is the role of the council to review and set its licensing fees and charges on an annual basis. Worcestershire Regulatory Services Licensing and Support Services Manager works closely with the Corporate Director (Operations, Homes & Communities) and the Council's Finance Service in establishing accurate details, regarding working towards the full cost recovery in relation to the relevant Cost Centres.
- 2.3 This annual review of licensing fees and charges has now taken place by the Licensing Manager, the Corporate Director (Operations, Homes & Communities) and the Council's Finance Service. A copy of the proposed Licensing & Environmental Health fees and charges for 2024/25 is attached at "**Appendix 1**".
- 2.4 The review has resulted in a proposal to increase the Council's licensing, Food, Health & Safety and Pollution Control functions fees and charges, broadly in line with inflation by 6% rounded up, for the next financial year 2024/25. This would take into account the associated staffing and operational costs of the service.

Members should note that Alcohol and Entertainment licensing fees (Licensing Act 2003) and a proportion of the Gambling fees (Gambling Act 2005) are set nationally by Central Government. These fees are therefore not under the control of the Licensing and Environmental Health Committee.

- 2.5 Taxi licensing fees and charges must remain broadly cost neutral and the proposed fees reflect this based on the financial details of income generated and projections for 2024/25.
- 2.6 Further consideration has been given to the Council's other licensing and environmental health functions and the decision has been taken to increase these in line with inflation or for these fees to be set to an appropriate level to recover costs. Both stray dog fees and private water supplies have been increased by 6.8% in line with inflationary pressures.
- 2.7 Animal licensing, kennelling and scrap metal fees have been increased to ensure cost recovery. Animal Licensing fees have not been increased since the introduction of the Animal Licensing regime in 2018. Proactive enforcement work in this area of licensing and scrap metal have increased therefore the recommended percentage increase reflects this and has been implemented consistently across all districts.
- 2.8 Officer charges for enforcement and administering Health Certificates have also been reviewed and increased on a cost recovery basis. Both fees have previously been frozen since prior to the pandemic.
- 2.9 Pavement licence fees are also being reviewed by government and it is anticipated that new legislation will be introduced in late 2024, which will allow the Council to review and set these fees and charges at that time.

3. Preferred Option

- 3.1 The preferred option is for Members to note the proposed Licensing & Environmental Health fees and charges for 2024/25 shown at "**Appendix 1**" and recommend them to Income Management Committee on 24th January 2024 for approval.
- 3.2 Subject to approval on 24th January, the draft fees & charges will then be considered by Policy & Resources Committee and Council during February 2024, as part of budget setting.

4. Implications

Financial and Budgetary Implications

- 4.1 The option to increase fees will, if implemented, result in an increase in income to the Council. However, the licensing fees and charges are non-profit making and Cost Centres will reflect the operation of the service as being cost neutral.

Legal and Governance Implications

- 4.2 There is no statutory duty on the Council to consult when setting or revising licensing fees, except for those fees relating to hackney carriage, private hire vehicles and operators' licences.

4.3 As the proposal being put forward is to increase fees and charges in respect of the hackney carriage, private hire vehicles and operators' licences, the Council is required by section 70 of the Local Government (Miscellaneous Provisions) Act 1976, to advertise any proposed variation by publishing a notice in a local newspaper. This notice must provide a period of not less than 28 days for people to raise objections to the proposed variations to the fees.

Risk Implications

4.4 To minimise the risk of challenge to the setting of fees and charges, they are designed to meet but not exceed, the cost the Council reasonably believes will be incurred in the issuing of licences and the administration of the service.

Corporate/Policy Implications

4.5 The agreed income to be generated by the proposed licence fees and charges is in line with the current policy and the Council is not projected to make any profit on the licensing account for the forthcoming year.

Equality Implications

4.6 The Licensing and Environmental Health Committee must have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

4.7 Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

4.8 The council therefore believes that the proposal to increase licensing fees and charges by broadly 6% is in line with that of the current rate of inflation of approximately 6.7% and therefore does not adversely impact or unlawfully discriminate against any protected characteristics.

Human Resources Implications

4.9 No Human Resource implications have been identified.

Health and Safety Implications

4.10 No Health and Safety implications have been identified.

Social, Environmental and Economic Implications

4.11 The review has found it necessary to increase fee and charge for 24/25 due to inflationary pressures, however the council also recognises the economic pressure on licence holders and business, so have attempted to keep the increases to that of the current UK inflation rate where possible.

Ward(s): All

Contact Officer: Niall McMenamin – Principal Licensing Officer
Tel 01905 822799
niall.mcmenamin@worcsregservices.gov.uk

Background Papers: None