

Report to:	Licensing Committee
Date:	16th January 2023
Title:	Approval of Licensing Fees 2023/24
Report of:	Director of Service Delivery
Ward(s):	All
Purpose of report:	To recommend the licensing fees proposed within the Appendix 1 to apply from 1 April 2023.
Officer recommendation(s):	(1) To recommend to Full Council to approve the licensing fees proposed within Appendix 1 to apply from 1 April 2023
Reasons for recommendations:	To ensure that the licensing fees are approved by the Licensing Committee
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- 1 Introduction**
- 1.1 Licensing fees should be considered by the Licensing Committee and then be recommended to Full Council. The table at 2.6 summarises the predicted income for 2023/24 together with the estimated financial impact of the fees proposed to apply from 1 April 2023 as detailed in Appendix 1.
- 1.2 The Council as the Licensing Authority is responsible for administering a number of statutory and discretionary licensing regimes. Certain licensing fees and charges are prescribed by Central Government, as highlighted in the table below. Changes to the level of fees and charges set by Central Government are implemented as and when issued by the appropriate Department and communicated to service users through appropriate channels e.g. the Council's website. Central Government has not, to date, announced any change in these fees for 2023/24. Other fees, as highlighted in the table below are set locally by Members.
- 1.3 Some general principles apply to those fees set locally:
- they cannot be used to generate a profit, and any surplus should be identified and carried over to the following year
 - it is acceptable to carry forward deficits from previous years
 - income from licence fees may only be spent on the specific regime from which they were generated
 - fees may not be discriminatory or to be used as an economic deterrent
- 2 Financial Overview**
- 2.1 2022-2023 has proved challenging for the licensing authority to meet the demand of delivering a broad service within Eastbourne Borough Council. There has been an increase in resources to meet the demand of the service.

- 2.2 There has been an increase in demands particularly arising from the updated Hackney and Private Hire Guidance implemented from 4th April 2022 as well as the challenges of the night-time economy.
- 2.3 There has been investment in 2022-23 in IT software to streamline the application process for taxi licensing, the project is ongoing.
- 2.4 There have been two main growth areas post Covid, in pavement licensing, and skin piercing and tattooing, which has called for Officers to review how much is charged for these licences.
- 2.5 There has been an increase in some proposed fees to meet the increased costs of delivering services. The proposed schedule of fees and charges is set out in Appendix 1.

Estimated financial impact of the fees proposed to apply from 1 April 2023 to 31 March 2024:

Eastbourne Borough Council Services	Budgeted income estimate for 2022/23 £	Additional income forecast 2023/24 £	2022/2023 indicative income forecast £
Discretionary charges (i.e. where fees are set by Eastbourne Borough Council)			
Taxi Licensing	123,150	117,125	240,150
Environmental Health (Includes Skin Piercing and Tattooing)	2,000	6,300	8,300
Gambling Act 2005	13,550	0	13,550
Animal Welfare	1,000	100	1,100
Miscellaneous Licences (Street Trading)	1,200	1,200	2,400
Total Discretionary Charges	140,900	124,600	265,500
Statutory charges (i.e. where fees are prescribed by Government)			
Licensing Act 2003	103,300	0	103,300
Miscellaneous Licences	5100	0	5100
Total Statutory Charges	108,400	0	108,400
Total income estimates	£249,300	£124,600	£373,900

3 Financial Significant Changes Impact

- 3.1 Since 2017 the income received for taxi and private hire licensing has reduced. However, the expenditure has increased i.e. the cost of providing the Service has gone up. The Authority is carrying a deficit at year end 2021/22 of £49,470.
- 3.2 Taking the current deficit into account and the increasing costs of the service an increase in fees is proposed for some areas of Taxi and Private Hire Licensing to meet the costs of delivering this service area.
- 3.3 Members are asked to note that there is a proposal for an increase in piercing and tattooing licensing fee. This fee has not been reviewed for some time and is an area in which the Council continues to receive new applications for year on year.
- 3.4 Eastbourne Borough Council has been one of few Councils who have not charged for pavement licences up until now, this was to support business during Covid. Due to the scheme being extended for another year under the Business and Planning Act 2020 there is a proposal to provide a charge for this service. The maximum fee that can be charged is £100.
- 3.5 The proposed changes are detailed in Appendix 1.

4 Financial Appraisal

- 4.1 This report explains how the Regulatory Services/Licensing is working towards financial sustainability. Constant reductions in Government funding mean that it is not possible to subsidise the provision of such services and the fee increases proposed here should move the service towards financial self-sufficiency. Following the Licensing Committee recommendation, the increase in budgeted income of £124,600 will be reflected within the final 2023/24 budget to be approved by Full Council in February 2023.
- 4.2 Discretionary charges and fees must be set annually at a level that it is reasonably believed will cover the costs of providing the service, and in accordance with the legal principles involved. The proposed fees for 2023/24 take account of the significant inflationary pressures, particularly on staffing costs, that the service is facing and ensure that costs are fully recovered. This is necessary in order to ensure that council taxpayers are not subsidising work concerning licensing administration.

5. Legal Implications

- 5.1 Licensing fees must be charged in accordance with the requirements of the particular legislation and the relevant caselaw.
- 5.2 The Legal Section considered this Report on 21 December 2022 (Iken 110605 EBC-MW)

6 Risk management implications

- 6.1 There are no risk management implications associated with this report.

7 Equality analysis

- 7.1 There are no equality implications associated with this report.

8 Environmental sustainability implications

8.1 There are no Environmental Sustainability implications associated with this report.

9. Appendices

9.1 Appendix 1 – Proposed Licensing Fees and Charges 2023-2024

10. Background papers

10.1 None