

Report to: Licensing Committee

Date: 14th December 2023

Title: Approval of Licensing Fees 24/25

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 2024

Officer recommendation(s): Members to consider and approve the Licensing fees to apply from 1 April 2024, proposed in Appendix 1, and recommend approved fees to Full Council

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 2.5 summarises the predicted income for 2024/25 together with the estimated financial impact of the fees proposed to apply from 1 April 2024, 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 2024/25. 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 year;
- 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 2023-2024 has proved challenging for the Licensing Authority to meet the demand of delivering a broad service within Lewes District Council.

- 2.2 There has been a further increase in demands particularly arising from the updated Hackney and Private Hire Guidance and CCTV implementation.
- 2.3 Members are asked to consider an increase in some fees to meet the increased costs of delivering service. The proposed schedule of fees and charges is set out in Appendix 1
- 2.4 The fees and charges were increased last year to meet inflations and the costs for the service. The Authority is carrying a surplus at year end 2022/23 of £57,063.
- 2.5 **Estimated financial impact of the fees proposed to apply from 1 April 2024 - 31 March 2025**

Discretionary charges (i.e. where fees are set by Lewes District Council)

Lewes District Council Services	Budgeted income estimate for 2023/24 £	Additional income forecast 2024/25 £	2024/2025 indicative income forecast £
Taxi Licensing	419,200	-17,212	401,988
Environmental Health (Includes Skin Piercing)	5,200	260	5,460
Gambling Act 2005	5,000	0	5,000
Miscellaneous Licences (Street Trading)	4,500	225	4,725
Port Health Licences	2,000	0	2,000
Animal Welfare	6,650	332.50	6,983
Total Discretionary Charges	442,550	-16,395	426,156

Statutory charges (i.e. where fees are prescribed by Government)

Lewes District Council Services	Budgeted income estimate for 2023/24 £	Additional income forecast 2024/25 £	2024/2025 indicative income forecast £
Licensing Act 2003	70,000	0	70,000
Miscellaneous Licences (Scrap Metal)	2,550	0	2,550
Total Statutory Charges	72,550	0	72,550
Total income estimates	£515,100	£16,395	£498,706

3 Financial Significant Changes Impact

- 3.1 Taking the continued increasing costs of the service a further increase in fees is proposed of 5 % for most areas of Licensing to meet the costs of delivering this service area. This also includes another resource to meet demands in administering taxi and private hire CCTV.

4 Financial appraisal

- 4.1 The council as the Licensing Authority is responsible for administering several statutory and discretionary licensing regimes taking the continued increasing costs of the service an increase in fees is proposed of 5% for most areas of Licensing to meet the costs of delivering this service area. However overall income is anticipated to be reduced in 2024/25 by £16,395. This is due to the anticipated schedule of taxi licence renewals that drivers must undertake every three years, causing income to fluctuate over a three-year period.

5 Legal implications

- 5.1 Licensing fees must be charged in accordance with the requirements of the particular legislation and the relevant case law. Members are asked to note that some fees are set by central Government, and some are locally set – as indicated in this Report.
- 5.2 Members are asked to note that case law has established that if there is any surplus or deficit in the fees generated then that must be taken into account when setting the following year's fees.
- 5.3 The Legal Section considered this Report on 25 November 2023 (IKEN 12470-LDC-MW).

6 Risk management implications

- 6.1 No relevance

7 Equality analysis

- 7.1 No relevance

8 Environmental sustainability implications

- 8.1 No relevance

9 Appendices

- 9.1
- Appendix 1 – Proposed Licensing Fees and Charges 2024-2025

10 Background papers

- 10.1
- None