

Report to: Licensing Committee

Date: 12 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.

Contact Officer(s): Name: Joanna Dunk
Post title: Regulatory Services Lead
E-mail: jo.dunk@lewes-eastbourne.gov.uk
Telephone number: 07920251841

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 Lewes District 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 4 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 three main growth areas post Covid, in pavement licensing, skin piercing and tattooing, and camping licences which has called for Officers to review how much is charged for these licences.
- 2.5 There has been an increase in some of the 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 – 31 March 2024:

Lewes District 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 Lewes District Council)			
Taxi Licensing	133,200	286,000	419,200
Environmental Health (Includes Skin Piercing and Tattooing)	2,000	3200	5,200
Gambling Act 2005	5,000	0	5,550
Animal Welfare	6,000	650	6,650
Total Discretionary Charges	146,200	289,850	433,050

Statutory charges (i.e. where fees are prescribed by Government)			
Licensing Act 2003	70,000	0	70,000
Environmental Protection	4,500	2550	4,000
Total Statutory Charges	74,500	2,550	77,050
Total income estimates	£220,,700	292,400	£513,100

3. Financial Significant Changes Impact

3.1 The fees and charges were reduced to support the trade during the time of Covid, and these have still not been reviewed since then. The Authority is carrying a surplus at year end 2021/22 of £99,277. However, the full cost of paying for Disability and Safeguarding training needs to be deducted from this figure; the final cost will not be accounted for until the end of this financial year.

3.2 Taking the increasing costs of the service into account, an increase in fees is proposed for some areas of Taxi and Private Hire Licensing to return to the original fees set prior to Covid. This is 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 and camping licences, and these have not been reviewed for some time, and is an area in which we continue to receive new applications year on year.

3.4 Lewes District 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 £100.00.

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 11632 -LDC-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