

Report to: Licensing Committee

Date: 5th December 2023

Title: Approval of Licensing Fees 2024/25

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 Eastbourne Borough Council.

2.2 There has been a further increase in demands particularly arising from the updated Hackney and Private Hire Guidance and CCTV implementation as well as work to tackle challenges relating to the night time economy.

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 deficit of at year end 2022/23 £79,064.

2.5 **Estimated financial impact of the fees proposed to apply from 1 April 2024 – 31 March 2025**

Eastbourne Borough Council Services	Budgeted income estimate for 2023/24 £	Additional income forecast 2024/25 £	2024/2025 indicative income forecast £
Discretionary charges (i.e. where fees are set by Eastbourne Borough Council)			
Taxi Licensing	240,150	34,754	274,904
Environmental Health (Includes Skin Piercing)	8,300	415	8,715
Gambling Act 2005	13,550	0	13,550
Animal Welfare	1,100	55	1,155
Miscellaneous Licences (Street Trading)	2,400	120	2,520
Total Discretionary Charges	265,500	35,344	300,844
Statutory charges (i.e. where fees are prescribed by Government)			
Licensing Act 2003	103,000	0	103,300
Miscellaneous Licences (Scrap Metal)	5,100	0	5,100
Total Statutory Charges	108,400	0	108,400
Total income estimates	£373,900	£35,344	£409,244

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 is 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. 2023-2024 has proved challenging for the Licensing Authority to meet the demand of delivering a broad service within Eastbourne Borough Council. 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. The proposed increase will result in an estimated increase in income of £35,344.

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 xxx (IKEN 12469-EBC-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.