

Time 10.05 am **Public Meeting?** YES **Type of meeting** Licensing
Venue Committee Room 3 - 3rd Floor - Civic Centre

Membership

Chair Cllr Zee Russell (Lab)
Vice-chair Cllr Rashpal Kaur (Lab)

Labour

Cllr Greg Brackenridge
Cllr Asha Mattu
Cllr Gillian Wildman
Cllr Val Evans
Cllr Sally Green
Cllr Jane Francis
Cllr Tersaim Singh

Conservative

Cllr Jonathan Crofts
Cllr Bob Maddox

Quorum for this meeting is three Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of previous meeting (Pages 1 - 2)
[To approve the minutes of the previous meeting held on 22 November 2023 as a correct record]. |
| 4 | Matters arising
[To discuss any matters arising from the minutes of the previous meeting]. |
| 5 | Review of Fees and Charges for General Licensing and Miscellaneous Matters for 2024-2025 (Pages 3 - 12)
[To approve the proposed fees and charges for 2024-2025]. |
| 6 | Review of Fees and Charges for Hackney Carriage and Private Hire Licensing functions for 2024-2025 (Pages 13 - 20)
[To approve the proposed fees and charges for 2024-2025]. |
| 7 | Update on Licensing of Non-Surgical Aesthetic Treatments
[To receive an update on Licensing of Non-Surgical Aesthetic Treatments]. |

CITY OF WOLVERHAMPTON COUNCIL	Regulatory Committee Minutes - 22 November 2023
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Attendance

Members of the Regulatory Committee

Cllr Zee Russell (Chair)
Cllr Rashpal Kaur (Vice-Chair)
Cllr Greg Brackenridge
Cllr Gillian Wildman
Cllr Sally Green
Cllr Jane Francis
Cllr Tersaim Singh
Cllr Jonathan Crofts
Cllr Bob Maddox

Employees

Greg Bickerdike	Licensing Manager
Paul Dosanjh	Service Manager - Trading Standards and Licensing Act
Ajoypal Simon	Section Leader Licensing
Ronald Sempebwa	Solicitor
Donna Cope	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies for absence**
Apologies were received from Councillor Asha Mattu.
- 2 **Declarations of interest**
There were no declarations of interest made.
- 3 **Minutes of previous meeting**
Resolved:
That the minutes of the meeting of the Regulatory Committee held on 14 June 2023 be confirmed as a true record and signed by the Chair.
- 4 **Matters arising**
There were no matters arising.

5 **Minutes - 23 October 2023 - Regulatory Sub-Committee**

Resolved:

That the minutes of the meeting of the Regulatory Sub-Committee held on 23 October 2023 be confirmed as a true record and signed by the Chair.

6 **Removal of Private Hire Vehicle Operator Administrative Charges**

Ajoypal Simon, Section Leader, presented the Removal of Private Hire Vehicle Operator Administrative Charges report, highlighting the key points. The report sought Committee approval for the removal of fees charged to private hire vehicle operators when updating their licence details. The removal of these fees would reduce the resource demand for taking the payment; reduce the likelihood of an operator delaying the notification of change in details; and reduce the cost for licence holders.

Councillor Rashpal Kaur moved the recommendations within the report and Councillor Gillian Wildman seconded the recommendations.

Resolved

That Members of the Regulatory Committee:

1. Approved the immediate removal of administrative charges levied upon private hire vehicle operators when updating their licence details.

Regulatory Committee

10 January 2024

Report Title	Review of Fees and Charges for General Licensing and Miscellaneous Matters for 2024-2025	
Wards affected	All	
Accountable Director	John Roseblade, Director of Resident Services	
Originating service	Licensing Services	
Accountable employee	Paul Dosanjh & Licensing Act Tel Email	Service Manager: Trading Standards 01902 556056 Paul.Dosanjh@wolverhampton.gov.uk
Report to be/has been considered by	None	

Recommendation for decision:

The Regulatory Committee is recommended to:

1. Approve the proposed fees and charges for General Licensing as set out in Appendices 1, 2 and 3 with effect from 1 April 2024.

1.0 Purpose

- 1.1 To submit for consideration proposed fees and charges for 2024-2025 in relation to certain licences and licensed activities that are regulated by the Regulatory Committee.

2.0 Background

- 2.1 The Council is empowered under statute to levy fees for the issue of local licences and permits.
- 2.2 The Council policy is to review its fees on an annual basis and introduce increases or decreases in line with the cost of providing the service. There is a requirement to pay due regard to the Council's social and economic policies.

3.0 Proposals for 2024-2025

3.1 General licensing

- 3.2 Certain licences, permits and registrations are subject to local control for fees and charges.
- 3.3 The additional fees and charges for acupuncture, tattooing, electrolysis, semi-permanent skin colouring and cosmetic piercing were approved by Councillors at the 10 July 2019 Licensing Committee. It is proposed that the existing fees and charges for acupuncture, tattooing, electrolysis, semi-permanent skin colouring and cosmetic piercing remain unchanged. These are detailed at Appendix 1.
- 3.4 It is proposed that the existing fees and charges for General Licensing for the current year 2023-2024 remain unchanged for the coming year 2024-2025 with the exception of the distribution of printed matter for two days, the Safety at Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987. These are detailed at Appendix 2.
- 3.5 One of three changes to the fees in Appendix 2 is the increase in the charge from zero to £25 for the distribution of free printed matter for two days for new businesses. This is a low charge that is not meant to discourage applicants for example, new businesses advertising opening events. It does however provide the opportunity for the Authority to recover the costs of administering the application process that often raises queries from applicants which often require advice and guidance from Licensing officers.
- 3.6 The second change in Appendix 2 is the uprating of the hourly rate for officers for both the Safety of Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987. This is as a result of the mechanism that is used to determine the hourly rate which is included in the Commercial Regulation Cost Recovery Policy which was approved by Cabinet Resources Panel on 16 November 2022.
- 3.7 The scrap metal fees included at the end of Appendix 2 are for information only as the setting of those fees is an executive function.

- 3.8 It is proposed that the Animal Welfare fees agreed by Councillors at committee on 28 November 2018 remain unchanged for the coming year 2024-2025. These are detailed at Appendix 3. Members should be aware of the intention to more thoroughly examine the fee structure in this area in the future. Any proposals for change will be brought to this Committee for approval.
- 3.9 The report also gives the Committee the opportunity to approve the correction of some typographical errors which appeared in the previous reports. Specifically, the charges for premises and practitioner registration for acupuncture, tattooing etc. in Appendix 1 were wrongly included as £105, whereas the correct fees were £201 and £271 which were approved at Non-Statutory Licensing Committee on 10 July 2019. These have been correctly charged ever since and not increased.
- 3.10 Similarly in Appendix 2 (2 (iii)) the fee for sexual entertainment venue (SEV) should read as £3,330 and not £3,380. Once again, the correct fees which were properly approved and have been correctly charged ever since approval.

4.0 Financial implications

- 4.1 Any impact on budgets arising as a result of the proposed fees and charges will be incorporated into budget setting process. It is important to be aware that additional income from increases in fees and charges is uncertain, as the resulting impact upon demand that will arise from changes in fees and charges cannot be predicted with certainty, although this is considered during the fee setting process. The impact of these changes to fees and charges will be examined closely as part of the revenue budget monitoring arrangements.
- 4.2 Should the Licensing Committee agree with the recommendations in this report the proposed discretionary fees and charges will ensure a cost-neutral service.
- 4.3 The premises and businesses that hold these types of licences had been adversely affected by Covid-19 including lockdowns and restrictive business practices. These businesses are now being affected by general economic conditions however, the costs involved with providing a licence have not reduced. It is however recognised that many businesses continue to find trading conditions difficult and, therefore, it is proposed to continue the scheme whereby the cost of licence renewals to can be spread over a 3-6 month period, where necessary.

[SB/10122023/S]

5.0 Legal implications

- 5.1 Generally, the Council is able to recover the cost of issuing and administering a licence. Unless controlled by statute, the Council will set fees and this will normally be on a cost recovery basis only. This will have been considered in previous reports.
- 5.2 Dependent on appropriate legislation, there is often a requirement to publish a change in fees, and it is deemed reasonable to publish before any changes are to take effect.

- 5.3 Section 6(1)(b) of the Safety of Sports Grounds Act 1975 (the Act) enables the Secretary of State to make regulations authorising Local Authorities to determine fees for safety certificate applications and these regulations include The Safety of Sports Grounds Regulations 1987 (the Regulations).
- 5.4 Regulation 8 provides that “a local authority may determine the fee to be charged in respect of an application for the issue, amendment, replacement or transfer of a safety certificate but such a fee shall not exceed an amount commensurate with the work actually and reasonably done by or on behalf of the local authority in respect of the application.”

[RS/18/12/2023-2]

6.0 Equalities implications

- 6.1 There are no equalities implications arising from this report.

7.0 Climate change and environmental implications

- 7.1 There are no climate change and environmental implications arising from this report.

8.0 Schedule of background papers

- 8.1 Non-Statutory Licensing Committee – 19 January 2022 – Review of Fees and Charges for General Licensing and Miscellaneous Matters for 2022-2023.
- 8.2 Non-Statutory Licensing Committee-10 July 2019-Addition to Fees and Charges for Acupuncture, Tattooing, Electrolysis, Semi-Permanent Skin Colouring and Cosmetic Piercing 2019 – 2020
- 8.3 Cabinet (Resources) Panel-16 October 2022- Policy to enable cost recovery of Enforcement Action in Licensing

APPENDIX 1**Fees and Charges for Acupuncture, Tattooing, Electrolysis, Semi-Permanent Skin Colouring and Cosmetic Piercing 2024 – 2025**

Registration	EXISTING CHARGE 2023 – 2024 £	PROPOSED CHARGE 2024 – 2025 £
Premises registration	201	201
Practitioner registration	271	271
Temporary practitioner registration	47	47
Administrative change of details (no inspection)	10.50	10.50
Re-issue of registration document	10.50	10.50

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APPENDIX 2

GENERAL LICENSING FEES AND CHARGES SUBJECT TO LOCAL CONTROL

LICENCE		EXISTING CHARGE 2023 – 2024 £	PROPOSED CHARGE 2024 – 2025 £
1.	Dangerous and Wild Animals		
(i)	Initial	505	505
(ii)	Full	260	260
(iii)	Random Inspections	175	175
2.	Sex Establishments		
(i)	Initial (Shop or Cinema)	2,500	2,500
(ii)	Renewal (Shop or Cinema)	2,000	2,000
(iii)	Initial SEV	3,330	3,330
(iv)	Renewal SEV	2,830	2,830
(v)	Initial Joint (Shop/Cinema/SEV)	3,750	3,750
(vi)	Renewal Joint (Shop/Cinema/SEV)	3,250	3,250
(vii)	Transfer	500	500
(viii)	Variation	At cost	At cost
3.	Highways Act 1980		
(i)	Table and chairs	25	25
(ii)	A-Boards	25	25
(iii)	Goods on the highway	25	25
4.	Clean Neighbourhoods and Environment Act 2005		
(i)	Distribution of free printed matter	300	300
(ii)	Additional badges	45	45
(iii)	1 day consent (up to 2 persons)	50	50
(iv)	7 day consent (up to 2 persons)	100	100
(v)	New small/medium business consent (2 days)	No charge	25

LICENCE		EXISTING CHARGE 2023 – 2024 £	PROPOSED CHARGE 2024 – 2025 £
5. Mini-bus permits and disc (5 years)			
(i)	Initial	25	25
(ii)	Renewal	25	25
(iii)	Replacement	25	25
6. The Safety of Sports Grounds Act 1975			
	To enable full cost recovery	£70 per hour plus newspaper advert costs	£85 per hour plus newspaper advert costs
7. The Fire Safety and Places of Sport Act 1987			
	To enable full cost recovery	£70 per hour plus newspaper advert costs	£85 per hour plus newspaper advert costs
<i>For information purposes only</i>			
8. Scrap metal dealers act 2013 (3 years)		£	£
(i)	Collectors	180	180
(ii)	Additional collectors copy of licence	50	50
(iii)	Site	500	500
(iv)	Additional site	275	275
(v)	Variation of licence	55	55

Fees and Charges for Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Initial fee for a new/renewal animal application

1 Year	2 Years	3 Years
£173.00	£173.00	£173.00

Licence expiry can be up to 3 years; the duration of licence will be determined via environmental health or vet upon inspection

Vet fees

Some animal application types require a veterinary inspection these costs will be payable directly to the veterinary and additional to the licence fee.

Breeding dogs
Hiring out horses

Fees payable upon grant

Compliance and enforcement fees will be payable upon grant of licence.

1 Year	2 Years	3 Years
£100.00	£134.00	£167.00

Additional licence type

If applying to be registered for more than one activity there is an additional fee of £67.00 per additional licence type.

Fees to amend licence

Re-evaluation of premises	£67.00
Variation of Licence without inspection	£28.00
Variation of Licence with inspection	£61.00
Transfer of Licence	£26.00

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<p>CITY OF WOLVERHAMPTON COUNCIL</p>	<h2>Regulatory Committee</h2> <p>10 January 2024</p>
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Report title	Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2024-2025	
Wards affected	All	
Accountable director	John Roseblade, Director of Resident Services	
Originating service	Licensing	
Accountable employee	Greg Bickerdike	Licensing Manager
	Tel	01902 554030
	Email	Greg.Bickerdike@wolverhampton.gov.uk
Report to be/has been considered by	None.	

Recommendation for decision:

The Regulatory Committee is recommended to:

1. Approve the proposed fees and charges as set out in Appendix 1 with effect from 1 April 2024.

1.0 Purpose

- 1.1 To seek approval for the proposed fees and charges relating to Hackney Carriages, Private Hire vehicles, drivers and operators' licences, and related licensing functions, from 1 April 2024.

2.0 Background

- 2.1 The Council is empowered by statute to levy fees and charges in respect of licences for Hackney Carriage and Private Hire Vehicles, Hackney Carriage and Private Hire Drivers, and Private Hire Vehicle Operators. The fees charged must be reasonable in relation to costs incurred in the issue, administration and enforcement of such licences.
- 2.2 It is important to note that licensing cannot make a profit and the income from fees may not be used to fund unrelated services in the Council. As such, income from fees is ring-fenced for relevant spending.
- 2.3 Council policy is that fees and charges should be reviewed annually and reflect the cost of providing the service.
- 2.4 The fees throughout this report are to be mirrored for South Staffordshire Council, whose taxi licensing function the Council undertakes on their behalf.

3.0 Use of reserve

- 3.1 On 29 March 2023, a report was presented to the Regulatory Committee proposing to reduce many fees. The Committee noted that the reduction in fees was expected to reduce the surplus of the licensing reserve by £1,079,146.
- 3.2 A reduction in the reserve has been achieved.

4.0 Proposals for Hackney Carriage and Private Hire Driver Fees

- 4.1 Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 refers to the driver licence fees and states that the fee must be based on the cost of issue and administration of a driver licence. This includes staffing, accommodation, stationery and other such associated costs.
- 4.2 Worcestershire County Council, in partnership with City of Wolverhampton Council, has delivered the existing Driver Training Programme for new Hackney Carriage and Private Hire Vehicle Driver licence applicants since 2008. This fee has not increased since 2013 and it is proposed that the fees increase, due to increased staffing costs.
- 4.3 The fees for driver licence replacements have been reviewed and updated to include postage, as well as increased production costs due to new licences which will be issued from April 2024.
- 4.4 The proposed fees and charges for Hackney Carriage and Private Hire Vehicle Driver licences for 2024-2025 are set out in Appendix 1.

5.0 Proposals for Hackney Carriage and Private Hire Vehicle Fees

- 5.1 Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 refers to the vehicle and operator licence fees and states that the fee must cover:
- A. the reasonable cost of the carrying out by or on behalf of the district council of inspections of Hackney Carriages and Private Hire Vehicles for the purpose of determining whether any such licence should be granted or renewed;
 - B. the reasonable cost of providing Hackney Carriage stands; and
 - C. any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of Hackney Carriages and Private Hire Vehicles.
- 5.2 The proposals have been developed in accordance with Council policy; to minimise costs to the trade whilst ensuring that public safety is not compromised and that the vehicle licensing function continues to operate on a cost neutral basis.
- 5.3 As the number of vehicles increase, the Compliance service is expanding to increase the number of officers available to investigate complaints. As such, it is proposed that the vehicle licence fee increases, to provide funding for recruiting more compliance officers and investigators.
- 5.4 The proposed fees and charges for Hackney Carriage and Private Hire Vehicle licences for 2024-2025 are set out in Appendix 1.

6.0 Proposals for Private Hire Vehicle Operator Fees

- 6.1 The proposed fees for Private Hire Vehicle Operator licences for 2024-2025 are set out in at Appendix 1.

7.0 Financial implications

- 7.1 The fees have been set on a basis of cost recovery and that Licencing is a ring-fenced area. It is difficult to accurately predict the demand for the Council's licensing service. There is a risk that the fees may result in either an over or underspend for 2024-25, but this can be adjusted by using Licensing reserve funding and, if required, rebalanced with the review of the fees in the next financial year.
- 7.2 The implications on both revenue costs and the Licensing reserve will be monitored as part of the Council's routine quarterly financial monitoring.

[SB/21122023/K]

8.0 Legal implications

- 8.1 Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 deals with drivers' licences for Hackney Carriage and Private Hire vehicles. It permits the Council to recover such a fee as they consider reasonable with a view to recovering the costs of issue and administration.

- 8.2 Section 70 of the 1976 Act provides that a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them to cover the cost of providing stands and reasonable administrative or other costs in connection with the control and supervision of Hackney Carriage and Private Hire vehicles.
- 8.3 Section 70 goes on to provide that public notice of new charges in relation to operators and vehicles is required to be given in a local newspaper. The closing date for the receipt of objections must not be less than 28 days after the date of publication. Should objections be received, consideration must be given to them and another date for implementation may have to be specified. Any objections received will be reported to the Committee for consideration. However, if there are no objections, the new charges will come into effect on the 1 April 2024.
- 8.4 The fees charged must be reasonable in relation to costs incurred in the issue, administration and enforcement of such licences.

[RS/18/12/2023-3]

9.0 Equalities implications

- 9.1 There are no direct equalities implications arising from this report.

10.0 All other Implications

- 10.1 There are no other direct implications.

11.0 Schedule of background papers

- 11.1 29 March 2023 - Review of Fees and Charges for Hackney Carriage and Private Hire Licensing Functions for 2023-2024 – Regulatory Committee

12.0 Appendices

- 12.1 Appendix 1: Proposed Fees and Charges

Proposed Fees and Charges for Hackney Carriage and Private Hire Licences 2024-2025

	Licence Type/Function		Fees and Charges For 2023-2024 £	Proposed Fees and Charges For 2024-2025 £
1.0 Drivers				
1.1	Hackney Carriage / Private Hire Vehicle Driver Licence	1 year licence New	49	49
1.2		1 year licence Renewal	39	39
1.3		3 year licence New	98	98
1.4		3 year licence Renewal	78	78
1.5	Dual Driver Licence (Hackney Carriage and Private Hire)	1 year licence Renewal	78	78
1.6		3 year licence Renewal	156	156
1.7	Conversion from Hackney Carriage or Private Hire Licence to Dual Licence.		80 (plus testing fees)	80
1.8	Application Fast Track New / Renewal		100	100
1.9	Hackney Carriage / Private Hire Driver Training Programme and Test		40	50
1.10	Hackney Carriage / Private Hire New Applicants Driver Training Immediate Re-test		15	20
1.11	Hackney Carriage / New Applicants Practical Driving Assessment		79	80
1.12	New applicant Right to work in the UK check		125	125
1.13	Renewal applicant Right to work in the UK check		25	25
2.0 Hackney Carriage Vehicles				
2.1	Vehicle aged under 16 years old - 1 year licence New / Renewal		95	125
2.2	Exceptional Condition Assessment of Hackney Carriage Vehicle aged 16 years and each subsequent 6 months		120	120

	Licence Type/Function		Fees and Charges For 2023-2024 £	Proposed Fees and Charges For 2024-2025 £
2.3	Application Fast Track New / Renewal		180	180
2.4	Private Hire Vehicles			
2.5	1 year licence New / Renewal	Vehicle aged Under 10 years old	95	125
2.6	6 month licence New / Renewal	Vehicle aged Over 10 but under 12 years old	95	125
2.7	Application Fast Track New / Renewal		180	180
3.0	Small Private Hire Vehicle Operators (Up to 4 vehicles)			
3.1	1 year licence	New	1,000	1,000
3.2		Renewal	150	150
3.3	5 year licence	Renewal	500	500
3.4	Large Private Hire Vehicle Operators (Over 4 vehicles)			
3.5	1 year licence	New	1,000	1,000
3.6		Renewal	750	750
3.7	5 year licence	Renewal	3,000	3,000
4.0	Hackney Carriage / Private Hire Vehicle MOT Testing Facilities			
4.1	Application for Council approval of DVSA registered MOT garages		200	200
5.0	Mini-bus Permits and Disc			
5.1	5 year permit New / Renewal / Replacement		25	25
6.0	Offsite Private Hire Vehicle Inspections			
6.1	20 inspections	under 100 miles from Wolverhampton	470	504
6.2		100 - 200 miles from Wolverhampton	818	869
6.3		200 - 300 miles from Wolverhampton	1,194	1,263
6.4	21 to 40 inspections	under 100 miles from Wolverhampton	795	862
6.5		100 - 200 miles from Wolverhampton	1,397	1,498
6.6		200 - 300 miles from Wolverhampton	2,055	2,192
7.0	Miscellaneous Charges			

	Licence Type/Function	Fees and Charges For 2023-2024 £	Proposed Fees and Charges For 2024-2025 £
7.1	Rebooking a hearing appointment	70	70
7.2	Non-statutory information request	50	50
7.3	Replacement driver badge (each, delivered)	1	5
7.4	Licence Plate Bracket and Pins	14	14
7.5	Licence Plate Bracket and Pins (10+)	10	10
7.6	Pack of four spare pins and two sticky pads	1	1
7.7	Internal Vehicle Licence Pouch	2	2
7.8	Internal Driver Licence Pouch	1	1
7.9	Lanyard and badge holder	1	1
7.10	Printed copy of paper licences	1	5

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