

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing
DATE	8 March 2016
DIRECTOR	Richard Ellis, Interim Director, Corporate Governance
TITLE OF REPORT	Licensing Application Fees 2016 - 2017
REPORT NUMBER	CG/16/001
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The purpose of the report is to advise the Committee of the proposed level of application fees for licences administered through the Civic Government (Scotland) Act 1982 and other miscellaneous statutes and to obtain the Committee's approval for the fees to come into effect on 1 April 2016.

2. RECOMMENDATION(S)

To approve the proposed fees

3. FINANCIAL IMPLICATIONS

In terms of Section 12 and Paragraph 15 of Schedule 1 to the Civic Government (Scotland) Act 1982, the Licensing Authority shall "charge such fees as they may determine to ensure that the total amount of fees is sufficient to meet the expenses of the Authority in exercising their functions under Parts 1 and 2 of this Act and this Schedule". The proposed fees achieve cost recovery to the Licensing Authority.

4. OTHER IMPLICATIONS

There are no other implications as a result of this report.

5. BACKGROUND/MAIN ISSUES

5.1 **Civic and Miscellaneous Application Fees**

In determining the level of fees to be set, the actual costs for the current year (2015/2016) were considered. Staff time is recorded

electronically against the different licence types. This enables us to calculate accurately the costs to be attributed to each licence type. The management information shows that there has been an increase in the number of some licence types and a reduction in the number of others processed since the Committee last approved the fees in 2015. Overall there has been little change in the number and types of licences.

For most of the fees, the position has worked out to be cost neutral and no change is proposed this year to the level of fees.

In recognition of the change in legislation from 1 April 2012 bringing free events within the scope of the licensing regime the Committee resolved in January 2012 that a 75% fee reduction be applied to all public entertainment licences from community, charity, voluntary and religious groups. The position has been monitored and will continue to be monitored over the next financial year.

The current and proposed fees for 2016/2017 are attached at Appendix 1.

5.2 Taxi and Private Hire Car Application Fees

The proposed fees are attached as Appendix 2B. These were issued to the taxi consultation Group members on 1 March 2016. A breakdown of costs has also been provided at Appendix 2A.

The number of private hire car operator licences have stayed the same. The number of taxi drivers has remained static. The taxi licence numbers are lower at the moment despite increasing the limit in November. Costs have increased this year principally due to increased time spent on taxi related matters this financial year and the team being fully staffed. The licensing enforcement function has been considerably enhanced following the decision of Police Scotland no longer to provide a taxi inspector. The team now undertakes amongst a number of tasks, a much wider investigation of taxi complaints (both from members of the public and from the taxi trade itself) taking action as necessary depending on the outcome. The workload is much greater than originally anticipated. There is no capacity to address work which is necessary to meet aspirations of improving the service both to applicants and the public. It has therefore been decided that there should be the appointment of an additional Enforcement Officer.

There is anticipated to be an increase in the cost of medical referrals, due to increased costs from the current provider.

The removal of a street knowledge test for private hire drivers may lead to an increase in applications for private hire driver licences. Similarly from 6 June 2017 all taxis in the fleet will require to be accessible vehicles. This could lead to a reduction in applications for taxi licences and renewals but an increase in applications for private hire cars by applicants who wish to retain a saloon vehicle. This is anticipated to have some impact on fees income for 2016-17.

There will also be implications flowing from the Air Weapons and Licensing (Scotland) Act 2015 currently under consideration once it is in force. At the moment it is difficult to predict the precise impact or costs potentially attached. It is therefore proposed to maintain fees at their current level. This will cover costs and allow a small margin for contingencies.

6. IMPACT

Improving Customer Experience –

The appropriate setting of the Licensing Fees ensures that the Council does not operate its licensing system at a loss and complies with the statutory requirement that fees should cover the cost of administering licences. In doing so the Council will endeavour to ensure it does not have a direct impact on the customer experience.

It is meantime being consulted upon that a training programme for taxi drivers and private hire car drivers should be introduced. The cost and identity of any provider as not yet been identified, although the intention would be that this should be cost neutral.

The proposal to replace machinery at the end of its working life will increase reliability and reduce “off road” time for taxis.

Improving Staff Experience –

The appropriate setting of the Licensing Fees ensures that the Council does not operate its licensing system at a loss and as such does not have a direct impact on the staff experience. The employment of sufficient staff to manage the workload will improve the staff experience.

Improving our use of Resources –

The appropriate setting of the Licensing Fees ensures that the Council does not operate its licensing system at a loss and as efficiently and effectively as possible and as such has little direct impact on the improvement of resources. Small costs for improved technological services are included within contingencies. The appropriate fees will ensure that the service is maintained at an appropriate level.

Corporate –

The appropriate setting of the Licensing Fees ensures that the Council does not operate its licensing system at a loss and ensures the delivery of high quality services to the public.

Public –

The purpose of the Licensing regime is to contribute to the safety of the citizens of Aberdeen who use any of the services covered by licences. The report is likely to be of interest to the public who may use any of the services licensed and to licence holders who pay application fees. It is likely to attract media attention.

No equalities issues arise from the report as the fees apply to anyone who wishes to apply for any licence covered by the legislation and no EHRIA is required.

7. MANAGEMENT OF RISK

Failure to set fees at appropriate levels will not comply with the licensing authority's duties under the Civic Government (Scotland) Act 1982 either by running the licensing service at a loss or by generating unacceptable levels of surplus.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

Fiona M.Selbie,
Interim Legal Manager and Team Leader (Litigation and Licensing),
fselbie@aberdeencity.gov.uk 01224 522542