

NORTHAMPTON BOROUGH COUNCIL

Licensing Committee

Your attendance is requested at a meeting to be held at The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE. on Tuesday, 23 July 2013 at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

1. Apologies
2. Minutes
3. Deputations / Public Addresses
4. Declarations of Interest
5. Matters of Urgency which by reason of special circumstances the chair is of the opinion should be considered
6. Hackney/Private Hire Enforcement
(Copy herewith)
7. Annual Fee Review
(Copy herewith)
8. Exclusion of Public and Press

The Chair to Move:

“that the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12a to such act.”

Public Participation

Members of the public may address the Committee on any non-procedural matter listed on this agenda. Addresses shall not last longer than three minutes. Committee members may then ask questions of the speaker. No prior notice is required prior to the commencement of the meeting of a request to address the Committee.

SUPPLEMENTARY AGENDA

Exempted Under Schedule, 12A of L.Govt Act 1972, Para No: -

<TRAILER_SECTION>
A7205

Public Participation

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LICENSING COMMITTEE

Tuesday, 18 June 2013

PRESENT: Councillor Malpas (Chair); Councillor Hill (Deputy Chair); Councillors Conroy, Eales, Ford, Hibbert, Mennell, Sargeant, Stone and Wire DL

1. APOLOGIES

Apologies were received from Councillor Duncan.

2. MINUTES

The minutes of the meeting held on the 30th April 2013 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

Mr D Ward, Councillor J Yates, Mr K Ayoubi, Mr P McManus, Mr M Stevens, Mr J Stephenson, Mr S Thompson, Mr N Bartholemy and Mr D Huffadine-Smith were granted leave to address the Committee in respect of Item 6 - Proposal for an Early Morning Restriction Order

4. DECLARATIONS OF INTEREST

Councillor Wire DL declared a non-pecuniary interest in Item 6 - Proposal for an Early Morning Restriction Order, as a Member of Northampton Working Men's Club (CRU Club).

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

The Chair stated that he had received a letter from the Chief Constable inviting all Licensing Authorities in Northamptonshire to observe policing in the Leisure Zone in the near future and asked for members to express their interest.

6. PROPOSAL FOR AN EARLY MORNING RESTRICTION ORDER

Mr Ward addressed the Committee and stated that prior to any consultation being agreed, alternative proposals needed to be considered. He argued that the an Early Morning Restriction Order (EMRO) would not reduce crime but would move it on to another area outside of the Leisure Zone and therefore the Licensing Objectives would not be enhanced any further and Police resources more stretched.

Councillor Yates commented that he was not against late night drinking, but felt that a 3am restriction would be acceptable. He stated that Northampton was a County Town and not a large city and the introduction of an EMRO would be suitable.

Mr Ayoubi commented that the Police had stated that their concerns were evidence based but argued that anyone could produce predetermined statistics to fit the premise. He further stated that whilst the statistics demonstrated that there was an increase in crime after 3am, 60 per cent of alcohol related crime was committed during the daytime; to prohibit the sale of alcohol between 3am and 6am would lead to a spike in crimes due to the high numbers of people leaving establishments at the same time, instead of dispersing gradually.

Mr McManus stated that he was opposed to the introduction of an EMRO as he believed

that if implemented it would be punishing the majority of responsible drinkers for the behaviour of the minority. He stated that new initiatives needed to be given a chance to be embedded and then, if necessary, to review again at a later date. It was noted that should the Committee decide to go out to consultation and approve the introduction of the EMRO, the implementation date would be the 18th November 2013, which he argued was too close to the festive period and would jeopardise businesses in the area.

Mr Stevens commented that as the proprietor of two licensed premises, if he had been aware of the possibility of an EMRO being introduced, he would not have established the business in Northampton. He commented that he had experienced no trouble with his diverse clientele. He commented that as a Licensing Authority, the Council already had the ability to act on licensed establishments who had contravened the Licensing objectives.

Mr Thompson noted that his establishment employed approximately 200 people and that the introduction of an EMRO would be an end to his business. He argued that it would put a 'black cloud' over the Town and would wrongly give the impression that the Town had a disproportionate number of problems with crime and anti-social behaviour.

Mr Bartholemy, as the Chair of Pubwatch, stated that he was neither in favour, nor against the concept of the introduction of EMROs but asked the Committee to take time in considering the implications. He suggested that pubs and clubs could not be held to account for the loss of control that the Police had in the Town centre especially with regards to the habit of people 'pre-loading' before they visited licensed premises. He also expressed concern that the proposed implementation date of the EMRO was far too close to the festive period and urged other initiatives such as the Alcohol Harm Reduction Unit (AHRU) a chance to have an impact.

Mr Huffadine-Smith commented that Northampton had a reputation for excess alcohol and crime and disagreed with statements that the introduction of an EMRO would have a detrimental effect on the business of the Town. He commented that the cost to the tax-payers would increase without an EMRO due to the cost of increased policing and that admissions to Accident and Emergency would also rise and suggested that the proposed restriction of prohibiting the sale of alcohol between 3am and 6am was too lenient and consideration should be given to restricting it between 1am to 6am.

Mr Stephenson commented that an EMRO would be unnecessary in tackling a problem that was not in existence and argued that should an EMRO be introduced there may be an increase in the number of house parties within residential areas which would be even more problematic for Police as the problems would not be contained within one area but spread across to the Town and outer areas where there was no CCTV to monitor and identify problems. He further commented that an EMRO should only be considered as a last resort and other approaches, such as staggered closing times, should be explored before considering the introduction of any EMROs.

David Kennedy, the Chief Executive, submitted a report and explained that on the 11th February 2013, the Committee had requested that officers undertake a detailed analysis of the possibility of introducing an EMRO in Northampton. He stated that should the EMRO be introduced, post consultation, it would commence on the 18th November 2013 and would prohibit the sale of alcohol between the hours of 3am to 6am for an indefinite period in the 'Leisure Zone' and was one of a range of tools available to Licensing Authorities in addressing problems such as high levels of alcohol related crime and disorder in the early hours of the morning. It was explained that whilst undertaking the detailed analysis, Officers had worked alongside the Police, the Community Safety Partnership and a number of other agencies to examine crime and disorder. It was noted that crime and disorder peaked between the 3am and 6am time period, coupled with an increase in ambulances called and

hospital admissions. It was further noted that the estimated overall figure from Northamptonshire County Council with regards to the cost of alcohol problems in Northampton was in the region of £44 million. Mr Kennedy commented that whilst the work was being undertaken, incidents had continued to increase, but commented that should Members eventually introduce an EMRO, other work, such as the Alcohol Harm Reduction Unit would not be suspended

Chief Inspector Dave Spencer commented that when on patrol on Saturday and Sunday mornings, the number of intoxicated people was worrying and also commented that people under the influence of alcohol were more vulnerable to risks and disorderly behaviour. It was noted that reported crime in the 'Leisure Zone' was disproportionately high compared with the rest of the geographical area examined. He commented that whilst the number of crimes in the Leisure Zone had fallen, it had not fallen as much or as consistently as the rest of the Borough, He mentioned that it was necessary for members to look at the evidence presented in the report and were minded to note that after 3am, there was an increase in Crime and Disorder which implied that an EMRO would be best implemented for that time.

David Kennedy commented that the Police believed that an EMRO could promote the Licensing Objectives specifically in the 'Leisure Zone' with the majority of incidents happening between the hours of 3am and 6am. He commented that the EMRO, if implemented, would be applicable on all days of the year, with the exceptions of New Year's Day, and noted that Temporary Events Notice's (TENS) after 3am would not be allowed. In reference to Appendix 6, Mr Kennedy commented that a range of views had been expressed through the informal consultation conducted as part of the analysis undertaken by Officers and stated that the next step, should the Committee wish to, would be to undertake a formal statutory consultation and reiterated that the EMRO would be put into place on the 18th November 2013.

In response to questions asked, the Chief Executive commented that other times of the EMRO had been examined, but based on the evidence it was considered that 3am would be a suitable time to prohibit the sale of alcohol. It was also explained that no other town currently had an EMRO as it was new legislation that had been introduced but that in Blackpool, a consultation was underway, in considering implementing an EMRO.

Responding to further question, the Chief Executive explained that he did not anticipate any additional clean-up cost if an EMRO were to be introduced. Chief Inspector Spencer commented that he expected there to be a staggered dispersal of people as some would leave earlier and some would stay to drink soft drinks as the sale of alcohol would be not licensed but the establishments would be able to stay open to serve alternative refreshments.

A number of Members expressed concern that an EMRO would not resolve the issue of 'pre-loading' and suggestions were made that there would still be a disproportionate level of crime and disorder, but it would simply be moved to a different time and that an EMRO would not resolve the issue of a binge drinking culture. Concern was also expressed about the impact that the EMRO could potentially have on a number of businesses especially if it was introduced just before the festive period.

The Borough Solicitor, in response to concerns expressed by Members, commented that there would be the possibility to extend to implementation period of the EMRO past the minimum required time of 42 days, but stated that it could not be implemented prior to the 18th November 2013.

Councillor Eales, seconded by Councillor Ford, proposed that no further action be taken on this matter

RESOLVED:

That no further action be taken on this matter.

The meeting concluded at 7.40pm



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Review of Hackney and Private Hire Enforcement Procedures
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	23 July 2013
Policy Document:	Hackney/Private Hire Sanctions and Procedures
Directorate:	Customers and Communities

1. Purpose

1.1 The purpose of this report is to formalise the system of sanctions and procedures currently imposed on Hackney and Private Hire drivers through the enforcement process.

2. Recommendations

2.1 That with immediate effect the system of sanctions outlined below be formally adopted by the Northampton Borough Council as a means of dealing with non-compliant Hackney drivers, Private Hire drivers and Operators.

2.2 To delegate powers to the licensing enforcement officers to use their discretion as to when and under what circumstances sanctions are imposed.

3. Issues and Choices

3.1 Report Background

3.1.1 The Borough of Northampton Licensing Department undertakes a range of enforcement activities across a number of diverse areas.

3.1.2 A number of these functions entail the making of sanction decisions, which may, in appropriate cases, include the Council prosecuting the matter through the criminal courts.

3.1.3 The Council does not however, have an obligation to prosecute in every case, even where this may appear warranted.

3.1.4 Officers may instead choose, in certain circumstances, to dispose of a matter by using various 'other means' such as a 'Simple' Caution or for very minor misdemeanours a verbal warning, this would normally be used when the public interest firmly weighs against prosecution.

3.1.5 A verbal warning, although entered on a driver's record will not carry the weight of a 'Simple Caution'.

3.1.6 A Simple Caution (previously known as a Formal Caution) is an admission of guilt to the commission of an offence for which there is a realistic prospect of a conviction; it is not a form of sentence or a criminal conviction.

3.1.7 The benefit of this form of disposal is that the offender is thereby diverted from the Criminal Justice System; the offence is recorded officially and should the individual or body re-offend, the caution, as an admission of guilt, may be cited in evidence against them in any subsequent proceedings under the provisions of the Criminal Justice Act 2003.

3.1.8 It is, however, emphasised that issuing a Caution is not to be seen as an 'easy option' to pursuing a prosecution, and must only be used where the prospects of securing a prosecution could be successful and the offender has admitted their wrong-doing.

3.1.9 It follows therefore, that if an offender refuses to agree to a Caution the matter should normally be referred for prosecution immediately.

3.1.10 Should a driver be the subject of more than two cautions in a 12 month period it may be necessary to take him/her before the Licensing Committee for a decision to be made as to whether he/she is a 'fit and proper person' to hold a Hackney or Private Hire driver's licence.

3.1.11 This Policy reflects the principles of the Cabinet Office Enforcement Concordat and officers will have due regard to these principles and to any other published and relevant guidance, including:

- The Code for Crown Prosecutors
- Home Office Circular 30/2005 (The Cautioning of Adult Offenders)

3.1.12 Northampton Borough Council has a Commitment to Principles of Good Enforcement. This document sets out what can be expected from NBC's Licensing Department and its officers. It commits the council to good enforcement policies and procedures.

3.1.13 Enforcement will be targeted, proportionate and risk-based.

3.1.14 We will adopt a risk-assessment approach to target resources where most needed.

3.1.15 In line with the codes referred to above, we will take account of the circumstances of the case and the response of those subject to regulation when considering action.

3.1.16 At the same time we will use intelligence and direct resources to identify those who flout the law or act irresponsibly and take firm action against them, including prosecution where appropriate.

3.1.17 We will carry out our duties in a fair, equitable and consistent manner.

3.1.18 While officers are expected to exercise judgement in individual cases and to treat each case on its own merits, we will have arrangements in place to promote consistency.

3.1.19 Some regulatory activity involves consultation with other agencies before deciding on the most appropriate course of action.

3.1.20 Sometimes there is more than one agency that can act in response to a problem.

3.1.21 If there is a shared enforcement role with another agency, whenever possible our enforcement activities will be co-ordinated with these agencies in order to minimise unnecessary duplication or delays and to increase our overall effectiveness.

3.1.22 For example, joint working may be carried out with the Police, VOSA, Fire Service, Health and Safety Executive, Office of Fair Trading, Environment Agency, Revenue and Customs other local authorities and government departments.

3.1.23 We support and will promote arrangements for effective liaison with other agencies and carry out compliance checks making facilities available for those other agencies.

4.1 Choices (Options)

4.1.1. Confirm the formal adoption of the procedure outlined.

4.1.2 Recommend an alternative system of enforcement.

4.1.3. Re-affirm the delegation of the powers as outlined in the report to officer level.

4.1.4. To recommend that an alternative system of delegation be introduced in certain circumstances.

5. Implications (including financial implications)

5.1 Policy (Hackney and Private Hire Licensing)

There are no new policy or financial implications .

5.2 Resources and Risk

5.2.1 Resources will continue to be managed within the licensing budget.

5.2.2 We aim to apply the principles set down in the Legislative and Regulatory Reform Act 2006 to all of our regulatory activities, including, but not limited to, those that are specified in regulations made under the Act. The principles are that:

- Regulatory activities should be carried out in a way, which is transparent, accountable, proportionate and consistent;
- Regulatory activities should be targeted only at cases in which action is needed.

5.2.3 The primary function of local government regulatory activity is to protect the public, the environment, and groups such as consumers and residents.

5.2.4 However, it is important that these enforcement functions are carried out in an equitable, practical and consistent manner, and that those subject to regulation and those on whose behalf enforcement is carried out are aware of the Council's policy on enforcement.

5.2.5 This Enforcement Procedure helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens on those subject to regulation.

5.2.6 This Policy has been developed with due regard to the Principles of Good Enforcement set out in the following guiding documents:

- The Regulators' Compliance Code, a code issued under the Legislative and Regulatory Reform Act 2006 in respect of certain specified Council regulatory functions
- The Code for Crown Prosecutors issued by the Director of Public Prosecutions under the Prosecution of Offenders Act 1985

In certain circumstances we may conclude that a provision contained in one or more of these codes is either not relevant or is outweighed by another provision or relevant factor.

5.2.7 We will ensure that any decision to depart from relevant policy guidelines will be properly reasoned and based on material evidence.

5.3 Legal

5.3.1 The Local Government (Miscellaneous Provisions) Act 1976, allows the Local Authority to impose sanctions in respect of drivers licences for both Hackney carriages and Private Hire Vehicles, drivers and operators.

5.3.2 The Licensing Act 2003 and Gambling Act 2005 allows the local authority to take action over a number of non-compliance issues relating to Licensed Premises.

5.3.3 All enforcement activities, including investigations and formal actions, will always be conducted in compliance with the Council's statutory obligations.

5.3.4 Council enforcement officers should act within the scope of their delegated authority and with due regard to all relevant legislation, such as:

- The Police and Criminal Evidence Act 1984,
- The Criminal Procedure and Investigations Act 1996
- The Human Rights Act 1998
- The Regulation of Investigatory Powers Act 2000
- The Criminal Justice and Police Act 2001
- Criminal Justice Act 2003
- The Legislative and Regulatory Reform Act 2006

and legislation designed to tackle discrimination and promote equality.

5.3.5 Officers will have due regard to any relevant formal procedures and codes of practice made under such legislation and will be guided in their work by the principles laid down in legislation and underpinning this policy.

5.4 Equality

5.4.1. An equality impact assessment has been undertaken and no equalities issues were identified as being likely to have a negative impact on the trade.

5.4.2 By endorsing a formal process it will ensure that all licence holders are treated fairly.

5.4.3 In line with the Council's published equalities policy, we will use positive action in how we provide services, including the provision of appropriate translation and interpretation services.

5.5 Consultees (Internal and External)

5.5.1. Legal

5.6. Background Papers

5.6.1. Local Government (Miscellaneous Provisions) Act 1976. (Relating to Hackney and Private Hire vehicles and drivers).

5.6.2 Licensing Act 2003

5.6.3 Gambling Act 2005.

5.6.4 The Legislation listed at 5.3.2.

5.6.5 Taxis-Licensing Law and Practice – James Button

Report Author: Philip Bayliss .
Senior Licensing officer
X7099

APPENDIX A.

Offences dealt with having regard to judicial process.

Formal Action - Criteria for deciding on action to be taken on Suspected Offences:

- The Council will ensure an independent and consistent approach is taken to prosecution decisions. In most cases where the investigating officer recommends prosecution the Council's Legal Services will make the decision whether or not to begin such proceedings. In those minority of cases where other Council officers are responsible for making the decision advice provided by Legal Services will be taken into account.
- In all cases the appropriate course of action to take is decided having regard to relevant policies and the Code for Crown Prosecutors, which involves a two-stage decision making process:
 - I. Firstly, an evidential test to ensure that there is enough evidence to provide a 'realistic prospect of conviction'.
 - II. Secondly, a public interest test, which will determine whether it is in the public interest to prosecute.

The following is a table of offences and how they could be dealt with the list is not exhaustive:

<u>Prosecution/Caution</u>	<u>Warning/Advice</u>
Illegal Plying for Hire (Flagging)	Failure to notify vehicle transfer
Driving a vehicle without valid insurance	Failure to report an accident
Refusing to carry a passenger with a disability	Failure to return vehicle plate after notice given
Refusing to carry an assistance dog	Failure to wear driver badge
Unauthorised alteration of a Taximeter	Failure to notify vehicle transfer
Exceeding the number of passengers permitted	Unnecessarily prolonging a journey
Refusal to carry a passenger without reasonable cause	Failure to surrender driver licence after suspension
When there appears to have been reckless disregard for the safety of passengers or other road users	Failure by Operator to keep records of bookings
Where there have been repeated breaches of legal requirements	Failure by Operator to keep records of vehicles
Where a particular type of offence is prevalent	Obstruction of an authorised officer or constable
Where a particular contravention has caused serious public alarm	Failure to produce a vehicle licence and insurance certificate
Failure to comply with a statutory notice served for a significant breach of legislation	Failure to comply with requirement of an authorised officer or constable
Offences following a history of similar offences	Failure to notify change of name or address

Vehicle not displaying plate	
Making false statement or withholding information to obtain a licence	

Any licensed driver or operator that has been the subject of a high number of complaints or incidents, whether substantiated or not, shall be required to have their licence reviewed by the Regulatory Committee. This decision shall be taken by the Senior Licensing officer or above. Each case will be determined on its individual merits.

Those offences subject to statutory control will be prosecuted under those Acts and Statutes as appropriate.

Appendices:



NORTHAMPTON
BOROUGH COUNCIL

LICENSING COMMITTEE REPORT

Report Title	Annual Review of Licensing fees
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	23 July 2013
Policy Document:	Licensing fees
Directorate:	Customers and Communities

1. Purpose

1.1 Fees and charges represent an important source of income, providing finance to assist in achieving the Northampton Borough Council (NBC) objectives. The purpose of this report is to establish a framework within which fees and charges levied by the Licensing Department are agreed and subject of an annual review.

2. Recommendations

2.1 The review will provide guidance to Managers in setting appropriate levels of fees and charges, taking into account client groups and corporate objectives, and to provide for regular reviews of fees and charges within the overall service.

2.2 Recommendations as to whether fees ought to be increased or decreased will be in line with the annual review with the ultimate decision ratified by the Licensing Committee.

2.3 Incorporating the review of fees and charges formally into the service and planning process will also permit consideration of cross-cutting issues and impacts in the context of wider policy considerations.

2.4 Reasonable or statutory notice should be given to service users before any new charge is implemented or an increase in an existing charge. If discounts or concessions are available this should be made clear to the applicant to include the different methods of payment.

3. Issues and Choices

3.1 Report Background

3.1.1. The review should allow the Licensing Department to have a properly considered, consistent and informed approach to all charges it makes for its services. This will, keep the Licensing Committee aware of any changes and in turn, support the delivery of Council objectives.

3.1.2 This review will relate to fees and charges currently being levied by the Council and those which are permissible under the wider general powers to provide and charge for “Discretionary Services” included within the Licensing remit.

3.1.3 Raising revenue from charges for services is an important element in the administrative and/or enforcement financing of the Licensing Department’s services and activities.

3.1.4 It can in other circumstances play a range of other roles, including demonstrating the value of a service or discouraging abuse of a service.

3.1.5 It can also play a role in furthering service and strategic objectives.

3.1.6 Consideration should therefore be given, on a regular basis, to the scope for raising revenue through charges for services and to reviewing the appropriateness and adequacy of the levels of charges being proposed or actually in force which ought to be on a cost recovery basis only.

3.1.7 This should be done within a general policy framework. It should also be carried out within the framework of the department’s service and financial planning process.

3.1.8 Primary responsibility rests with Service Managers to take appropriate action in relation to fees and charges levied for services.

3.1.9 Income derived from charging will be used to offset the costs of providing the service being charged for, including support service costs. If a surplus, over budget, is generated from charges this should be carried over to the following financial year and used to offset any additional potential increase in costs, or reductions in fees as appropriate.

3.1.10 A significant number of fees for services provided by the Licensing Department are fixed on a cost recovery basis only. There should be no element of profit when providing that service which must be designed so as to enable the recovery of administrative costs or where relevant the administrative and enforcement costs of performing a particular function.

3.2 Issues

3.2.1. In relation to the review of existing charges, there is a rebuttable presumption that the levels of fees and charges should rise, each year, in line with the rate of inflation. This cannot be the case when reviewing those licenses issued by the Licensing Department as there are particular reasons to the contrary.

- a). Those licenses issued in relation to the Licensing Act 2003, (Fees are set by Central Government).
- b). Those fees levied under the Gambling Act 2005 are also fixed with given parameters NBC are already charging the maximum fees allowable under the Act.
- c) Those licences issued in relation to Hackney, Private Hire, and Street Trading where the fees charged must be on a cost recovery basis only. (NBC would be able to retain a limited surplus under the proviso of offsetting any future increases or if none to bring the relevant levy down in any subsequent year.)

3.3 Choices (Options)

3.3.1 To note the report and recommend that the Licensing Department levy the appropriate level of fees and charges for its services following the annual report to the Licensing Committee.

3.3.2 To amend the content of the report and retain informal reviews.

Note: Any recommendation for an increase in fees would follow discussions with those most affected by any increase and to comply with any statutory obligations. Objections would need to be considered by the committee. Decisions relating to fees will be made by the Licensing Committee.

4. Implications (including financial implications)

4.1 Policy

4.1.1 There would be no change to the existing policies.

4.2 Resources and Risk

4.2.1 If fees and charges are set too low then lower levels of income will be collected than set within the budgetary process. This will put additional pressure on budgets because the cost of performing the licensing function will not be recovered from licence fees.

4.2.2 If fees are set too high applications for services may not be utilised and consequently a reduced level of income will be generated.

4.2.3 The Council must take care not to increase fees and charges by too large an amount as this may result in criticism from the public and other stakeholders.

4.2.4 This could also leave the council open to challenge.

4.3 Legal

4.3.1 Councils are required by law to set fees and charges for services. The level of some of these fees and charges are set by statute and the Council has no control over the amounts charged.

4.3.2 Some legislation does allow for fees to be set by the council but those fees have to be justified and be reasonable and must correlate with the outgoings of the Council to provide that service e.g. street trading fees, hackney and private hire fees etc..

4.4 Equality

4.4.1 There are no equality issues to be addressed; any issues relating to public safety have been addressed within the existing policy.

4.4.2 The effects of any new charge on service usage and income generated will be monitored regularly over the first 12 months and reviewed within the framework of the next service and financial planning cycle.

4.4.3 The Council has to have regard to the elimination of unlawful discrimination and harassment and the promotion of equality under the Equality Act 2010 and related statutes

4.5 Consultees (Internal and External)

Legal.
Finance

4.6 Other Implications

4.6.1 N/A

5. Background Papers

- a. Licensing Act 2003.
- b. Gambling Act 2005.
- c. Local Government (Miscellaneous Provisions) Act 1976,
- d. Local Government (Miscellaneous Provisions) Act 1982.

Report Author: Philip Bayliss
Title: Senior Licensing officer
Ext: 7099