



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **LICENSING AND APPEALS COMMITTEE** will be held virtually on **TUESDAY 10 NOVEMBER 2020 AT 7.00 PM**

Susan Parsonage
Chief Executive
Published on 2 November 2020

Note: The Council has made arrangements under the Coronavirus Act 2020 to hold this meeting virtually via Microsoft Teams. The meeting can be watched live using the following link: <https://youtu.be/p7gm4yHoeyY>

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WOKINGHAM BOROUGH COUNCIL

Our Vision

A great place to live, learn, work and grow and a great place to do business

Enriching Lives

- Champion outstanding education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to complement an active lifestyle.
- Engage and involve our communities through arts and culture and create a sense of identity which people feel part of.
- Support growth in our local economy and help to build business.

Safe, Strong, Communities

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to prevent the need for long term care.
- Nurture communities and help them to thrive.
- Ensure our borough and communities remain safe for all.

A Clean and Green Borough

- Do all we can to become carbon neutral and sustainable for the future.
- Protect our borough, keep it clean and enhance our green areas.
- Reduce our waste, improve biodiversity and increase recycling.
- Connect our parks and open spaces with green cycleways.

Right Homes, Right Places

- Offer quality, affordable, sustainable homes fit for the future.
- Build our fair share of housing with the right infrastructure to support and enable our borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people to live independently in their own homes.

Keeping the Borough Moving

- Maintain and improve our roads, footpaths and cycleways.
- Tackle traffic congestion, minimise delays and disruptions.
- Enable safe and sustainable travel around the borough with good transport infrastructure.
- Promote healthy alternative travel options and support our partners to offer affordable, accessible public transport with good network links.

Changing the Way We Work for You

- Be relentlessly customer focussed.
- Work with our partners to provide efficient, effective, joined up services which are focussed around you.
- Communicate better with you, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.
- Drive innovative digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.

MEMBERSHIP OF THE LICENSING AND APPEALS COMMITTEE

Councillors

Chris Bowring (Chairman)	Abdul Loyes (Vice-Chairman)	Parry Batt
Rachel Burgess	Lindsay Ferris	Michael Firmager
Paul Fishwick	Emma Hobbs	Sarah Kerr
Barrie Patman	Malcolm Richards	Rachelle Shepherd-DuBey
Bill Soane		

ITEM NO.	WARD	SUBJECT	PAGE NO.
11.		APOLOGIES To receive any apologies for absence.	
12.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 6 October 2020.	5 - 12
13.		DECLARATION OF INTEREST To receive any declarations of interest.	
14.		PUBLIC QUESTION TIME To answer any public questions A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of this committee. Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions	
15.		MEMBER QUESTION TIME To answer any member questions	
16.	None Specific	FEES AND CHARGES To receive and consider a report containing details of the proposed fees and charges for 2021/22.	13 - 36
17.	None Specific	ANNUAL REPORT To receive and consider the updated Annual Report.	37 - 44
18.	None Specific	FORWARD PROGRAMME To receive and consider the Committee's Forward	45 - 46

Programme.

Any other items which the Chairman decides are urgent.

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

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**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON 6 OCTOBER 2020 FROM 7.00 PM TO 9.05 PM**

Committee Members Present

Councillors: Chris Bowring (Chairman), Abdul Loyes (Vice-Chairman), Rachel Burgess, Lindsay Ferris, Michael Firmager, Paul Fishwick, Emma Hobbs, Sarah Kerr, Barrie Patman, Malcolm Richards, Rachelle Shepherd-DuBey and Bill Soane

Officers Present

Luciane Bowker, Democratic & Electoral Services Specialist
Karen Court, Senior Licensing Officer Public Protection Partnership
Sean Murphy, Public Protection Partnership Manager
Julia O'Brien, Principal Officer - Compliance and Enforcement

1. APOLOGIES

Apologies for absence were submitted from Councillor Parry Bath and Suzanne McLaughlin.

2. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 28 January 2020 were confirmed as a correct record and would be signed by the Chairman at a later date.

Matters arising

Councillor Burgess asked if letter about Uber, referred to on page 5, had been sent. Julia O'Brien, Principal Officer Compliance and Enforcement confirmed that the letter had been sent but no response had been received. Councillor Burgess asked that this response be chased up and Julia O'Brien agreed to follow this up.

3. DECLARATION OF INTEREST

There were no declarations of interest.

4. PUBLIC QUESTION TIME

There were no public questions.

5. MEMBER QUESTION TIME

There were no Member questions.

6. FEES AND CHARGES 2021/22

This item was deferred to the next meeting of the Committee, on 10 November 2020.

7. STATUTORY TAXI AND PRIVATE HIRE REPORT

Julia O'Brien, Principal Officer Compliance and Enforcement presented the Statutory Taxi and Private Hire report.

Julia O'Brien stated that this guidance was an attempt by the government to standardise vehicle, driver and operator's standards. She explained that although this was 'guidance', local authorities must have regard to it.

Julia O'Brien stated it was proposed that the Licensing Committee look at further reports detailing changes to conditions contained in the Hackney Carriage and Private Hire Policy and School and Community Services Policy to comply with statutory standards. She

pointed out that the current policies already incorporated a lot of the conditions that local authorities were being commended to adhere to.

During the discussion of the item the following comments were made:

- Councillor Burgess was interested to know if there were any areas which needed improvement and suggested that future reports could include Red Amber Green (RAG) rating. She also asked if there would be cost implications to drivers as a result of this review;
- Julia O'Brien stated that there may be a cost in relation to Disclosure and Barring Service (DBS) checks, as drivers would be asked to sign up to the DBS update service. However, this may work out cheaper than having to do a DBS check every year;
- Councillor Kerr agreed that it would be useful to be informed of any potential gaps or areas for improvement. She asked for further clarification as to whether this government paper was statutory or guidance;
- Julia O'Brien stated that although this was guidance, local authorities were being told that they should comply with it;
- Councillor Kerr asked about the timescales in implementing the changes. Julia O'Brien stated that a wide consultation would have to be carried out, and she hoped to be able to present a report to the March meeting of the Committee;
- In response to a question Sean Murphy, Public Protection Partnership Manager stated that these policies would be approved by this Committee (not by Executive or Council);
- In response to a question Julia O'Brien stated that following all the processes, including the consultation, the final policies were likely to be ready by the summer of 2021;
- Councillor Fishwick asked how the service would obtain certificates of good character. Julia O'Brien stated that this was already in the current policy, the service asked for drivers to approach the embassy of the place where they had been away from the country for three months, and they were able provided this certificate to the service;
- Councillor Soane asked for more information about the regulations around stretched limousines. Julia O'Brien stated that stretched limousines were already in the policy and they were treated in the same way as private hire.

Upon being put to the vote, Members agreed to the recommendations contained in the report.

RESOLVED That:

- 1) Members note the content of the statutory standards; and
- 2) Members agree to further reports detailing changes to conditions contained in the Hackney Carriage and Private Hire Policy and School and Community Services Policy to comply with the statutory standards.

8. TAXIS LIAISON GROUP UPDATE

The Taxis Liaison Group Update report was presented by Karen Court, Senior Licensing Officer Public Protection Partnership.

Karen Court stated that the last meeting of the Group had taken place on 10 September 2020, and was attended by three Members of the Licensing and Appeals Committee and two members of the taxi trade.

Karen Court stated that the main points of discussion at the last meeting were:

- Fees – there had been an agreement to reduce the fees and this had already been implemented. There were no further proposals on fees. The audit exercise was being arranged by Sean Murphy.
- Age of vehicles – the Committee was being asked to consider temporarily suspending the current age limits on vehicles. It was suggested that this period be of 12 months with a defined start and end time, provided that the vehicles passed the hackney carriage and private hire vehicle test in addition to the standard MOT test and RAC test for older vehicles;
- Height of vehicles – the condition of height had been imposed to ensure compliance with Section 165 of the Equality Act 2010 (passengers on wheelchairs), it was not recommended that the Committee put forward any proposal to amend these dimensions;
- Taxi ranks – the service was working with Traffic Management. Traffic Management had confirmed that the Broad Street ranks were operational from 19 September 2020, this included the rank outside Natwest Bank and the two west of the bus stops. Additionally, there would be two new temporary evening ranks in Wokingham Market Place on the loading bays outside Boots and WH Smith. Drivers were being advised and kept up to date with information about the ranks and the situation in relation to Covid-19.

The Chairman stated that the taxi trade was facing significant difficulties at the moment due to the current pandemic, with loss of business and competition with Uber. It was the Council's intention to help the trade as much as possible during this difficult time.

Some of the comments made during the discussion of the item are listed below.

Fees

- Councillor Burgess believed that it was disingenuous to say that there were no proposals from the drivers in relation to fees. She believed that the onus was on the Council to produce a line by line audit report on the methodology;
- Sean Murphy clarified that this was in relation to the tariffs that drivers charged for their services;
- In response to a question Karen Court stated that two dates to review the fees had been proposed to the trade;
- Councillor Ferris asked if this Committee would be considering a reduction in fees during the pandemic period. Sean Murphy stated that the fees would be discussed at the meeting in November, including options around reductions (which could be applied retrospectively);
- Sean Murphy confirmed that the reductions that were agreed last year had been implemented retrospectively;
- Councillor Ferris urged the Committee to consider the fact that during the pandemic, the trade had seen its business reduced to 10-15% of what it normally was. Therefore, a reduction on fees during this period should be considered;
- Sean Murphy offered to bring information on the cost of offering a reduction on fees to the next meeting for the Committee to consider.

Age of vehicles

- Councillor Burgess stated that the fees were onerous to drivers. She stated that a line by line review of the methodology had been asked for around one year ago;

- Karen Court stated that two potential meeting dates had been proposed to the trade to continue discussions with the Group;
- Councillor Ferris stated that the Committee should consider a temporary reduction on the fees, in recognition of the difficult circumstances being faced by the trade during the current pandemic;
- Sean Murphy stated that the fees would be discussed at the next meeting. He stated that consideration should be given to the fees for this year and for next year. He stated that a reduction was implemented last year, and that it was possible to offer a retrospective reduction;

Age of vehicles

- Councillor Hobbs was in favour of extending the age of vehicles during this period, however she believed that the RAC checks should continue;
- In response to a question Karen Court stated that it was up to the Committee to decide on the age of vehicles and the RAC test condition;
- Councillor Burgess stated that RAC checks were expensive, she believed that during this current situation this condition should be suspended as vehicles were still subject to tests;
- In response to a question Karen Court stated that RAC checks were more detailed and high level than MOT tests;
- Councillor Burgess pointed out that the RAC test was only required for higher aged vehicles in order to extend their life;
- Sean Murphy pointed out that due to the loss of trade, vehicles were not doing their usual mileage, this had been much reduced;
- Councillor Fishwick proposed that the age of vehicles be extended and a suspension of the RAC check for a period of 12 months, from 1 October 2020 to 30 September 2021, and that this measures be kept under review;
- Councillor Loyes asked how many vehicles in the fleet were affected by the 15 year age limit. Officers agreed to find out and report back on this;
- Councillor Shepherd-DuBey believed that it was important to know how many vehicles would be affected by the 15 year age limit;
- Councillor Burgess seconded Councillor Fishwick's proposal;
- Councillor Ferris believed that it was important to put some measures in place to help the taxi trade during this time of the pandemic;
- Councillor Firmager was in favour of the proposal, especially in view of the fact that vehicles were not having the wear and tear that they would normally have.

Upon being put to the vote, there was general agreement from the Committee that the trade should be supported during this time by extending the age limit and suspending the RAC checks for a period of 12 months, from 1 October 2020 to 30 September 2021, to be kept under review (Councillor Hobbs abstained from the vote).

Height of vehicle

- In response to a question, Karen Court stated that the height of vehicle condition had been imposed in order to make sure that hackney carriages were able to take a wheelchair passenger. The service recommended that no changes be made to this condition. However, the trade had been asking that the height be reduced to enable different vehicles which were not wheelchair accessible to be used as hackney carriages;
- Councillor Burgess stated that the trade had been lobbying to reduce the height requirement for a long time. She stated that other local authorities seemed to have a

requirement of wheelchair accessibility, without stating the height of the vehicle. She agreed that hackney carriages should be wheelchair accessible but questioned whether 54' was the correct height requirement;

- The Chairman believed that this requirement was linked to the Equalities Act;
- Sean Murphy stated that the 54' requirement came about as a result of trying to ensure that a passenger on a wheelchair would be able to enter the vehicle seating in a wheelchair through the gap in the back of the vehicle. The 54' was introduced as a result of it coming to light, some years ago, that there were many vehicles in the fleet that were not wheelchair compatible. At the time, the vehicles that were affected by this were given five years to become wheelchair accessible;
- Councillor Richards stated that prior to the 54' requirement there had been an indication of which vehicles could be used as hackney carriage, however drivers did not want to be limited to a number of makes of vehicles. Upon inspection, a lot of the modified vehicles in the fleet that were inspected, failed to comply with wheelchair accessibility; consequently a recommendation was made that a height measurement inside of the vehicle should be used as a condition instead of naming makes of vehicles;
- Sean Murphy stated that there were purpose built vehicles available which were suitable, most issues were in relation to converted vehicles;
- Councillor Ferris stated that a comprehensive review of the height of vehicles had taken place previously, and the vehicles affected still had three years to adapt to the condition. In his opinion it was important to be clear to drivers as to what the requirement is;
- Councillor Shepherd-DuBey stated that it was important to ensure the standards of hackney carriages within the fleet;
- Councillor Kerr proposed that this issue be brought back to the Committee with a review of the methodology that was used to determine the 54' height requirement, and to decide if 54' is the right height; she was seconded by Councillor Burgess;
- Councillor Soane agreed that it could be confusing trying to find a vehicle that was compliant with the requirement, he also stated that there were other issues to be considered, such as the gradient of the ramp to enter the vehicle;
- Councillor Fishwick referenced the Aylesbury Vale's condition (page 11 of the supplementary agenda) and asked if this was the standard that should be used in Wokingham;
- Sean Murphy confirmed that purpose built vehicles were usually compliant to wheelchair access. He suggested circulating information to Members when available and formally reviewing the height issue at the March meeting of the Committee and; Members were in agreement with this suggestion.

After a robust debate, Members agreed to review the height of vehicles at the March meeting, with information about the methodology that was used to determine the 54', a comparison exercise with other local authorities and other possible alternatives.

In response to a question the Chairman stated that the Taxis Liaison Group was an informal group which comprised Members of the Licensing and Appeals Committee and members of the trade. The frequency of meetings depended on the issues arising for discussion.

RESOLVED That:

- 1) Proposals around reducing the fees during the pandemic would be considered at the next meeting in November;

- 2) The current age limit be extended for a period 12 months, from 1 October 2020 to 30 September 2021;
- 3) The RAC check requirement be suspended for a period of 12 months, from 1 October 2020 to 30 September 2021;
- 4) These measures will be kept under review; and
- 5) The height of vehicles will be reviewed at the March meeting of the Committee

9. ANNUAL REPORT 2019/20

The Annual Report 2019/20 was presented by Julia O'Brien.

Julia O'Brien stated that the report contained an overview of the work of the Licensing Service and the Licensing and Appeals Committee and Sub-Committee over the last year. The report also contained comparative data in relation to the number of applications.

In response to a question, Sean Murphy stated that animal boarders had been badly affected by the pandemic, the fees for that sector would be reviewed at the next meeting of the Committee.

Councillor Burgess stated that the report did not reflect a number of issues within Licensing that had occurred during the past year, which were not mentioned in the report. She expressed frustration that the meeting in June had been cancelled due lack of business, when in her opinion there were issues that should have been discussed. She stated that the taxi trade felt continually let down by Licensing and this Committee. She believed that the Committee should have been reviewing measures to help the trade, in the context of the pandemic, much earlier; some drivers were already considering giving up or had already given up their licences.

Councillor Burgess expressed frustration that the Criteria Policy for Licensed Vehicles was reviewed in June 2018, agreed in September 2018 but was not published until July this year, despite many requests that it be published. She also mentioned issues around animal boarders' fees.

Councillor Burgess recognised that some good work had been undertaken, for example in raising standards.

The Chairman pointed out that the Council had helped many businesses during the pandemic, and that the taxis' fees had been reduced in the past year.

Councillor Richards observed huge variations in the number of applications this year and last year, he asked if these were new applications or renewals. Julia O'Brien stated that the figures represented a mixture of new and renewal applications.

Sean Murphy offered to review the figures, including the number of licences that were lost due to Covid-19, and present it to the Committee at its next meeting.

Councillor Kerr was interested to know the narrative behind the complaints listed in the report, and how many were complaints against the service. She also asked about Key Performance Indicators (KPI) for the service.

Julia O'Brien stated that there were not many KPIs for Licensing, apart from a KPI in relation to 28 days to inspect a new Designated Premises Supervisor (DPS). Sean Murphy agreed to bring more information about KPI's and complaints back to the Committee.

Julia O'Brien stated that the complaints referred to a wide range of issues, including any complaints about a licensed premise or the service. Complaints relating to the PPP were collated by an Officer within the PPP and were not included in this report.

Councillor Ferris stated that a number of Members in the Committee had concerns about some elements within the report.

RESOLVED That:

- 1) The report be noted; and
- 2) The additional information in relation to complaints and KPI's will be provided to the Committee at its next meeting

10. FORWARD PLAN

Julia O'Brien presented the Forward Plan report and stated that the next meeting of the Committee was scheduled for 10 November 2020, and not in March as stated in the report.

Julia O'Brien confirmed that the items in the Forward Plan were:

- Statutory Taxi and Private Hire Vehicle Standards – amendments to Policy;
- Taxi and Private Hire Convictions Policy – annual review
- Taxis Liaison Group update
- Fees and Charges
- Annual report – updated figures

Councillor Kerr asked that a report be brought to the Committee on the EU transition period and its implications on Licensing. Sean Murphy stated that this was still unknown, he would inform the Committee when relevant information was available.

Councillor Ferris expressed concern that this Committee might not have an opportunity to discuss and influence the Fees and Charges before its submission to the Executive. The Chairman stated that the report would be discussed at the next meeting in November, before the Executive meeting. The Chairman also stated that any issues could be raised and discussed with Officers before the next meeting.

Sean Murphy stated that the Public Protection Partnership (PPP) shared service recommended the Fees and Charges to the three local authorities. Their proposal then was then submitted to the Licensing Committee for recommendations before its submission to the Executive and Council. Sean Murphy also stated that there would be a consultation with the taxi trade on fees.

Sean Murphy stated that the fees and charges report contained in the report that was in the agenda pack was going to form the basis for the discussion at the next meeting.

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Agenda Item 16.

TITLE	Fees and Charges 2021/2022
FOR CONSIDERATION BY	Licensing and Appeals Committee on 10 November 2020
WARD	Non-specific
MANAGER	Sean Murphy - Public Protection Manager

OUTCOME / BENEFITS TO THE COMMUNITY

Fees and charges relating to licences and registrations are based on cost recovery, and should they not reflect the cost of providing the service, there is a risk of generating a surplus or deficit.

RECOMMENDATION

- 1.1 That the Committee considers the report, to note the proposals and **AGREES** these fees set out at **Appendix C** go forward for consideration as part of the Council fee setting process.
- 1.2 The Committee **RECOMMENDS** that the fees for Taxi and Private Hire Vehicles and Private Hire Operators are put forward for statutory consultation.
- 1.3 The Committee **RECOMMENDS** that the methodology at **Appendix B** for calculating fees for home animal boarding establishments licensed under Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 should be applied to 2020/21

SUMMARY OF REPORT

- 1.4 This report sets out the Fees and Charges which have been proposed by the Joint Public Protection Committee on 28 September 2020.
- 1.5 Each Council is required to review the fees and charges on an annual basis/ **Appendix C** details the fees and charges for 2021/22 proposed for the Public Protection Service.

Background

- 1.1 The Joint Public Protection Committee is required by the Inter-Authority Agreement that set up the Public Protection Partnership shared service to recommend a draft set of fees and charges to each of the member Councils.
- 1.2 It is noted that a significant number of fees within the licensing field are set by Government Regulation and cannot therefore be changed by the Council.

- 1.3 As a matter of principle, all fees and charges should be set on the basis of full cost recovery. Also aligning fees across the 3 Local Authorities is proposed where appropriate.
- 1.4 In respect of all discretionary fees and the hourly rate, an inflationary 0.6 % rise has been applied. This inflationary rise will balance the increase in cost of service provision such as the cost of living salary rise.
- 1.5 Fees and charges have also been reviewed and in accordance with the request of the JPPC in December 2017 work has been carried out to review and where appropriate to update the fees in accordance with the principle of full cost recovery agreed previously by the JPPC. An internal review of the generic hourly rate (following the agreed methodology of the PPP agreed by JPPC in 2017) has been undertaken and confirmed to be an increase from £57 per hour to £59 per hour. This has not been increased for 2 years having being held at £57 in 2019/2020 and 2020/2021.
- 1.6 The attached **Appendix A** gives more details with respect to fee setting and detail on the challenges being faced by licensed sectors. **Appendix B** gives an explanation of how the Animal Establishment fees proposals and the JMB review of HMO licensing fees. **Appendix C** sets out the proposed fees and charges for these activities.
- 1.7 The Committee has discretion to recommend the rounding of the proposed fees should they so resolve.

The Committee has discretion to round the proposed fees to the nearest whole pound should they so resolve.

Other financial information relevant to the Recommendation/Decision
These are set out in detail in the Report and Appendices

Cross-Council Implications
There are no implications arising from the recommendation in this report.

List of Background Papers
JPPC agenda and reports of the 28 th September 2020 http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=449&MId=5718&Ve r=4

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Date 13 th October 2020	Version No. 1.1

Appendix A

Public Protection Fees and Charges - Supporting Information

1. Introduction/Background

- 1.1. The net revenue budget for 2021/22 has been calculated taking into account:
- The annual cost of living rise (£65.25K)
 - Incremental rises effective from the 1st April 2021 (£36.7K)
 - Minor NI Changes
 - Increase in pension contributions notified to the host authority
 - No inflationary rise has been applied to supplies and services or contractual payments

This gives a total net revenue budget for 2021/22 of **£3.876M**

- 1.2. The split between the authorities proposed by the JPPC is as follows:

Authority	21/22 Percentage	Net Budget Allocation	Increase om 1920/21
Bracknell Forest	25.83	£1,001,000	£43.6K
West Berkshire	39.96	£1,549,110	£54K
Wokingham	34.21	£1,326,470	£63.1K

2. The Impact of Covid19 – Loss of Income

- 2.1. Very few areas of local authority budget setting has not been impacted by the Covid19 pandemic. The services provided by the partnership are no different and have been impacted in a number of different ways an including Loss of Income

In the period April 2020 - August 2020 it is anticipated that the total income lost due to licence surrender, non-renewal etc. is around £85K.

Income continues to fall as licences come up for renewal or licences are surrendered. We have seen reductions in the taxi and private hire trade whose revenue is intrinsically linked to the hospitality and business sectors as well as airport and holiday fares. All of these revenue streams are under pressure and without significant recovery it is likely many more drivers and vehicles licences will not be renewed in due course.

The effects on hospitality are significant. A number of restaurant chains have announced closures and these include premises within the PPP area. The number of public houses continues to decline and at this time it is not known

how many what the effects will be as we move through autumn and into winter and the use of outdoor spaces is no longer viable. There are then also potential implications for recent regulatory changes such as the 10pm curfew on licenced premises, hotels and takeaways. In the last few days further announcements have been made that could have implications for these sectors should we move to tier two or three.

Gambling establishments in the form of betting shops were already closing following the capping of stakes on ‘fixed odds terminals’. A number that closed due to lockdown business restrictions have not re-opened.

There has been also a significant reduction in licenced events although the number of events licenced and unlicensed is now picking up and because of the Councils responsibility under the Coronavirus regulations granting local powers to control events the service has a significant increase in workload. An event for which a £21 TEN fee (set by law) may be payable can create many hours of work.

Animal establishments have all faced significant financial challenges to a lesser or greater degree. Almost certainly the most challenged aspect of the sector is animal boarding establishments who rely on either caring for people’s pets whilst they are away from home or face other personal challenges or who provide day care for people’s dogs whilst they are at work. Like taxis and private hire they face the collateral impact of changes in other sectors.

All in all it is not known what the licensing income base will be in 2021/22. We will keep the Committee and the Councils informed of emerging trends and budget variances. In the meantime we continue to mitigate and manage risk by keeping posts vacant and using temporary staff where expedient. It goes without saying that the higher the loss the more difficult this will be to manage without more fundamental structural change as critical mass is lost.

By way of illustration the number of taxi and private licenses surrendered or not renewed between January and September was as follows:

Area/Type	Chauffeur Driver	Hackney Driver	Dual Driver	Hackney Carriage Vehicle Licence	Private Hire Driver Licence	Private Hire Operator Licence	Private Hire Vehicle Licence	PH Vehicle Dispensation	Home to School (community) Transport Driver	Home to School Transport Vehicle
Wokingham										
Decrease*	0	0	2	6	5	1	3	8	3	4 (increase)

3. Supporting Information – Fees and Charges

- 3.1. At the meeting of the Committee in December 2017 (when it considered the 2018/19 fees and charges) a number of matters were decided. It was agreed that as a matter of principle that all fees and charges should be set on the basis of full cost recovery. In 2018/19 a generic hourly rate for the service was set at £55 p/h as the basis of cost recovery. This was increased in 2019/20 to £57 per

hour and was held at this level for 2020/21. For 2021/22 the full cost of the service, including internal support service re-charges (as per Council budget build processes) and the current establishment lists were updated which resulted in a new rate of £59 p/h. This is the figure used for fee setting for 2021/22, unless specified.

- 3.2. In calculating this fee a range of factors have been considered including the wide variety of council overheads each of the partners must contribute to, the levels of staffing, their costs, contracts and the necessary training to maintain a competent workforce.
- 3.3. All fees considered by this Committees will go forward to Executive and then full Council as part of the budget setting process. Statutory consultations for taxi and private hire vehicles and private hire operator fees would of course be conducted as a matter of course. If other consultation / notification is felt appropriate the Committee have the ability to ask for this.

3.4. **Animal Welfare Establishments**

A new licensing regime for Animal Welfare Establishments e.g. pet shops, animal boarding, riding establishments etc. entered into force in October 2018.

For 2019/20 the fees were capped to the levels for 2018/19. This gave the service and the licence holders' time to adjust to the new and significantly more detailed and comprehensive licensing regime.

The fees set for 2020/21 gave rise to a significant level of concern being raised by those involved in Home Boarding (Day Care) for dogs. These concerns have been looked at in detail and a proposal on a new methodology can be found at **Appendix B** to this report. This is based on the principle that there is basic fee for compliant businesses and non-compliant businesses will pay a higher fee where, for example, additional visits of chasing of information is needed.

It is worth noting that the new regime is risk based. In Wokingham and West Berkshire those with the highest standards of compliance who were granted a three year licence have seen on marginal increases under the existing methodology. They will see a reduction under the new methodology compared to 2019/20.

The whole basis of the Regulations is improved standards. It is hoped that we can work with licence holders to get to the stage that they all meet the criteria to be classed as low risk and can achieve the granting of a three year licence.

3.5. **Houses in Multiple Occupation (HMO)**

There have been a series of exchanges with interested parties in relation to the fees set for issuing 5 year HMO licences. This focussed on compliance with the Services Directive and the level of transparency regarding the formation of the hourly rate that applied. In response to this question a review was carried out by the Joint Management Board and the findings are detailed in **Appendix C**.

3.6. Fees for Licenses Granted for 2 or more years

There are a number of licence fees proposed which run for 2 or more years. Given the uncertainty faced by many sectors it is proposed that in such cases the fee can be paid in equal annual instalments over the period of the licence.

APPENDIX B - Proposals for fees - Animal Welfare Regulations 2018 and Housing Act 2004

Animal Welfare Key Issues:

1. This is new legislation and the PPP have reviewed the impact of the changes over the last 12mths. There is a better understanding of the risks posed by this area of business.
2. The new legislation was brought in to improve animal welfare.
3. The governments assessment of impact on both local authorities and businesses was defined by the level of compliance expected i.e. there will be a reduced financial burden on both if business comply with the new model conditions.
4. The PPP has reviewed its hourly rate this year and at £59 per hr compares favourably with other LA's.

1. Background

- 1.1. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 sets out the duties of local authorities in England to license activities involving animals and the relevant establishments relating to this. The implementation of this new regime by the PPP has happened incrementally over the last 2 years and we have worked with licensees taking a light touch approach to support them in reaching compliance.
- 1.2. The aim of the Animal Welfare Act is to improve the welfare of animals, promote greater responsibility of their carers and provide greater investigation and entry powers for police and local authority to deal with offences. These aims were supported by the introduction of a legal requirement for the PPP to carry out 2 inspections during the lifetime of the licence.
- 1.3. In the governments assessment of why the law needed to change it was noted in their explanatory memorandum that there was a strong public expectation that animal welfare standards would be robustly enforced by local authorities. The changes were supported by the vast majority of respondents to the public consultation and it was fully acknowledged that small businesses would be affected but through 'earned recognition' fees could be set in a way that reflected risk.

2. Setting of Fees

- 2.1. PPP discretionary fees are based on a full cost recovery model. This has been agreed by all committees covering the Public Protection Partnership.
- 2.2. The fees for 2020/21 were also agreed by the full council. Regard was had to [Open for business: LGA guidance on locally set licence fees](#), the guidance for the Regulations also advises having regard to BEIS Guidance for Business on the Provision of Services Regulations, however this is now withdrawn.

2.3. Regulation 13 of the Regulations set out what a local authority may charge fees for:

- a) The costs of consideration of an application, including any inspection relating to that consideration;
- b) The reasonable anticipated costs of consideration of a licence holder's compliance with the Regulations and the licence conditions to which a licence holder is subject. This includes the costs of any further inspections related to compliance;
- c) The reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator; and
- d) The reasonable anticipated costs of the local authority compiling and submitting the data required by regulation 29 to the Secretary of State.

3. Previous Committee Considerations

3.1. [Annex D](#) of Joint Public Protection Committee 7th November 2019 report on Fees and Charges set out how the Animal Welfare fees were calculated and set out an example using Dog Boarding fees.

3.2. The new regulations contain more detailed requirements than those under the previous licensing regime and the licensing parameters are substantial. The 2018 regulations require premises to be awarded star ratings in much the same way as food premises are risk assessed. Those premises deemed as low risk being awarded a higher star rating resulting in a longer term licence being issued.

4. Relevant Factors for Setting a Fee

4.1. Last year (2020/21) the fee of £570 was based on an overall time taken of 10 hour at £57 hourly rate. This was based on a data that was available at the time.

4.1.1. Administration - checking of applications, data imputing, liaising with internal/external officers, preparation of the licence for issue, renewal notifications, maintenance of data base, processing appeals where applicable. **2 hours** of officer time has been allowed for this work.

4.1.2. Inspections – these include pre visit checks - licence holders compliance history/previous inspection report/complaints prior to new/renewal. Inspections (x2 announced and unannounced, including time for aborted unannounced visits), travel time (x 2 announced and unannounced) on site premise inspection (x 2 announced and unannounced), report preparation, risk rating score determination, ongoing compliance costs. **8 hours** of officer's time had been allowed for this work in 2019/20.

4.2. We have reviewed our time recording and have determined that for 2021/22 a reduction of 2 hours per licence can be provided for all animal welfare licences where 2 inspections by a competent officer is required (with a minimum of 2hours for any licence). This is now appropriate as efficiencies have been developed in the last year with processing of licences, understanding and

building relationships with existing premises and a greater understanding by all involved in the application of the regulations.

- 4.3. The regulations allow for the Licensing Authority to include reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator; and the reasonable anticipated costs of the local authority compiling and submitting the data required by regulation 29 to the Secretary of State. Officer's chargeable hourly rate has been set at **£59.00ph** for 2021/2022 (as detailed in the main report). It is appropriate to use this figure as it already takes into account that during the issuing of a licence or permit a number of levels of staff are involved from administrative, professional and management. The fee has been divided into two categories application and grant fee this decision came about because there are two areas of licensing work involved that of administration and inspections/compliance and complaint work.
- 4.4. A licensing regime is not allowed to generate a surplus and the PPP discretionary fees are therefore based on a cost recovery basis. The fee set is for the period of the licence so a licence holder who satisfies all the requirements of the highest standard will be able to obtain a 3 year licence.
- 4.5. Where other local authorities have stated their hourly rate the PPP compares favourably (ranges between £100 and £60 on a recent google search for 20/21 published fees and charges).

5. Financial Impact of the Legislative Changes

- 5.1. When implementing significant legislative changes that impact on business costs it is common to receive a level of negative response. The COVID-19 incident has placed significant pressures on a variety of businesses and this is clearly impacting on the businesses operating in this sector. The PPP has no desire to create further financial hardship but must operate in a way that avoids any legitimate business costs being covered by the general taxpayer. Where inspections haven't been able to be carried out we have extended existing licences for three months and we have been happy to discuss phased payment options with any licence holders' on a case by case basis.
- 5.2. Fees set for 2020/21 did lead to an increase in costs for Home Boarders. It should be noted that many businesses required multiple visits, repeated advice and support to adapt to the new framework and these costs needed to be recovered. This is all legitimate work to be incorporated in the costs of compliance as per the Local Government Associations guidance and findings from relevant case law.
- 5.3. The most affected were businesses operating within the Bracknell Forest Council area who were previously paying an initial fee of £142 then an annual renewal of £119 (£380 over 3 years). These fees were not set on a cost recovery basis.

5.4. Based on the PPP's current assessment of time and resources spent managing this process it has been possible, through a number of efficiencies (generally as a result of improved familiarity with the legislation by both the businesses and the PPP), to reduce the overall amount of time required to manage the system.

5.5. This review has led to the reduction of 17% from 20/21 fees. The vast majority of businesses will benefit from these changes.

5.6. To quantify the worst case scenario for business (those operating in the Bracknell Forest Council area) this means that a business classed as low risk will see an increase of 24%. The proposed fee of £472 would provide a 3 year licence (annual cost of £157.30p).

5.7. There is generally a high level of compliance of businesses within the PPP area and a commitment to animal welfare. Currently the risk profile is as follows:

Current licences issued within the PPP (at September 2020)

Wokingham	Licence Length				Total
Type	1yr (1 or 2 star)	2yr (3 or 4 star)	3yr (5 stars)	6yr (Zoo licence)	
Animal Boarding	1	4	2		7
Home Boarding	16	22	2		40
Dog Breeding	3	1			4
Performing Animals			3		3
Selling Animals as Pets	3	7	4		14
Riding Establishment		1	3		4
Dangerous Wild Animal		1			1
Grand Total	23	36	14		73
% of total in Star Categories	32%	49%	19%	0%	

PPP Service	Licence Length				Total
Type	1yr (1 or 2 star)	2yr (3 or 4 star)	3yr (5 stars)	6yr (Zoo licence)	
Total	63	98	49	1	211
% in each licence length/Star rating group	30%	46%	23%	0%	

6. Penalties for Non-Compliance

6.1. In part 3 Regulation 20 of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 it sets out the following:

'(1) It is an offence for a person, without lawful authority or excuse—

- (a) to breach a licence condition;
(b) to fail to comply with regulation 7 or 19.
(2) A person who commits an offence under paragraph (1) is liable on summary conviction to a fine.'

6.2. The procedural guidance note for local authorities identifies the offence for anyone who carries on any of the licensable activities without a licence:

'is liable to imprisonment for a term of up to six months, a fine or both, section 30 of the Animal Welfare Act 2006 allows for local authorities to prosecute for any offences under that Act.'

6.3. Section 32 of the Animal Welfare Act also identifies that the fine is not to exceed level 5 on the standard scale i.e. up to £5,000.

7. Options for Animal Welfare Fees and Charges

7.1. There are 3 options for fees in 2021/22:

- 7.1.1. Option 1: Do nothing other than add the CPI of 0.6% to last year's fee.
- 7.1.2. Option 2: Use the generic hourly rate and not include the additional work identified as part of the review.
- 7.1.3. Option 3: implement the fees as per the briefing note for public questions i.e. breakdown each activity following the LGA Guidance, reflect the different rates and add it all together.

8. Recommendation for Animal Welfare Fees and Charges

8.1. **Option 2** is recommended by officers as it reflects the greater understanding of risk, with more data to refer to in the overall impact of managing the system. It also reduces the overall costs to the majority of licensees if they operate a compliant business.

9. Options for Houses in Multiple Occupation

9.1. There are 3 options:

- 9.1.1. **Option 1:** Do nothing other than add the CPI of 0.6% to last year's fee. HMO Licence Fee = £1,197
- 9.1.2. **Option 2:** Apply the new generic hourly rate and stick to the original time allocation. HMO Licence Fee = £1,204
- 9.1.3. **Option 3:** Implement the fees as per the briefing note for public questions i.e. breakdown each activity following the LGA Guidance, reflect the different rates and add it all together. HMO Licence Fee = £1,098

10. Recommendation for Houses in Multiple Occupation

10.1. **Option 3** is recommended by officers as it reflects the greater understanding of risk, with more data to refer to in the overall impact of managing the system.

Note 1

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Scoring Matrix		Welfare Standards		
		Minor Failings (existing business that are failing to meet minimum standards)	Minimum Standards (as laid down in the schedules and guidance)	Higher Standards (as laid down in the guidance)
Risk	Low Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	3 Star 2yr licence Min 1 unannounced visit within 24 month period	5 Star 3yr licence Min 1 unannounced visit within 36 month period
	Higher Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	2 Star 1yr licence Min 1 unannounced visit within 12 month period	4 Star 2yr licence Min 1 unannounced visit within 24 month period

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Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Hourly Rate for PPP		£57.00	£59.00	£59.00	4%	Hourly rate revised calculation carried out September 2020 - to be used instead of 0.6% increase
Public Protection Partnership						
Environmental Protection						
Prevention of Damage by Pests						
Pest Site survey		N/A				Hourly rate as part of cost recovery where WID only
Rat treatment		N/A				Hourly rate as part of cost recovery where WID only
Any other Pest treatment		N/A				Hourly rate as part of cost recovery where WID only
Dog Warden Services						
Stray Dogs - Not taken to Kennel		£73.00	£73.44	£73.00	0%	Amalgamate. Vet fees separate as applicable
Stray Dogs - Taken to Kennel		Fees based on charges & cost recovery. Vet fees separate as applicable	Fees based on charges & cost recovery. Vet fees separate as applicable	Fees based on charges & cost recovery. Vet fees separate as applicable		Fees based on charges & cost recovery. Vet fees separate as applicable
Dog Fouling fixed penalty charge		£75.00		£75.00		Set in FPN policy
Misc stray dog activities ie taxi, relocating, microchipping etc		£57.00	£59.00	£59.00	4%	Plus cost recovery on charges.
Abandoned Vehicles						
Removal (prescribed fee)	Less than 3.5 tonnes	£150.00	£150.00	£150.00		Set by statute
Daily Storage (prescribed fee)	Less than 3.5 tonnes	£20.00	£20.00	£20.00		Set by statute
Enforcement disposal costs (prescribed fee)	Less than 3.5 tonnes	£75.00	£75.00	£75.00		Set by statute
Fixed penalty notice	Reduced to £120 if paid within 7 days	£200.00	£200.00	£200.00		Set by statute
Enforcement invoice costs		£77.00	£77.00	£77.00		Set by statute
Trading Standards						
Weights and Measures Fees (per hour)		£64.00	£64.38	£64.00	0%	Discretionary, includes the cost of maintaining calibration of equipment annually
Explosives Licenses / Registrations - set by statute						
New licence for explosives below 250Kg NEC						
	1 year	£109.00		£109.00		Set by statute
	2 years	£141.00		£141.00		Set by statute
	3 years	£173.00		£173.00		Set by statute
	4 years	£206.00		£206.00		Set by statute
	5 years	£238.00		£238.00		Set by statute
Renewal licence for explosives below 250Kg NEC						
	1 year	£54.00		£54.00		Set by statute
	2 years	£86.00		£86.00		Set by statute
	3 years	£120.00		£120.00		Set by statute
	4 years	£152.00		£152.00		Set by statute
	5 years	£185.00		£185.00		Set by statute
New licence for explosives above 250Kg NEC						
	1 year	£185.00		£185.00		Set by statute
	2 years	£243.00		£243.00		Set by statute
	3 years	£304.00		£304.00		Set by statute
	4 years	£374.00		£374.00		Set by statute
	5 years	£423.00		£423.00		Set by statute
Renewal licence for explosives below 250Kg NEC						
	1 year	£86.00		£86.00		Set by statute
	2 years	£147.00		£147.00		Set by statute
	3 years	£206.00		£206.00		Set by statute
	4 years	£266.00		£266.00		Set by statute
	5 years	£326.00		£326.00		Set by statute
Varying the name of licensee or address of site		£36.00		£36.00		Set by statute
Any other kind of variation		£40.00		£40.00		Set by statute
Transfer of licence		£36.00		£36.00		Set by statute

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Replacement licence		£36.00		£36.00		Set by statute
Fullm year registration for fireworks		£515.00		£515.00		Set by statute
Petroleum Licensing - set by statute						
Petroleum Licensing Fees	not exceeding 2,500 litres	£44.00		£44.00		Set by statute
Petroleum Licensing Fees	not exceeding 50,000 litres	£60.00		£60.00		Set by statute
Petroleum Licensing Fees	exceeding 50,00 litres	£125.00		£125.00		Set by statute
Primary Authority						
Primary Authority Work hourly chargeable rate		£57.00	£59.00	£59.00	4%	
Annual charge - previous year usage 10 hours or less		£513.00	£516.08	£516.00	1%	
Annual charge - previous year usage 20 hours		£1,025.00	£1,031.15	£1,031.00	1%	
Anything likely to be in excess of 20 hours		CR				Individually assessed
Support with Confidence						
Application fee	1-5 employees	£59.00	£59.35	£59.00	0%	All disbursements charged at cost
	6-20 employees	£119.00	£119.71	£120.00	1%	As above except fee reduced to £50 if registered with confidence
	21+ employees	£298.00	£299.79	£300.00	1%	As above except fee reduced to £50 if registered with confidence
Buy with Confidence						
Members from 2017/18 Application Fee	1-5 employees	£128.00	£125.00	£125.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder as varied from time to time
	6-20 employees	£170.00	£167.00	£167.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	21+ employees	£212.00	£208.00	£208.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
Annual Fee	1-5 employees	£255.00	£250.00	£250.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	6-20 employees	£383.00	£375.00	£375.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	21-49 employees	£510.00	£500.00	£500.00	-2%	Nationally agreed with 'Buy with Confidence' scheme holder
	50+		POA	POA		Nationally agreed with 'Buy with Confidence' scheme holder
Members before 2017/18 Annual Fee	1-5 employees	£125.00	£125.00	£125.00	0%	Applicable only to legacy Bracknell members
	6-20 employees	£189.00	£189.00	£189.00	0%	Applicable only to legacy Bracknell members
	21+ employees	£252.00	£252.00	£252.00	0%	Applicable only to legacy Bracknell members
Commercial						
Food Export Certificates		£57.00	£59.00	£59.00	4%	Full cost recovery based on officer hourly rate
Food Hygiene Rating Scheme rescore	2 hours	£114.00	£118.00	£118.00	4%	New - agreed dec 2019
Anti-Social Behaviour Act:						
High Hedges Fee (Class A – Fee Discretionary)		£1,199.00	£1,206.19	£1,206.00	1%	Cost recovery for consultant
Licences, Registrations and Similar Consents						
<i>Licensing Act 2003:</i>						
Premises Licence – ‘one off’ fees set by statute based upon rateable value (RV) of premises (Class B – Statutory Fee)						
Band A – RV up to 4300		£100.00		£100.00		Statutory -no increase.
Band B – RV 4300 to 33000		£190.00		£190.00		Statutory -no increase.
Band C – RV 33001 to 87000		£315.00		£315.00		Statutory -no increase.
Band D – RV 87001 to 125000		£450.00		£450.00		Statutory -no increase.
Band E – RV 125001 and above		£635.00		£635.00		Statutory -no increase.
Pre-Application Advice, Hourly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Premises Licence – Annual Fee (Class B – Statutory Fee)						
Band A		£70.00		£70.00		Statutory -no increase.
Band B		£180.00		£180.00		Statutory -no increase.
Band C		£295.00		£295.00		Statutory -no increase.
Band D		£320.00		£320.00		Statutory -no increase.
Band E		£350.00		£350.00		Statutory -no increase.

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Personal Licence - (Class B – Statutory Fee)						
Personal Licence - (Class B – Statutory Fee)		£37.00		£37.00		Statutory -no increase.
Temporary Event Notices (TEN's) - (Class B – Statutory Fee)		£21.00		£21.00		Statutory -no increase.
Application for copy licence, change address or club rules		£10.50		£10.50		Statutory -no increase.
Application to vary DPS/transfer licence/interim notice		£23.00		£23.00		Statutory -no increase.
Application for making a provisional statement		£315.00		£315.00		Statutory -no increase.
Minor variation		£89.00		£89.00		Statutory -no increase.
Application to disapply mandatory DPS condition		£23.00		£23.00		Statutory -no increase.
Pre-Application Advice, hrly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Gambling Licenses						
Casinos (regional)	New Application	£15,000.00		£15,000.00		100% of Statutory Maximum
	Provisional Statement	£15,000.00		£15,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£8,000.00		£8,000.00		100% of Statutory Maximum
	Variation	£7,500.00		£7,500.00		100% of Statutory Maximum
	Transfer/Reinstatement	£6,500.00		£6,500.00		100% of Statutory Maximum
	Annual Fee	£15,000.00		£15,000.00		100% of Statutory Maximum
Casinos (large)	New Application	£10,000.00		£10,000.00		100% of Statutory Maximum
	Provisional Statement	£10,000.00		£10,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£5,000.00		£5,000.00		100% of Statutory Maximum
	Variation	£5,000.00		£5,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£2,150.00		£2,150.00		100% of Statutory Maximum
	Annual Fee	£10,000.00		£10,000.00		100% of Statutory Maximum
Casinos (small)	New Application	£8,000.00		£8,000.00		100% of Statutory Maximum
	Provisional Statement	£8,000.00		£8,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£3,000.00		£3,000.00		100% of Statutory Maximum
	Variation	£4,000.00		£4,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,800.00		£1,800.00		100% of Statutory Maximum
	Annual Fee	£5,000.00		£5,000.00		100% of Statutory Maximum
Bingo Clubs	New Application	£3,500.00		£3,500.00		100% of Statutory Maximum
	Provisional Statement	£3,500.00		£3,500.00		100% of Statutory Maximum
	Application with Provisional Statement	£1,200.00		£1,200.00		100% of Statutory Maximum
	Variation	£1,750.00		£1,750.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,200.00		£1,200.00		100% of Statutory Maximum
	Annual Fee	£1,000.00		£1,000.00		100% of Statutory Maximum
Betting Premises	New Application	£3,000.00		£3,000.00		100% of Statutory Maximum
	Provisional Statement	£3,000.00		£3,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£1,200.00		£1,200.00		100% of Statutory Maximum
	Variation	£1,500.00		£1,500.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,200.00		£1,200.00		100% of Statutory Maximum
	Annual Fee	£600.00		£600.00		100% of Statutory Maximum
Tracks	New Application	£2,500.00		£2,500.00		100% of Statutory Maximum
	Provisional Statement	£2,500.00		£2,500.00		100% of Statutory Maximum
	Application with Provisional Statement	£950.00		£950.00		100% of Statutory Maximum
	Variation	£1,250.00		£1,250.00		100% of Statutory Maximum
	Transfer/Reinstatement	£950.00		£950.00		100% of Statutory Maximum
	Annual Fee	£1,000.00		£1,000.00		100% of Statutory Maximum
Family Entertainment Centres	New Application	£2,000.00		£2,000.00		100% of Statutory Maximum
	Provisional Statement	£2,000.00		£2,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£950.00		£950.00		100% of Statutory Maximum
	Variation	£1,000.00		£1,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£950.00		£950.00		100% of Statutory Maximum
	Annual Fee	£750.00		£750.00		100% of Statutory Maximum

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Adult Gaming Centres	New Application	£2,000.00		£2,000.00		100% of Statutory Maximum
	Provisional Statement	£2,000.00		£2,000.00		100% of Statutory Maximum
	Application with Provisional Statement	£1,200.00		£1,200.00		100% of Statutory Maximum
	Variation	£1,000.00		£1,000.00		100% of Statutory Maximum
	Transfer/Reinstatement	£1,200.00		£1,200.00		100% of Statutory Maximum
	Annual Fee	£1,000.00		£1,000.00		100% of Statutory Maximum
Lotteries and Amusements	New Application	£40.00		£40.00		Statutory -no increase.
	Annual Fee	£20.00		£20.00		Statutory -no increase.
All Licences	Notification of change	£50.00		£50.00		100% of Statutory Maximum
	Copy of Licence	£25.00		£25.00		100% of Statutory Maximum
Pre-Application Advice, hrly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Club Gaming Machines						
Club Gaming or Machine Permit	New Application	£200.00		£200.00		Statutory-no increase
Club Gaming or Machine Permit	Existing holder	£100.00		£100.00		Statutory-no increase
Club Gaming or Machine Permit	Renewal	£200.00		£200.00		Statutory-no increase
Club Gaming or Machine Permit	Annual Fee	£50.00		£50.00		Statutory-no increase
Club Gaming or Machine Permit	Variation	£100.00		£100.00		Statutory-no increase
Club Gaming or Machine Permit	Copy of Licence	£15.00		£15.00		Statutory-no increase
Club Gaming or Machine Permit (holds a Club Premises Certificate under Licensing Act 2003)	New Application	£100.00		£100.00		Statutory-no increase
Club Gaming or Machine Permit(holds a Club Premises Certificate under Licensing Act 2003)	Renewal	£100.00		£100.00		Statutory-no increase
Licensed Premises Notifications						
To make available up to 2 gaming machines on premises which hold on-premises alcohol licence	Notification of intention	£50.00		£50.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Application (existing holder)	£100.00		£100.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	New Application	£150.00		£150.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Annual Fee	£50.00		£50.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Annual Fee (payable within 30 days of date permit takes effect)	£50.00		£50.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Variation	£100.00		£100.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Transfer	£25.00		£25.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Change of Name	£25.00		£25.00		Statutory-no increase
Gaming Machine Permit (more than 2 machines) on premises which hold on premises alcohol licence	Copy of Permit	£15.00		£15.00		Statutory-no increase
Pre-Application Advice, hrly charge	Min 1Hr	£57.00	£59.00	£59.00	4%	
Sex Establishments – (Class A – Fee Discretionary)						
Cinema		min £3,100 to max £5,150	min £3,100 to max £5,150	min £3,100 to max £5,150		No change
Shop		min £3,100 to max £5,150	min £3,100 to max £5,150	min £3,100 to max £5,150		No change
Entertainment Venue		min £3,100 to max £5,150	min £3,100 to max £5,150	min £3,100 to max £5,150		No change
Pre-Application Advice, hrly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
* Inspections are carried out annually, regardless of the star rating or length of licence, by a vet and officer. Vets fees will be recharged separately.						
Example of charge per horse in a yard with 60 horses						
1- 10 horses @ £15 = £150.00						
horses 11-50 @ £10 = £400.00						
horses 51 - 60 @ £8 = £80.00						
Other fees 2020/2021						
Variation to the licence fee (inclusive of one visit)	£224.00			£224.00		
Replacement licence fee (lost or stolen paperwork, change of name, etc.)	£56.00			£56.00		
Re-evaluation of star rating (inclusive of one visit)	£112.00			£112.00		
Transfer due to death of licensee	£56.00			£56.00		
Dangerous Wild Animal Consent*	2 years	£457.00	£459.74	£460.00	1%	WB & WOK only Cost recovery
Dangerous Wild Animal Consent - New*	2 years	£486.00	£488.92	£489.00	1%	Bracknell only Cost recovery
Dangerous Wild Animal Consent - Renewal*	2 years	£282.00	£283.69	£284.00	1%	Bracknell only Cost recovery
Zoo Licenses (new and renewals)*	Up to 6 Years	£2,054.00	£2,066.32	£2,066.00	1%	Cost recovery
Hairdresser Registration		£43.00	£43.26	£43.00	0%	Bracknell only
Scrap Metal						Discretionary
Scrap Metal Site - New	3 Years	£498.00	£500.99	£501.00	1%	Cost recovery
Scrap Metal Site - Renewal	3 Years	£498.00	£500.99	£501.00	1%	Cost recovery
Scrap Metal Mobile Collector - New	3 Years	£265.00	£266.59	£267.00	1%	Cost recovery
Scrap Metal Mobile Collector - Renewal	3 Years	£265.00	£266.59	£267.00	1%	Cost recovery
Scrap Metal -Variation of Licence		£366.00	£368.20	£368.00	1%	Cost recovery
Scrap Metal-Change of Site Manager		£68.00	£68.41	£68.00	0%	Cost recovery
Scrap Metal- Copy of licence		£11.00	£11.07	£11.00	0%	Cost recovery
Scrap Metal- Change of Name		£36.00	£36.22	£36.00	0%	Cost recovery
Pre-Application Advice, hrly charge		£57.00	£59.00	£59.00	4%	
Private Water Supplies (Statutory Maximums stated)						
Risk Assessment	Carried out every 5 years	£57.00	£59.00	£59.00	4%	Minimum charge 1 Hr, simple risk assessment and report typically 5 hours
Sampling		£57.00	£59.00	£59.00	4%	Cost recovery charge for a visit, taking a sample and delivering it to the laboratory. Typically 2.5 hours
Private water and pool samples	includes cost of testing	£60.00	£60.36	£60.00	0%	
Investigation		£108.00	£108.65	£109.00	1%	Carried out in the event of a test failure, can be substituted by the risk assessment - this does not include any required analysis costs
Analysis - Regulation 10		£28.00	£28.17	£28.00	0%	Where a supply provides <10m ³ /day or serves <50 people and is used for domestic purposes
Analysis of Group A Parameters						Cost of laboratory analysis will be recovered and will depend on type of suite being analysed. Customer will be advised of cost.
Analysis of Group B Parameters						Additional parameters sampled less often to ensure the water complies with all safety standards - Hrly rate applies
Environmental Permitting (Eng&W) Regulations 2016						

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
Scheduled Processes - (Class B – Statutory Fee)						
Standard Process		£1,650.00		£1,650.00		Statutory-no increase
Service Stations (PVI & PVII)		£257.00		£257.00		Statutory-no increase
Dry Cleaners		£155.00		£155.00		Statutory-no increase
Vehicle Refinishers		£362.00		£362.00		Statutory-no increase
Mobile screening & crushing plant		£1,650.00		£1,650.00		Statutory-no increase
for the third to seventh applications		£985.00		£985.00		Statutory-no increase
for the eighth and subsequent applications		£498.00		£498.00		Statutory-no increase
Substantial Changes						
Standard Process		£1,050.00		£1,050.00		Statutory-no increase
Reduced Activities		£102.00		£102.00		Statutory-no increase
Annual Subsistence Charge						
Standard Process	LOW	£772.00		£772.00		Statutory-no increase
	MEDIUM	£1,161.00		£1,161.00		Statutory-no increase
	HIGH	£1,747.00		£1,747.00		Statutory-no increase
Service Stations PVR2	LOW	£113.00		£113.00		Statutory-no increase
	MEDIUM	£226.00		£226.00		Statutory-no increase
	HIGH	£341.00		£341.00		Statutory-no increase
VRs and other reduced fees	LOW	£228.00		£228.00		Statutory-no increase
	MEDIUM	£365.00		£365.00		Statutory-no increase
	HIGH	£548.00		£548.00		Statutory-no increase
Dry Cleaners /PVR1	LOW	£79.00		£79.00		Statutory-no increase
	MEDIUM	£158.00		£158.00		Statutory-no increase
	HIGH	£237.00		£237.00		Statutory-no increase
Mobile Screening & Crushing Plant	LOW	£646.00		£646.00		Statutory-no increase
	MEDIUM	£1,034.00		£1,034.00		Statutory-no increase
	HIGH	£1,506.00		£1,506.00		Statutory-no increase
For the second permit	LOW	£646.00		£646.00		Statutory-no increase
	MEDIUM	£1,034.00		£1,034.00		Statutory-no increase
	HIGH	£1,506.00		£1,506.00		Statutory-no increase
For the third to seventh permit	LOW	£385.00		£385.00		Statutory-no increase
	MEDIUM	£617.00		£617.00		Statutory-no increase
	HIGH	£924.00		£924.00		Statutory-no increase
For the eighth & subsequent applications	LOW	£198.00		£198.00		Statutory-no increase
	MEDIUM	£316.00		£316.00		Statutory-no increase
	HIGH	£473.00		£473.00		Statutory-no increase
Late payment charge	When invoice issued & not paid in 8 weeks	£52.00		£52.00		Statutory-no increase
Transfer & Surrender						
Transfer		£169.00		£169.00		Statutory-no increase
Partial Transfer		£497.00		£497.00		Statutory-no increase
Surrender		£0.00		£0.00		Statutory-no increase
Transfer Reduced fees		£0.00		£0.00		Statutory-no increase
Partial Transfer Reduced fees		£47.00		£47.00		Statutory-no increase
Private Sector Housing						
Inspection of housing premises for immigration purposes (Class A – Fee Discretionary)		£400.00	£402.40	£402.00	0%	
Enforcement Notices served under Housing Act 2004		£115.00	£115.69	£116.00	1%	Activities as prescribed
HMO Licence NEW - assisted application		£1,197.00	£1,204.18	£1,204.00	1%	
HMO Licence RENEWAL		£800.00	£804.80	£805.00	1%	
Civil Penalties housing offences						Up to £30,000.00
Caravan Site Licence						
Site licence new		£437.00	£439.62	£440.00	1%	(Option 2 of DCLG Guide for Charging)
New licence per pitch		£16.00	£16.10	£16.00	0%	
Transfer of licence		£185.00	£186.11	£186.00	1%	
Alteration of conditions		£339.00	£341.03	£341.00	1%	

Description	Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes	
Annual fee per pitch	£14.00	£14.08	£14.00	0%		
Enforcement action -per hour	£57.00	£59.00	£59.00	4%	Hourly rate as for activity as prescribed.	
Deposit, vary or deleting site rules	£116.00	£116.70	£117.00	1%		
Variation of licence	£115.00	£115.69	£116.00	1%		
Other Fees					Hourly rate applies minimum for 2 hours	
Environmental Info Individual or Non Commercial	£115.00	£118.00	£118.00	3%	Cost recovery	
Environmental Info Commercial and Government	£115.00	£118.00	£118.00	3%	Cost recovery	
Civil Actions (Class A – Fee Discretionary)	£115.00	£118.00	£118.00	3%	Cost recovery	
Safety Certification and administration	Minimum 2 hours	£115.00	£118.00	£118.00	3%	Cost recovery
Pre-Application Advice, hourly charge	£57.00	£59.00	£59.00	4%		
Resident and Business Advice					Hourly rate applies	
General Business Advice (non-primary authority)	Per hour - free for first 30 minutes	£57.00	£59.00	£59.00	4%	
Request for Advice		£57.00	£59.00	£59.00	4%	
Hackney Carriage / Private Hire Licensing						
Vehicle Licences						
Hackney Carriage Vehicle New / Renewal	£288.00	£289.73	£290.00	1%	cost recovery	
Private Hire Vehicle New / Renewal	£288.00	£289.73	£290.00	1%	cost recovery	
Home to School New / Renewal	£147.00	£147.88	£148.00	1%	Bracknell only	
Private Hire Vehicle with Dispensation	£288.00	£289.73	£290.00	1%	Included in operator fees	
Temporary Vehicle licence	Issue up to 3 months maximum	£231.00	£232.39	£232.00	0%	cost recovery
Private Hire Operators - NEW					NEW from 2020-2021 LICENCE FEE SCHEDULE BASED ON PER VEHICLE for 5 YEARS: per vehicle calculation of 4 hours at hourly rate plus an hour per year (for years 2-5) for first vehicle, plus 15 minutes per additional vehicle per year (years 1-5) up to a maximum of 20 vehicles (2021-2022 hourly rate £59.00)	
1 vehicle	£456.00	£472.00	£472.00	4%		
2 vehicles	£527.25	£545.75	£545.75	4%		
3 vehicles	£598.50	£619.50	£619.50	4%		
4 vehicles	£669.75	£693.25	£693.25	4%		
5 vehicles	£741.00	£767.00	£767.00	4%		
6 vehicles	£812.25	£840.75	£840.75	4%		
7 vehicles	£883.50	£914.50	£914.50	4%		
8 vehicles	£954.75	£988.25	£988.25	4%		
9 vehicles	£1,026.00	£1,062.00	£1,062.00	4%		
10 vehicles	£1,097.25	£1,135.75	£1,135.75	4%		
11 vehicles	£1,168.50	£1,209.50	£1,209.50	4%		
12 vehicles	£1,239.75	£1,283.25	£1,283.25	4%		
13 vehicles	£1,311.00	£1,357.00	£1,357.00	4%		
14 vehicles	£1,382.25	£1,430.75	£1,430.75	4%		
15 vehicles	£1,453.50	£1,504.50	£1,504.50	4%		
16 vehicles	£1,524.75	£1,578.25	£1,578.25	4%		
17 vehicles	£1,596.00	£1,652.00	£1,652.00	4%		
18 vehicles	£1,667.25	£1,725.75	£1,725.75	4%		
19 vehicles	£1,738.50	£1,799.50	£1,799.50	4%		
20 vehicles	£1,809.75	£1,873.25	£1,873.25	4%		
20+ vehicles	£1,809.75	£1,873.25	£1,873.25	4%		
Private Hire Operators - RENEWAL					NEW from 2020-2021 LICENCE FEE SCHEDULE BASED ON PER VEHICLE for 5 YEARS: per vehicle calculation of 2 hours at hourly rate plus an hour per year (for years 2-5) for first vehicle, plus 15 minutes per additional vehicle per year (years 1-5) up to a maximum of 20 vehicles (2020-2021 hourly rate £59.00)	
1 vehicle	£342.00	£354.00	£354.00	4%		
2 vehicles	£413.25	£427.75	£427.75	4%		
3 vehicles	£484.50	£501.50	£501.50	4%		

Description		Wokingham / West Berks / Bracknell 2020/2021 (Excluding VAT)	Proposed Wokingham/West Berkshire/Bracknell 2021/2022 (Excluding VAT) + 0.6 % (CPI 30 June 2020 rate)	Wokingham / West Berks / Bracknell 2021/2022 (Excluding VAT) Fees Rounded Off	%increase/decrease for committee	Notes
4 vehicles		£555.75	£575.25	£575.25	4%	
5 vehicles		£627.00	£649.00	£649.00	4%	
6 vehicles		£698.25	£722.75	£722.75	4%	
7 vehicles		£769.50	£796.50	£796.50	4%	
8 vehicles		£840.75	£870.25	£870.25	4%	
9 vehicles		£912.00	£944.00	£944.00	4%	
10 vehicles		£983.25	£1,017.75	£1,017.75	4%	
11 vehicles		£1,054.50	£1,091.50	£1,091.50	4%	
12 vehicles		£1,125.75	£1,165.25	£1,165.25	4%	
13 vehicles		£1,197.00	£1,239.00	£1,239.00	4%	
14 vehicles		£1,268.25	£1,312.75	£1,312.75	4%	
15 vehicles		£1,339.50	£1,386.50	£1,386.50	4%	
16 vehicles		£1,410.75	£1,460.25	£1,460.25	4%	
17 vehicles		£1,482.00	£1,534.00	£1,534.00	4%	
18 vehicles		£1,553.25	£1,607.75	£1,607.75	4%	
19 vehicles		£1,624.50	£1,681.50	£1,681.50	4%	
20 vehicles		£1,695.75	£1,755.25	£1,755.25	4%	
20+ vehicles		£1,695.75	£1,755.25	£1,755.25	4%	
Variation to licence		£57.00	£59.00	£59.00	4%	to include reissue of licence with additional vehicle registration added plus extra fees for these for length of licence
Driver Licences						
Driver – New / Renewal	3 years	£269.00	£270.61	£271.00	1%	
Home to School New / Renewal	3 years	£185.00	£186.11	£186.00	1%	Bracknell only
Conversion of driver licence to another type		£80.00	£80.48	£80.00	0%	
Other Private Hire and Hackney Carriage Charges						
Transfer of vehicle to new owner		£114.00	£118.00	£118.00	4%	2 hours
Change of vehicle		£74.00	£74.44	£74.00	0%	
Replacement licence		£41.00	£41.25	£41.00	0%	
Replacement badge		£41.00	£41.25	£41.00	0%	
Replacement vehicle licence plate		£57.00	£59.00	£59.00	4%	
Meter test - retest after failure	Bracknell Forest and Wokingham	£32.00	£32.19	£32.00	0%	Not West Berks
Knowledge Test		£74.00	£74.44	£74.00	0%	
Missed Appointment		£37.00	£37.22	£37.00	0%	
Disclosure and Barring Service Check (DBS)	Bracknell Forest	£67.00	£67.40	£67.00	0%	
Disclosure and Barring Service Check (DBS)	West Berkshire and Wokingham	£92.50	£93.50	£94.00	2%	Capita cost + half an hour at hourly charge (£64+£29.50)
Advertising on a Hackney Carriage Initial	Bracknell Forest and Wokingham	£47.00	£47.28	£47.00	0%	Not West Berks
Advertising on a Hackney Carriage Renewal	Bracknell Forest	£32.00	£32.19	£32.00	0%	Bracknell only
Change of Address (PH & HC)		£14.00	£14.08	£14.00	0%	
Backing Plate		£26.00	£26.16	£26.00	0%	
Medical Exemption from carrying assistant dog		£22.00	£22.13	£22.00	0%	
Refund processing fee		£57.00	£59.00	£59.00	4%	
Change of vehicle registration		£57.00	£57.34	£57.00	0%	
Pre-Application Advice, hourly charge	Min 1 Hr	£57.00	£59.00	£59.00	4%	
Age of vehicle inspection initial/reinspection		£56.00	£59.00	£59.00	5%	
Disability Awareness Training Course				POA		
Safeguarding Training				POA		
First Aid training for drivers	Bracknell Forest and Wokingham			POA		Not West Berks

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TITLE	Annual Report 2019/2020
FOR CONSIDERATION BY	Licensing and Appeals Committee 10 November 2020
WARD	Non-specific
DIRECTOR	Sean Murphy - Public Protection Manager

OUTCOME / BENEFITS TO THE COMMUNITY

The Licensing Service considers and issues a range of licences and permits required by businesses in order that they can deliver a range of services and goods to residents and visitors to Wokingham Borough. Legislation requiring a licence/permit for a business activity is generally enacted on health and safety grounds to protect users of a service or those that might be affected due to their proximity to the licensed premises or their interaction with a licensed person.

The Service is aware that the licensing function, whilst offering protection, can also act as a barrier to others who wish to deliver services or supply goods and every effort is made to assist businesses to understand and progress rapidly through the licensing process. The service therefore has a number of functions including business advice, processing of applications, monitoring compliance and where necessary taking enforcement action.

RECOMMENDATION

That the Committee NOTES the content of this report and Licensing and Appeals Committee and Service related activity for 2019/2020.

SUMMARY OF REPORT

To set out the work of the Licensing and Appeals Committee and Sub-Committee in 2019/20 as well as the work of the Licensing Service as delivered through the Public Protection Partnership. Concerns were raised by members at the Committee meeting in October in relation to numbers in the Annex's and further information on KPI's-these have now been added and numbers for Annex's redone.

Background

The Licensing Committee is responsible for setting the policy direction that sets the basis of licensing activity. Under the Licensing Act 2003 and the Gambling Act 2005 there is a legal obligation for the Council to set key policies. In other areas the Council has a range of powers to set licence conditions and adopt sector specific policy positions.

Over the 2019/20 period the Licensing Committee considered a number of matters (including for the hackney carriage and private hire trades the suitability of applicants and licensees policy and Disability Awareness Training for drivers and operators). Some of the actions have been outlined in Annex C.

The Licensing Service operates on a cost recovery basis except where statutory fees are set. The Committee considers discretionary fees before they are considered by Full

Council as part of the budget setting process. In 2019/20 the Committee approved changes to the hackney carriage and private hire vehicle and operator fees, as well as the new fee structure for Animal Welfare Establishments.

It is acknowledged by the trade that an effective licensing regime, effectively administered and founded on sensible and effective policies can be good for the license holder in that it creates confidence. The Service is aware that the licensing function, whilst offering protection, can also act as a barrier to others who wish to deliver services or supply goods and every effort is made to assist businesses to understand and progress through the licensing process. The Service therefore has a number of functions including business advice, processing of applications, monitoring compliance and where necessary taking enforcement action.

The role played by the Committee is key to sound decision making in day to day delivery. The Committee also have a crucial role in overseeing the effectiveness of the licensing regime through the setting of key policy directions and delivery related policies.

Attached as Annex **A** are figures for the number of applications received for the different licences, registrations, permits and consents administered by the department, for the period 1 April 2019 – 31 March 2020. This is a single indicator of the number of transactions that the Licensing Section has with businesses operating within the Borough. In addition, Annex **B** shows the current total of licences that were valid during on the dates stated.

The service has a baseline target from receipt of a complete and valid application to issue of five working days. In 2019/20 this was impacted by vacancies and long term absence and the figure achieved was 62.5% overall. During the year we have seen the increase demand on the service that an increase workload to the Service. The Application processing experienced lack of resources in the first half of the year but by success recruitment the improvement in processing was clearly seen during quarter 4. In Q1 of 2020/21 we have seen this continue.

A further aspect is that of assisting businesses to grow whilst complying with the legal requirements and conditions. Officers regularly meet with applicants or licence holders to give guidance. PPP dealt with 134 complaints and requests for service relating to licensing in Wokingham Borough 2018/2019 (compared with 176 in 2018/19, 184 in 2017/18 and 240 in 2016/17). These figures do not include general telephone enquiries, only matters which have been logged for further response. A more detailed breakdown of the split of the types of complains and concerning which areas of licencing are detailed in Annex **C**. We have continued to add more information, advice and forms to the PPP website and the launch of the social media Facebook and twitter accounts during the year has assisted with the dissemination of information and advice.

Officers use a risk based assessment programme to visit licensed premises to check compliance and provide assistance and advice for those businesses. In 2019/20 officers carried out 107 inspections (compared with 90 in 2018/19, 144 in 2017/18 and 101 in 2016/17). A number of these visits were carried out with Home Office Immigration Compliance and Enforcement, as a responsible authority under the Licensing Act 2003. In the last month of the year the effect of Covid 19 pandemic and the commencement of lockdown affected our licensing work. The inspection work had to be ceased therefore the inspection programme could not be completed.

Safeguarding training for drivers set up in Q2 commenced in Q3. At the end of the year, due to Covid 19, virtual training was offered. By the end of the year 90% of the drivers had completed the Disability Awareness Training.

Officers initially deal with non-compliance by working with the business to raise standards and further unannounced visits may be made to verify improvement. Where non-compliance continues, officers use an Enforcement Policy which provides for a stepped process to include warnings, cautions, review, suspension or revocation of a licence or finally prosecution. In the last year officers suspended 15 private hire vehicle licences (compared with 2 in 2018/19 and 58 in 2017/2018).

Over the course of the year, the following licences and applications were considered by Licensing Sub-Committees:

- April 2019 Private Hire Operator– licence revoked
- July 2019 Premise license – granted with conditions as applied for

One other area of work not covered within the above is monitoring for compliance with licence conditions at a number of licensed events, such as Rewind and Henley Regatta.

Analysis of Issues

There are no implications arising from the recommendation in this report.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	No impact	N/A	N/A
Next Financial Year (Year 2)	No impact	N/A	N/A
Following Financial Year (Year 3)	No impact	N/A	N/A

Other financial information relevant to the Recommendation/Decision
None

Cross-Council Implications
There are no implications arising from the recommendation in this report.

List of Background Papers
None

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Date 30 October 2020	Version No. 2

Annex A

Numbers of applications per year

Licence Type	2019/2020	2018/2019	2017/2018	2016/2017	2015/2016
Animal Boarding Establishment	2	7	3	5	6
Home Boarding Licence	22	36	32	31	30
Pet Shop Licence	1	4	2	2	4
Riding Establishment	0	1	2	4	4
Dermal Personal Registration	26	10	12	9	24
House to House Collections	21	16	9	11	15
Street Collections	55	63	97	66	97
Street Trading Consent	28	40	32	41	26
Licensed Premises Gaming Machine Permit	1	2	6	7	1
Notification of 2 or less gaming machines	4	5	3	3	4
Club Gaming Permits (Non-fast track)	0	0	0	0	0
Club Machine Permits (Non-fast track)	0	0	0	1	0
Small Society Lottery	27	35	22	24	18
Gambling Premises	3	0	0	0	0
Personal Licence	92	103	104	96	107
Scrap Metal Dealer - Site	2	0	3	3	0
Scrap Metal Dealer - Mobile	2	0	0	5	0
Premises Licence	64	91	68	66	68
Premises Licence Application (No alcohol)	4	5	4	2	4
Club Premises Certificate	0	0	1	0	0
Dual Driver	21	162	28	29	194
Private Hire Driver	28	111	27	20	158
Private Hire Operator	3	12	14	19	35
Hackney Carriage Vehicle	92	99	120	124	102
Private Hire Vehicle	141	154	182	179	178
School And Community Services Driver	11	25	7	8	41
School And Community Services Vehicle	52	55	48	46	49
School And Community Services Operator	0	0	2	0	0
Temporary Event Notice	497	494	429	392	387
GRAND TOTALS:	1199	1530	1257	1193	1552

Total number of current licenses

Licence Type	31/03/20	31/03/2019	31/03/2018
Animal Boarding Establishment and Dog Breeding	10	9	8
Home Boarding Licence	34	32	30
Pet Shop Licence	14	14	13
Riding Establishment Licence	4	5	6
Dermal Personal and Premises Registration	144	103	94
House to House Collections	21	18	15
Street Collections	55	47	35
Street Trading Consent	24	23	34
Club Gaming Permits	1	2	1
Club Machine Permits	6	5	7
Licensed Premises Gaming Machine Permit	15	15	17
Notification of 2 or less gaming machines	64	61	61
Small Society Lottery	98	76	84
Gambling Premises	8	8	8
Personal Licence	1515	1553	1519
Scrap Metal Dealer - Site	8	10	10
Scrap Metal Dealer - Mobile	4	6	6
Premises Licence	335	327	324
Premises Licence Application (No alcohol)	71	71	70
Club Premises Certificate	36	36	36
Dual Driver	175	185	200
Private Hire Driver	132	156	158
Private Hire Operator	40	39	40
Hackney Carriage Vehicle	86	88	92
Private Hire Vehicle Licence	149	129	138
School And Community Services Driver	40	46	47
School And Community Services Vehicle	61	63	63
School And Community Services Operator	3	3	3
Private Hire Vehicle with dispensation	76	59	59
Temporary Event Notice	497	494	429
GRAND TOTALS:	3726	3683	3607

Annex C

KPI	Target	Q1	Q2	Q3	Q4	2019/20	Notes (Comments)
% of premises that have applied for a designated premise supervisor (DPS) variation visited within 28 days of application	75%	1/7 14%	2/17 12.5%	9/25 24.5%	34/44 77.3%	46/93 49.5%	Systems review and contractor/ officer work-plan to review. DPS visits included with FH and FS
% of licensing applications processed within statutory timescales or 5 days	Base	143/197 73%	98/196 50%	125/214 59%	119/175 68%	62%	The Application processing experienced lack of resources in the first half of the year but by success recruitment the improvement in processing was clearly seen during quarter 4
% of Temporary Event Notices processed within statutory timescales (3 days)	Base	59/139 42%	58/102 57%	73/136 54%	50/58 86.2%	55%	There were issues with the procedures for TEN's and changes made towards the end of the year improved the turnaround time.
% of licensing complaints/requests for advice dealt with appropriately within 10 working days (Whole service KPI)	90%	170/192 88.5%	88/97 89.3%	107/108 99.1%	111/111 100%	476/508 93.7%	Improvements in Q3 and 4

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Measure of Volume	Target	Q1	Q2	Q3	Q4	2019/20	Notes (Comments)
Number of licences Revoked/Suspended	N/A	13	0	0	2	15	11 related to drivers, two operators and one licenced premise
Number of Licensing – General Inquiries	N/A	25	12	5	15	57	Range for inquiries if a licence is required to when is a badge/plate ready
Number of Complaints made about those licenced (or unlicensed) by the authority	N/A	26	17	12	16	71	May be whistleblowing on unlicensed activities, drivers use of language to breaches of licence conditions
Number of Contacts directly attributable to the trade making contact	N/A	3	1	0	0	4	May include errors on the website, request for meeting
Number of Covid related inquiries	N/A	0	0	0	2	2	These are specifically when information or advice has been sought

Policy Decisions by Committee	Update on progress
Hackney carriage and private hire trades - Suitability of applicants and licensees policy	Agreed by the committee and officers have worked with the trade to ensure understanding and updated our procedures and website to assist any new applications.
Disability Awareness Training for drivers and operators	This was implanted and 90% of drivers trained by 31 st March 2020.

Detailed Breakdown of the types of demands on the service in 2019/20 compared to 25th September 2020

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Licensing Area	Recorded Licensing interactions		Covid Advice/Enforcement		General Inquiries and Requests		Requests from the trade for information, meetings, updates		Complaints about licence holders/premises, non-compliance or unlicensed activities	
	2019	2020 (YTD)	2019	2020 (YTD)	2019	2020 (YTD)	2019	2020 (YTD)	2019	2020 (YTD)
L - Animal	17	19			7	14		2	10	3
L - Premises	43	43	2	6	31	33		2	10	2
L - Street Trading	8	32		3	5	18		2	3	9
L - Taxi	60	45		4	10	23	4	15	46	3
L - TEN		4		1	4	3				
Licensing	6	42		1		36		3	2	2
Total	134	185	2	15	57	127	4	24	71	19

Agenda Item 18.

TITLE	Licensing and Appeals Committee Forward Plan
FOR CONSIDERATION BY	Licensing and Appeals Committee 10 November 2020
WARD	Non-specific
DIRECTOR	Sean Murphy - Public Protection Manager

OUTCOME / BENEFITS TO THE COMMUNITY
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Not applicable

RECOMMENDATION

That the Committee notes the report, and provides comments to the Chairman on both the list below and any further items they would like to see considered at forthcoming Committee meetings

SUMMARY OF REPORT

This report sets out the forward plan for the next Committee meeting on 9 March 2021
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Background

Matters currently on the list to be considered for the next meeting of this Committee on 9 March 2021 are as follows:

- Statutory Taxi and Private Hire Vehicle Standards – amendments to Policy
- Taxi & Private Hire Convictions Policy - annual review (to be included in the amendments to the Hackney Carriage, Private Hire and Community Vehicle Policies)
- Taxi liaison update

Analysis of Issues

There are no implications arising from the recommendation in this report.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	No impact	N/A	N/A
Next Financial Year (Year 2)	No impact	N/A	N/A
Following Financial Year (Year 3)	No impact	N/A	N/A

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

There are no implications arising from the recommendation in this report.

List of Background Papers

None

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