

Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Tuesday, 25 February 2025

Committee:
Strategic Licensing Committee

Date: Wednesday, 5 March 2025

Time: 10.00 am

Venue: The Council Chamber, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ

You are requested to attend the above meeting. The Agenda is attached

There will be some access to the meeting room for members of the press and public, but this will be limited. If you wish to attend the meeting please email democracy@shropshire.gov.uk to check that a seat will be available for you.

Please click [here](#) to view the livestream of the meeting on the date and time stated on the agenda

The recording of the event will also be made available shortly after the meeting on the Shropshire Council Youtube Channel [Here](#)

Tim Collard
Assistant Director - Legal and Governance

Members of the Committee

Roy Aldcroft (Chairman)
Nigel Lumby (Vice Chairman)
Jeff Anderson
Peter Broomhall
Garry Burchett
Mary Davies
David Evans
Richard Huffer
Simon Jones
Duncan Kerr
Christian Lea
Pamela Moseley
Kevin Pardy
Vivienne Parry
Edward Towers

Substitute Members of the Committee

Caroline Bagnall
Joyce Barrow
Ed Bird
Ted Clarke
Julian Dean
Paul Gill
Nigel Hartin
Vince Hunt
Ruth Houghton
Heather Kidd
Dan Thomas

Your Committee Officer is:

Tim Ward Committee Officer

Tel: 01743 257713

Email: tim.ward@shropshire.gov.uk

AGENDA

1 Apologies

To receive apologies for absence

2 Minutes of Previous Meeting (Pages 1 - 4)

To approve the minutes of the previous meeting as a true record

3 Public Question Time

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 12 noon on Thursday 27 February 2025

4 Disclosable Pecuniary Interests

Members are reminded that they must declare their disclosable pecuniary interests and other registrable or non-registrable interests in any matter being considered at the meeting as set out in Appendix B of the Members' Code of Conduct and consider if they should leave the room prior to the item being considered. Further advice can be sought from the Monitoring Officer in advance of the meeting.

5 Hackney Carriage and Private Hire Fees (Pages 5 - 26)

Report of the Transactional and Licensing Team Manager is attached.

Contact: Mandy Beever (01743 251702)

6 Exercise of Delegated Powers (Pages 27 - 36)

Report of the Transactional and Licensing Team Manager is attached.

Contact: Mandy Beever (01743 251702)

7 Date of Next Meeting

To note that the next scheduled meeting of the Strategic Licensing Committee will be held on Wednesday 18 June 2025 at 10.00am

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Strategic Licensing
Committee

11th December 2024

Item

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 9
OCTOBER 2024
10.00 - 10.44 AM**

Responsible Officer: Tim Ward

Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present

Councillor (Chairman)

Councillors Nigel Lumby (Vice Chairman), Jeff Anderson, Peter Broomhall, Garry Burchett, Mary Davies, Simon Jones, Duncan Kerr, Christian Lea, Kevin Parry, Vivienne Parry and Edward Towers

11 Apologies

Councillor Nigel Lumby, as Vice-Chairman chaired the meeting.

11.1 Apologies for absence were received from Councillors Roy Aldcroft, David Evans and Pam Moseley.

12 Minutes of Previous Meeting

12.1 RESOLVED:

That the minutes of the meetings of the Strategic Licencing Committee held on 12th June 2024 be agreed as a true record and signed by the Chairman

13 Public Question Time

13.1 There were no public questions

14 Disclosable Pecuniary Interests

14.1 There were no interests declared

15 Gambling Act 2005 Policy Statement 2025 to 2028

15.1 Members received the report of the Transactional and Licensing Team Manager which set out the proposed updated Gambling Act 2005 – Policy Statement.

15.2 RESOLVED:

15.3 That the Committee considers the representations received following the formal consultation on the draft Gambling Policy Statement in Appendix 1 and agrees the

officers' comments in Appendix 2 in response to the comments made and recommends to the Council that the policy statement is published and advertised by the Transactional Management and Licensing Team Manager in accordance with the provisions of the Act and that the policy statement will take effect from 31 January 2025.

- 15.4 That Committee delegates to the Transactional Management and Licensing Team Manager, in consultation with the Chair of the Strategic Licensing Committee, the authority to amend any typographical errors and/or administrative inconsistencies in the proposed Gambling Policy Statement as set out in Appendix 1 prior to the policy statement being presented to the Council for final approval.

16 Revision of the Hackney Carriage Table of Fares

- 16.1 Members received the report of the Transactional and Licensing Manager which set out a proposal for a revised Hackney Carriage Table of Fares.

- 16.2 The Committee discussed the feasibility and implications of increasing the frequency and formality of the consultation process, however it was agreed to remain with the status quo.

16.3 **RESOLVED:**

That the Strategic Licensing Committee approves, with any necessary modifications, the proposed Table of Fares for the whole administrative area of Shropshire Council, as set out in Appendix A, and agrees that it will come into effect from 17 October 2024.

17 Licensing Fees and Charges 2025 - 2026

- 17.1 Members received the report of the Transactional Management and Licensing – Team Manager which set out the revision of licensing fees where the authority has the discretion to determine the relevant fees for the financial year from 2025 - 2026

17.2 **RESOLVED:**

That the Committee notes the statutory fees that Shropshire Council is required to charge in accordance with the Licensing Act 2003 as set out in Appendix A, in accordance with the Gambling Act 2005 as set out in Appendix B and in accordance with explosives and fireworks legislation as set out in Appendix C and recommends that the authority implements these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2025 and instructs the Transactional Management and Licensing Team Manager to arrange for the fees to be included in the 2025/26 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional Management and Licensing Team Manager to implement, as appropriate, any other statutory fees that may be brought into force during the 2025/26 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.

That the Committee implements, with any necessary modification and with effect from 1 April 2025 the proposed fees as set out in Appendices D, E, F, G, H and I

that relate to those licences and licensing related activities where the authority has the discretion to determine the fees and instructs the Transactional Management and Licensing Team Manager to arrange for the fees to be included in the 2025/26 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional and Licensing Team Manager to publish the fees on the licensing pages of the Council’s website as soon as is practicable.

That the Committee proposes to vary the fees relevant to driver, hackney carriage, private hire vehicle and operator licences as set out in Appendix F, with any necessary modification, and instructs the Transactional Management and Licensing Team Manager, in accordance with the provisions of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 to undertake the necessary work to consult and implement the fees.

That the Committee instructs the Transactional Management and Licensing Team Manager to arrange for the proposed fees as set out in Appendix F, with any necessary modification, to be included in the 2025/26 annual fees and charges reports that are presented to Cabinet and Council and, where necessary, in respect of those fees a note is recorded in the said annual reports stating ‘Provisional fees under consultation fees to be confirmed by the Strategic Licensing Committee’.

That the Committee agrees the Relevant Protected Site fees policy as set out at Appendix J and instructs the Transactional Management and Licensing Team Manager is published the fees policy on the licensing pages of the Council’s website.

18 Exercise of Delegated Powers

18.1 Members received the report of the Transactional Management and Licensing – Team Manager which gave details of the licences issued and the variations that have been made between 1 May 2024 and the 31 August 2024, and a summary of applications considered by the Committee.

18.2 The Transactional and Licensing Team Manager reminded Members that the report was brought to each meeting of the committee and that it updated them on the number and types of licences that had been issued since the last meeting.

18.3 RESOLVED:

That Members note the position as set out in the report

19 Date of Next Meeting

19.11 Members noted that the next meeting of the Strategic Licensing Committee would be held on 11 December 2024 at 10.00am

Signed (Chairman)

Date:

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Committee and Date

Strategic Licensing Committee

5 March 2025

Item

Public



Hackney Carriage and Private Hire Licensing Fees 2025 - 2026

Responsible Officer:	Mandy Beever, Transactional Management and Licensing – Team Manager		
email:	Mandy.Beever@shropshire.gov.uk	Tel:	01743 251702
Cabinet Member (Portfolio Holder):	Councillor Chris Schofield, Portfolio Holder for Planning and Regulatory Services		

1. Synopsis

- 1.1 This report sets out the objections to be considered by the Strategic Licensing Committee in respect of the variations proposed to the fees in relation to driver, hackney carriage, private hire vehicle and operator licences. The report aims to enable the Committee to determine the fees that will take effect from 1 April 2025.

2. Executive Summary

- 2.1 The Shropshire Plan recognises the importance of supporting businesses to provide safer services. The fundamental purpose of the Licensing service is to support businesses to deliver their services in a way which allows them to thrive whilst protecting the safety and welfare of the public who live, work and visit Shropshire; together this will help to achieve a Healthy Economy.
- 2.2 The Council has a duty under Section 70 of Local Government (Miscellaneous Provisions) Act 1976, when setting or revising hackney carriage, private hire

vehicles and operators' licence fees, to publish the proposed fees to allow for any objections to be submitted for further consideration.

- 2.3 The consultation on the proposed fees was undertaken between the 9 January 2025 and 6 February 2025.
- 2.4 During the consultation period two objections were received one objected to any increase in the proposed fees and requested the taxi fee to be reduced to £150, but did not make it clear which fee they were referring to. The other one objected to renewal application fees being more expensive than fees for new applications specifically for a Private Hire Operator – up to and including 30 vehicles and one base. Pointing out that this was inconsistent with the fees for a Private Hire Operator – 31 vehicles and more and/or more than one base. This objector requested information on how this is calculated and wanted the fee for a new operator licence to be more than for a renewal operator licence. An explanation has been provided in the officer's comments. The consultation responses and officer's comments are set out at **Appendix A, Part 1 and Part 2**.
- 2.5 This report sets out the points raised in the objection and the consideration made by officers to allow members of the Strategic Licensing Committee to make an informed decision when setting the fees for driver, hackney carriage, private hire vehicle and operator licences.

3. Recommendations

- 3.1. That the Committee, in accordance with the provisions of Section 70 (5) of the Local Government (Miscellaneous Provisions) Act 1976, considers the objections received, together with associated officer comments, as set out in **Appendix A**, following the legally prescribed objection process that was undertaken in respect of the variations proposed to the fees in relation to driver, hackney carriage, private hire vehicle and operator licences and agrees, with any further modifications if necessary, to implement the variations proposed to the fees as set out in **Appendix B** with effect from 1 April 2025, this being a date not later than 2 months after the 7 February 2025.

Report

4. Risk Assessment and Opportunities Appraisal

- 4.1. The Council's fees and charges may be challenged through a number of routes, e.g. service complaints to the Local Government Ombudsman, complaints to the External Auditor by way of an objection to the Council's annual account and judicial review; hence, the importance of undertaking robust processes to set discretionary fees and charges.
- 4.2. There is no statutory duty on the Council to consult when setting or revising licensing fees with the exception of those fees relating to hackney carriage, private hire vehicles and operators' licences under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. Historically, the Council has also consulted

on driver licence fees and consequently it is recommended that this practice continues.

- 4.3. The duty under Section 70 of Local Government (Miscellaneous Provisions) Act 1976 was fulfilled between the 9 January 2025 and the 6 February 2025, with the necessary notice published in the Shropshire Star on the 9 January 2025. A Copy of the notice can be found at **Appendix C**. The notice was also available for inspection, without payment, at the Council offices in Shrewsbury as detailed in the formal notice. It was also published through the “Get involved” page on the Council’s website on the 9 January 2025.
- 4.4. The Councils fees are set in accordance with the Court of Appeal Judgement in the case of R Hemming and others v Westminster City Council. The judgement held that there were three elements that made up the licensing fees that were subject to challenge. These were:
- (a) the administrative cost of investigating the background and suitability of applicants for licences;
 - (b) the cost of monitoring the compliance of those with licences with their terms; and
 - (c) the cost of enforcing the licensing regime against unlicensed operators.
- 4.5. Of these three elements, it was held that Westminster City Council was entitled to charge for the first two elements, i.e. the costs of processing the application itself and the costs of monitoring compliance by licence-holders, but was no longer entitled to include the third element, i.e. the costs of enforcement against unlicensed operators, in the fee.
- 4.6. As a result of the Hemming judgement and irrespective of the wording in other UK licensing legislation, the costs associated with the licensing procedures that the Council may legally recover in fees consists of administrative costs, the costs of investigating the background and suitability of applicants for licences and the costs of monitoring the compliance of those with licences with their terms. These will certainly include the costs that are directly attributable to licensing procedures and a proportion of indirect costs. The Council must be in a position to demonstrate that the costs included in any fees calculations are reasonable and proportionate to the cost of the licensing procedures.
- 4.7. Fees cannot exceed the cost of the licensing procedures and they cannot be used to recover the costs associated with enforcing the licensing regime against unlicensed operators. In addition, fees cannot be used to finance the delivery of other Council services.
- 4.8. An Equality and Social Inclusion Impact Assessment has not been undertaken as the report does not concern the implementation of a new policy; the focus of the report is the review of licensing costs to ensure the Council is in a position to recoup its costs on a cost recovery basis in line with current legislative requirements.

- 4.9 The recommendations are not at variance with the Human Rights Act 1998 and are unlikely to result in any adverse Human Rights Act implications. The recommendations are in line with current legal procedures laid down in domestic licensing legislation and takes into consideration relevant European provisions and case law.
- 4.10 The Committee's legal authority to agree the recommendations is based within a range of specific licensing legislation together with the delegated functions set out in the Council's Constitution.

5. Consultation Responses

- 5.1. There were two responses received during the consultation the responses can be found in **Appendix A, (Part 1 of 2)**. Officers have provided clarification against each objection as set out in **Appendix A, (Part 2 of 2)**.
- 5.2. The responses to the consultation consisted of an objection to any increase in the proposed fees and requested the fee to be £150 but did not make it clear which fee they were referring to. The other one objected to renewal application fees being more expensive than fees for new applications and requested information on how this is calculated.

6. Financial Implications

- 6.1. An exercise has been undertaken involving managers, licensing officers and finance officers to capture the detail involved in all licensing procedures where the Council has the discretionary power to set fees, including those specifically relating to driver, hackney carriage, private hire vehicle and operator licences. The procedures were considered from receipt of application to the issue of the final licence with both variable and fixed costs being considered. These costs include officer time and management time spent on licensing administration and monitoring compliance of those already licensed but excludes time spent on enforcing unlicensed operators/businesses. In addition, a proportion of all relevant indirect costs that can reasonably be attributed to licensing procedures have been included; for example, office accommodation, ICT, travelling, legal costs, advertising, equipment, postage & printing, subscriptions, telephone costs, other corporate recharges, etc.
- 6.2. In relation to the consideration of applications, it is reasonable to recover a proportion of the costs of running both the Strategic Licensing Committee and the Licensing & Safety Sub-Committee from licensing fees and consequently these costs have, where possible, been incorporated into the overall figures.
- 6.3. As a result of this work, proposed fees for driver, hackney carriage, private hire vehicle and operator licences were calculated and presented to the Strategic Licensing Committee on the 9 October 2024 in Appendix F to the report entitled "Licensing Fees and Charges 2025 – 2026".

- 6.4. It is accepted that costs can be recovered over a period of time allowing surpluses to be returned to licensees and deficits to be recouped by the Council. This does not mean that fees must be adjusted every year (although they can be) to reflect immediately previous deficits or surpluses; however, it must be demonstrable over a period of time that only legitimately incurred costs are recovered. The Hemming case judgement (as set out in see paragraph 4.4 above) makes it clear that not all costs are recoverable and that the costs associated with enforcing unlicensed operators/businesses must be borne by the Council. This will include the costs of providing advice to those who may consider applying for a licence in the future.
- 6.5. The detailed proposed fee variations, including the increased Disclosure and Barring Service fee from the 2 December 2024, for the 2025/26 fees are set out in **Appendix B**.
- 6.6. The increases associated with the driver, hackney carriage, private hire vehicle and operator licences are linked to the additional resources that are being directed towards increasing the effectiveness of the administration process specifically for safeguarding purposes. In addition, increased compliance checks and investigation work is being carried out. The fees are also affected by the changes made to the way in which average hourly officer rates are now calculated and charged.
- 6.7. Where legislation allows the Council to recover licensing costs, it is important that this is undertaken effectively. Failure to do so means that the costs are subsidised by council tax payers. In addition, resourcing those elements that cannot be legally funded through fees, e.g. enforcement of unlicensed activities, are adversely impacted as council tax funds have to be utilised to deliver licensing activities that can and should be funded through fees as well as those that cannot. This may result in a reduction in the Council's ability to effectively deliver the overall licensing regime.
- 6.8. The proposed fees have been broken down into different categories which include standard private hire vehicles, novelty private hire vehicles and executive private hire vehicles. There are two hackney carriage and private hire joint drivers licence fees the first one is a direct comparison to the fee which has been previously set. The second includes an additional fee for the safeguarding awareness course, this has been calculated at a reduced rate compared to renewing a hackney carriage and private hire joint driver's licence and booking a separate safeguarding training course. The fees have been set out in this way to provide choice and greater transparency for the hackney carriage and private hire trade.
- 6.9. An assumption has been made about the number of renewals that will take place in 2025/26 in order to recover or redistribute the deficits and surpluses. Until the end of the 2025/26 financial year, it will not be known whether the assumptions about the number of renewals were accurate or not. The actual activity in 2025/26 will again change the cumulative position and further adjustments will be required in this rolling annual process. The adjustments to correct any material discrepancy in the recovery or redistribution of the deficits and surpluses will be

made against 2026/27 fees and so on until the recovery of the surplus or deficit reaches a satisfactory position.

6.10. Where licenses have a renewal period of greater than one year, the recovery or redistribution calculation is spread across the same period.

6.11. Where legislation allows the Council to recover licensing costs, it is important that this is undertaken effectively. Losses that are not funded by other means, including being subsidised by council tax payers, may result in a reduction in the Council's ability to effectively deliver the overall licensing regime in the Shropshire Council area. However, it is recognised that not all licensing costs are recoverable.

7. Climate Change Appraisal

7.1. There are no anticipated climate change or environmental impacts associated with the recommendations in this report.

8. Background

8.1 Detailed background information about designing fees on a cost recovery basis was provided to the Strategic Licensing Committee on the 9 October 2024 as part of the report entitled "Licensing Fees and Charges 2025 – 2026". As a result of this report, the Committee instructed the Transactional Management and Licensing Team Manager to publish the proposed fees in relation to driver, hackney carriage, private hire vehicle and operator licences and to set out the period during which and the method whereby objections could be made.

8.2 This process was carried out as described in paragraph 4.2 and 4.3 above. The objections received are set out in **Appendix A, (Part 1 of 2)**, to this report, together with relevant officer comments for the Committee to consider.

9. Additional information

9.1. The Local Government Association has published guidance on locally set fees. The work that has been undertaken to determine Shropshire Council's proposed fees follows the principles contained in the guidance.

9.2 The revised process that has been undertaken to determine the fees for driver, hackney carriage, private hire vehicle and operator licences will be undertaken annually with amendments being made to take account of changes in the law and Council procedures.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Strategic Licensing Committee Report dated 9 October 2024 - Licensing Fees and Charges 2025-2026 [Agenda for Strategic Licensing Committee on Wednesday, 9th October, 2024, 10.00 am — Shropshire Council](#)

Local Member: This report covers all areas of Shropshire.

Appendices

Appendix A, Part 1 of 2 – Consultation Responses

Appendix A, Part 2 of 2 – Summary of Consultation Responses

Appendix B – Proposed fees in relation to driver, hackney carriage, private hire vehicle and operator licences

Appendix C – Shropshire Star Notice

Appendix A (Part 1 of 2)

Document 1

18th January 2025

Licensing

Shropshire Council

Shire Hall

Shrewsbury

Re: Licensing Fees 2025-2026

Dear Licensing,

Regarding the proposed changes to the Licensing fees, I am confused, as to why the cost for renewing some licenses should be higher than the cost for a new license. There would surely be more 'work' involved in processing new applications – for any license – than involved in renewals, therefore I can't understand why it should cost more to renew.

The proposed changes are like the last fees – everything has gone up slightly, which I don't have a problem with and is expected. However, there are entries that require attention:

I am an operator that has up to and including 30 vehicles and one base. The fee to renew is £417, yet for a new application the fee is £375 (£42 more expensive to renew).

For larger operators that have 31 vehicles and more/or more than one base, the fee to renew is £956, yet for a new application the fee is £985 (£29 cheaper to renew).

Why am I being treated differently to larger operators? Why should it be cheaper for them to renew than for me?

The proposed fees also show a higher cost to renew vehicles than for new applications. Why is this?

I honestly don't care what the actual cost of any license is but having a higher cost for a renewal of any license than for a new license doesn't make sense. I spoke to a Licensing Officer recently who attempted to explain that the difference was due to the volume of applications for renewals being higher than for new applications, and the overall 'cost' to your department is then split between the amount of License applications. It was then stated, as I've heard many times, that the department cannot make a profit from issuing Licenses. There are surely many more renewals than new applications, therefore the cost per license would be cheaper for renewals?

The concerning issue for me, is that the decision for these fees isn't made by just one person. Meetings will have been had and the fees discussed at length, yet the outcome is a proposal that to most people would be seen as ill thought out and nonsensical.

Does no one ever bring up in the meetings the possibility that people (licensees) are going to be confused/annoyed by these proposals? If they don't then they should, and if they do – why do these proposals even make it to this stage of a consultation?

Please amend the proposed fees so that renewals are cheaper than new applications. Put all the prices up if you must – I don't care – but each year the fees change, I, along with many other licensees, read them with disappointment, confusion and fury.

Yours sincerely

(Private Hire Operator)

Document 2

Taxi Fees consultation 2025

To Taxis

Fri 17/01/2025 16:04

Good day

All Shropshire drivers we are not happy about the fees going up because we're not even making money on this platform, Reason why we are not making a money because you're letting Wolverhampton drivers to operate in Shrewsbury.

The whole Shrewsbury is full of Wolverhampton and Telford taxis and you as Council you are doing nothing about it.

We hope taxi fees will go down to £150 until you remove Wolverhampton taxis in Shrewsbury I thank you.

Kindly regards

(Hackney Carriage and Private Hire Driver/Private Hire Vehicle Proprietor)

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Appendix A (Part 2 of 2)

Officer response to consultation responses received.

Appendix Letter/ Document Number	Objection	Officer Comments/ Explanatory Notes
1	Objection to renewal fees being higher than fees for new applications.	<p>To aid the Council to properly recover relevant licensing costs all licensing procedures have been considered and reviewed in detail; this work continues to evolve through an iterative process to further develop, improve and refine the processes involved. Managers, licensing officers and finance officers have collaborated in this work. The licensing procedures are considered from receipt of application to the issue of the final licence, permit, notice or registration with both variable and fixed costs being considered. These costs include officer, management and member time, including running of relevant Committees and the Licensing Panel, to administer and monitor compliance of both those already licensed and those who are unlicensed but exclude time spent enforcing matters that relate to joint hackney and private hire drivers' licences. In addition, a proportion of all indirect costs that can reasonably be attributed to licensing procedures have been included; for example, office accommodation, ICT, travelling, advertising, postage & printing, subscriptions, telephone costs, training and all other relevant internal market recharges and supplies and services costs.</p> <p>An assumption has been made about the number of renewals that will take place in 2025/26 in order to recover the deficits. Until the end of the 2025/26 financial year it will not be known</p>

		<p>whether the assumptions about the number of renewals were accurate or not. The activity in 2025/26 will again change the cumulative position and further adjustments will be required in this rolling annual process. The adjustments to correct any material discrepancy in the recovery of the deficits will be made against 2026/27 fees and so on until the recovery of the surplus or deficit reaches a satisfactory position.</p> <p>Furthermore, renewal reminders are posted out 12 weeks before the expiry date of the current licence, all costs incurred in this process are incorporated into the renewal fee. Whereas the fee for a new applicant does not include the costs for sending out a renewal reminder.</p> <p>The Councils fees are set in accordance with the Court of Appeal Judgement in the case of R Hemming and others v Westminster City Council. The judgement held that there were three elements that made up the licensing fees that were subject to challenge. These were:</p> <ul style="list-style-type: none">(a) the administrative cost of investigating the background and suitability of applicants for licences;(b) the cost of monitoring the compliance of those with licences with their terms; and(c) the cost of enforcing the licensing regime against unlicensed operators. <p>Of these three elements, it was held that Westminster City Council was entitled to charge for the first two elements, i.e. the costs of processing the application itself and the costs of monitoring compliance by licence-holders, but was no longer entitled to include the third element, i.e. the costs of enforcement</p>
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		<p>against unlicensed operators, in the fee.</p> <p>As a result of the Hemming judgement and irrespective of the wording in other UK licensing legislation, the costs associated with the licensing procedures that the Council may legally recover in fees consists of administrative costs, the costs of investigating the background and suitability of applicants for licences and the costs of monitoring the compliance of those with licences with their terms. These will certainly include the costs that are directly attributable to licensing procedures and a proportion of indirect costs. The Council must be in a position to demonstrate that the costs included in any fee calculations are reasonable and proportionate to the cost of the licensing procedures.</p> <p>Fees cannot exceed the cost of the licensing procedures and they cannot be used to recover the costs associated with enforcing the licensing regime against unlicensed operators. In addition, fees cannot be used to finance the delivery of other Council services.</p> <p>It is accepted that costs can be recovered over a period of time allowing surpluses to be returned to licensees and deficits to be recouped by the Council. This does not mean that fees must be adjusted every year (although they can be) to reflect immediately previous deficits or surpluses; however, it must be demonstrable over a period of time that only legitimately incurred costs are recovered. The Hemming case judgement (as set out above) makes it clear that not all costs are recoverable and that the costs associated with enforcing unlicensed operators/businesses must be borne by the Council. This will include the costs of providing advice to those who may</p>
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		consider applying for a licence in the future.
2	<p>Objection to an increase in fees until the Council remove Telford and Wolverhampton licenced vehicles out of the administrative area of Shropshire Council.</p> <p>Proposed £150 fee</p>	<p>The Deregulation Act 2015 allows for cross boarder hiring therefore, Shropshire Council cannot stop vehicles licenced with other local authorities from working in the administrative area of Shropshire Council.</p> <p>It is not clear which fee the proposer has requested to be £150.</p>

SHROPSHIRE COUNCIL

Local Government (Miscellaneous Provisions) Act 1976
Sections 53 and 70

Hackney Carriage Proprietor's Licence and Hackney Carriage Driver's Licence Fees and Private Hire Vehicle Licence, Private Hire Operator's Licence and Private Hire Vehicle Driver's Licence Fees

NOTICE IS HEREBY GIVEN under the above Act that Shropshire Council proposes to vary the statutory permissible fees chargeable for Hackney Carriage, Private Hire Vehicle and Operator's Licences and Drivers' licences. The charges set out below will take effect on 7 February 2025 unless objection is made and not withdrawn.

Licence Type	Current Fee (£)	Proposed 2025/26 Fee (£)
Drivers		
Driver's Licence New - 3 year (inc. DVLA, DBS check, first knowledge test, first driver assessment) including safeguarding awareness course	317.00	339.00*
Driver's Licence New - 3 year (inc. DVLA, first knowledge test and first driver training assessment and safeguarding awareness course) excluding DBS check	260.00	275.00
Driver's Licence - 3 Year Renewal (inc. DVLA, DBS check and safeguarding awareness course)	273.00	291.00*
Driver's Licence Renewal - 3 Years (including DVLA and safeguarding awareness Course) excluding DBS check	219.00	236.00
Driver's Knowledge Test - resit	52.00	56.00
Driver's Knowledge Test	59.00	68.00
Driver Training Assessment	70.00	82.00
Safeguarding Awareness Training	48.00	50.00
Additional DBS	59.00	97.00*
Driver Badge Replacement following damage or loss	45.00	48.00
Vehicles		
Standard Private Hire Vehicle - new	203.00	213.00
Standard Private Hire Vehicle - renewal	209.00	219.00
Standard Private Hire Vehicle –vehicle licence transfer	203.00	213.00
Novelty Private Hire Vehicle - new	190.00	200.00
Novelty Private Hire Vehicle - renewal	201.00	215.00
Novelty Private Hire Vehicle –vehicle licence transfer	186.00	196.00
Executive Private Hire Vehicle - new	195.00	206.00
Executive Private Hire Vehicle - renewal	213.00	230.00
Executive Private Hire Vehicle –vehicle licence transfer	195.00	206.00
Hackney Carriage Vehicle - new	193.00	203.00
Hackney Carriage Vehicle - renewal	194.00	206.00

Appendix B

Hackney Carriage Licence – vehicle licence transfer	194.00	205.00
Vehicle Licence Holder (Licensee) Transfer	98.00	103.00
Exterior plate replacement following damage or loss	45.00	47.00
Internal plate replacement following damage or loss	45.00	47.00
Fare card replacement following damage or loss	3.00	3.00
Private Hire Door Signs (pair)	45.00	47.00
Private Hire Operators – 5 Years - New Application		
Private Hire Operator – up to and including 30 vehicles and one base	328.00	375.00
Private Hire Operator – 31 vehicles and more and/or more than one base	874.00	985.00
Private Hire Operators – 5 Years - Renewal of Licence		
Private Hire Operator – up to and including 30 vehicles and one base	371.00	417.00
Private Hire Operator – 31 vehicles and more and/or more than one base	851.00	956.00
Additional Administrative Charges		
Licence holders change of details (e.g. change of address/other minor changes)	26.00	31.00

*Including new DBS fee from 2 December 2024

In accordance with Section 70 (3) (b) of the Local Government (Miscellaneous Provisions) Act 1976 a copy of this notice may be inspected without payment during normal office hours at the Council's offices at Shirehall Abbey Foregate Shrewsbury SY2 6ND, for a period of 4 weeks from 9 January 2025 to 6 February 2025.

Any objections to the proposed fees and charges should be made in writing and addressed to Licensing, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND or by e-mail to taxis@shropshire.gov.uk by midnight on 6 February 2025.

Any objections received, if not withdrawn, will be considered by the Council's Strategic Licensing Committee on the 5 March 2025 and the fees, with or without modification, shall come into force on 1 April 2025.

Dated 6 January 2025

Mandy Beever, Transactional Management and Licensing Manager

General Notices

SHROPSHIRE COUNCIL

Local Government (Miscellaneous Provisions) Act 1976
Sections 53 and 70

Hackney Carriage Proprietor's Licence and Hackney Carriage Driver's Licence
Fees and Private Hire Vehicle Licence, Private Hire Operator's Licence and Private Hire Vehicle
Driver's Licence Fees

NOTICE IS HEREBY GIVEN under the above Act that Shropshire Council proposes to vary the
statutory permissible fees chargeable for Hackney Carriage, Private Hire Vehicle and Operator's
Licences and Drivers' licences. The charges set out below will take effect on 7 February 2025 unless
objection is made and not withdrawn.

Licence Type	Current Fee (£)	Proposed 2025/26 Fee (£)
Drivers		
Driver's Licence New - 3 year (inc. DVLA, DBS check, first knowledge test, first driver assessment) including safeguarding awareness course	317.00	339.00*
Driver's Licence New - 3 year (inc. DVLA, first knowledge test and first driver training assessment and safeguarding awareness course) excluding DBS check	260.00	275.00
Driver's Licence - 3 Year Renewal (inc. DVLA, DBS check and safeguarding awareness course)	273.00	291.00*
Driver's Licence Renewal - 3 Years (including DVLA and safeguarding awareness Course) excluding DBS check	219.00	236.00
Driver's Knowledge Test - resit	52.00	56.00
Driver's Knowledge Test	59.00	68.00
Driver Training Assessment	70.00	82.00
Safeguarding Awareness Training	48.00	50.00
Additional DBS	59.00	97.00*
Driver Badge Replacement following damage or loss	45.00	48.00
Vehicles		
Standard Private Hire Vehicle - new	203.00	213.00
Standard Private Hire Vehicle - renewal	209.00	219.00
Standard Private Hire Vehicle - vehicle licence transfer	203.00	213.00
Novelty Private Hire Vehicle - new	190.00	200.00
Novelty Private Hire Vehicle - renewal	201.00	215.00
Novelty Private Hire Vehicle - vehicle licence transfer	186.00	196.00
Executive Private Hire Vehicle - new	195.00	206.00
Executive Private Hire Vehicle - renewal	213.00	230.00
Executive Private Hire Vehicle - vehicle licence transfer	195.00	206.00
Hackney Carriage Vehicle - new	193.00	203.00
Hackney Carriage Vehicle - renewal	194.00	206.00
Hackney Carriage Licence - vehicle licence transfer	194.00	205.00
Vehicle Licence Holder (Licensee) Transfer	98.00	103.00
Exterior plate replacement following damage or loss	45.00	47.00
Internal plate replacement following damage or loss	45.00	47.00
Fare card replacement following damage or loss	3.00	3.00
Private Hire Door Signs (pair)	45.00	47.00
Private Hire Operators - 5 Years - New Application		
Private Hire Operator - up to and including 30 vehicles and one base	328.00	375.00
Private Hire Operator - 31 vehicles and more and/or more than one base	874.00	985.00
Private Hire Operators - 5 Years - Renewal of Licence		
Private Hire Operator - up to and including 30 vehicles and one base	371.00	417.00
Private Hire Operator - 31 vehicles and more and/or more than one base	851.00	956.00
Additional Administrative Charges		
Licence holders change of details (e.g. change of address/other minor changes)	26.00	31.00

*Including new DBS fee from 2 December 2024

In accordance with Section 70 (3) (b) of the Local Government (Miscellaneous Provisions) Act 1976 a copy of this notice may be inspected without payment during normal office hours at the Council's offices at Shirehall Abbey Foregate Shrewsbury SY2 6ND, for a period of 4 weeks from 9 January 2025 to 6 February 2025.

Any objections to the proposed fees and charges should be made in writing and addressed to Licensing, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND or by e-mail to taxis@shropshire.gov.uk by midnight on 6 February 2025.

Any objections received, if not withdrawn, will be considered by the Council's Strategic Licensing Committee on the 5 March 2025 and the fees, with or without modification, shall come into force on 1 April 2025.

Dated 6 January 2025

Mandy Beever, Transactional Management and Licensing Manager

NOTICE OF PUBLIC PATH ORDER TOWN AND COUNTRY PLANNING ACT 1990, SECTIONS 257 & 261

1. THE SHROPSHIRE COUNCIL
(FOOTPATH 13 PARISH OF BUILDWAS)
TEMPORARY PUBLIC PATH STOPPING UP ORDER 2025.
2. THE SHROPSHIRE COUNCIL
(FOOTPATH 14/16 PARISH OF BUILDWAS)
TEMPORARY PUBLIC PATH DIVERSION ORDER 2025.

The above order was made on 9th January 2025 under sections 257 and 261 of the Town and Country Planning Act 1990.

The effect of the order, if confirmed, will be to be to

- Temporarily stop up (until 9th January 2031) Footpath 13 that runs over Buildwas Quarry (grid reference SJ 6459 0421 to SJ 6481 0392).
- Temporarily divert (until 9th January 2031) FP 14/16 that runs along the southern boundary of Buildwas Quarry (grid reference SJ 6431 0400 to SJ 6490 0393).

A temporary alternative length of Footpath 14/16 will be provided (until 9th January 2031).

A copy of the order and the order map and an explanatory statement have been placed and may be seen on the Council's website at <https://shropshire.gov.uk/outdoor-partnerships/countryside-access-and-public-rights-of-way/current-public-path-orders/> or obtained free of charge via outdoor.recreation@shropshire.gov.uk.

Any representations about or objections to the order may be sent in writing to the Mapping and Enforcement Manager, Shropshire Outdoor Partnerships, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or by email to outdoor.recreation@shropshire.gov.uk not later than 6th February 2025. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, the Council may itself confirm the order as an unopposed order. If the order is sent to the Secretary of State for the Environment, Food and Rural Affairs for confirmation any representations or objections which have not been withdrawn will be sent with the order.

Dated 9th January 2025

JANE TRETHERWEY
ASSISTANT DIRECTOR, HOMES AND COMMUNITIES
The Shirehall, Abbey Foregate, Shrewsbury.

If you require any further information, please contact Kate Nore on kate.nore@shropshire.gov.uk.

Data Protection: Please note that representations received may be reproduced, stored and copied in connection with the processing of the above named Order and /or any Public Inquiry. Information will not be used for additional purposes without consent. Representations without a name and address will be treated as anonymous which may affect their weight in the decision making process. Please note that details of objections including names and addresses may be provided to members of the public under the Freedom of Information Act 2000.

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Committee and Date

Strategic Licensing
Committee

5 March 2025

Item

Public



Exercise of Delegated Powers Report

Responsible Officer:	Mandy Beever, Transactional Management and Licensing – Team Manager		
email:	Mandy.Beever@shropshire.gov.uk	Tel:	01743 251702
Cabinet Member (Portfolio Holder):	Councillor Chris Schofield, Portfolio Holder for Planning and Regulatory Services		

1. Synopsis

- 1.1 This report gives details of the licences issued and the variations that have been made between 1 September 2024 and the 31 January 2025 and a summary of applications considered by the Committee.

2. Executive Summary

- 2.1 The Shropshire Plan recognises the importance of supporting businesses to provide safer services. The fundamental purpose of the Licensing service is to support businesses to deliver their services in a way which allows them to thrive whilst protecting the safety and welfare of the public who live, work and visit Shropshire; together this will help to achieve a Healthy Economy.
- 2.2 Licensing officers have been given delegated powers to issue or amend licences, providing no objections have been received in the case of licences issued under the Licensing Act or regarding general and public health licences.

- 2.3 Further, procedures have been approved for officers with direct line management responsibility for Licensing to use their delegated powers to refuse, suspend or revoke driver, vehicle, and operator licences.
- 2.4 This report gives details of the licences issued and the variations that have been made between 1 September 2024 and the 31 January 2025 and a summary of applications considered by the Committee.

3. Recommendations

- 3.1. That members note the position as set out in the report.

Report

4. Risk Assessment and Opportunities Appraisal

- 4.1. This is an information report giving Member's information on the work undertaken by the Licensing Team and Committee and therefore a risk assessment and opportunities appraisal has not been carried out.

5. Financial Implications

- 5.1. There are financial implications associated with this report.

6. Climate Change Appraisal

- 6.1. There are no anticipated climate change or environmental impacts associated with the recommendations in this report.

7. Background

- 7.1 Information regarding the issue of licences by Officers under delegated powers is reported to Committee on a quarterly basis.
- 7.2 Officers use their delegated powers in a number of situations, including where:
- a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.
 - b) The application has met the Council's policy criteria for accepting an application.
 - c) There are vehicle applications for new or renewal licences and refusal, suspension, and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.

- d) There are driver’s applications for new or renewal licences and refusal, suspension, or revocation of licences where the criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.
- e) There are Private Hire Operator applications for new or renewal licences and refusal, suspension, and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.

- 7.3 The table in **Appendix A** shows the complete range of licences issued by the licensing team during the period of 1 September 2024 and the 31 January 2025. During this period the total number of licences processed was 2175.
- 7.4 The Table in **Appendix B** shows that there were no Licensing and Safety Sub-Committee hearings held between the 1 September 2024 and the 31 January 2025.
- 7.5 The Table at **Appendix C** shows that there was one Licensing Act Sub Committee hearing held between the 1 September 2024 and the 31 January 2025.
- 7.6 Following the decision at the Strategic Licensing Committee on 18 March 2015, vehicles and driver applications are now being considered by Officers using delegated powers. This includes refusal of new licence applications, refusal to renew existing licences and revocation and suspension of existing licences, in relation to any matter concerning a hackney carriage or a private hire driver’s licence or a vehicle licence or any matter concerning a private hire operator’s licence.

The number of licences and actions determined by this process is as follows: -

Driver	Granted	Granted and/or Warning Letter, Suspension	Letter Council is ‘Minded to refuse’ or ‘Revoke’	Refuse to Grant	Revoke	To refer to Committee
New	4	1	4	2		
Renew	2			1		
Conduct		3	1		3	
Vehicle	Granted	Granted and/or Warning Letter	Letter Council is ‘Minded to refuse’ or ‘Revoke’	Refuse to Grant	Revoke	To refer to Committee
New						
Renewal	4					
Condition					1	
Operator	Granted	Granted and/or Warning Letter	Letter Council is ‘Minded to	Refuse to Grant	Revoke	To refer to Committee

			refuse' or 'Revoke'			
New						
Renewal						
Conduct						

8. Conclusions

- 8.1. During the period captured in this report the workload for the Licensing team has continued to be high. The team have worked together to answer all the queries, support businesses and maintain the flow of applications.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Local Member: This report covers all areas of Shropshire.

Appendices

Appendix A – Licences processed between 1 September 2024 and the 31 January 2025.

Appendix B – Hearings held by the Licensing and Safety Sub-Committee between 1 September 2024 and the 31 January 2025.

Appendix C – Hearings held by the Licensing Act Sub-Committee between 1 September 2024 and the 31 January 2025.

APPENDIX A

Licences processed from the 11 May 2024 to the 31 August 2024.

General Licensing	Renewal Period	Total
Acupuncture Personal	For life	
Acupuncture Premises	For life	
Activities Involving Animals Licence	Up to 3 years	18
Caravan Sites	For life	8
Mobile Homes Fit and Proper Person Register	Up to 5 Years	1
Cosmetic Piercing Personal	For life	23
Cosmetic Piercing Premises	For life	12
House to House Collection	For the period applied for, no longer than 12 months	17
House to House Exemption Order	Exemption certificate is issued by the Home Office	17
Scrap Metal Site (new/renewal)	3 Years	1
Scrap Metal Collector (new/renewal)	3 Years	2
Sex Establishment Licence	1 Year	
Sex Shop Licence	1 Year	
Street Collection	Covers the dates applied for	83
Street Trading Licence (new/renewal)	1 Year (daily licence also available which covers maximum of 7 days in a 12-month period)	5
Tattooing Personal	For life	
Tattooing Premises	For life	
Electrolysis Personal	For life	
Electrolysis Premises	For life	
Dangerous Wild Animals	2 Years	
Zoo	New licences last 4 years, upon renewal they can be granted for 6 years	
Distribution of Free Printed Matter	7 consecutive days, 28 consecutive days, 1 year – dependent on what is applied for	2
Storage of Explosives	1 Year	4
Year-round Fireworks Sales	1 Year	
Pavement Licence	1 Year	29
Pavement Permit	1 Year	6
Total Applications General		228

Taxi Licensing		Renewal Period	Total
Hackney Carriage	N	1 Year	3
Hackney Carriage	R	1 Year	19
Joint HC/PH Driver	N	Up to 3 Years	41
Joint HC/PH Driver	R	Up to 3 Years	111
Private Hire Operator	N	Up to 5 Years	5
Private Hire Operator	R	Up to 5 Years	8
Private Hire Vehicle	N	1 Year	87
Private Hire Vehicle	R	1 Year	226
Hackney Vehicle Transfer		For period left on existing licence	
Private Hire Vehicle Transfer		For period left on existing licence	5
Private Hire Licensee Transfer		For period left on existing licence	5
Trailer Licence		1 Year	
Total Taxi Applications			510

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	16
Hackney Carriages	2
Total Surrendered Vehicles	18

Licensing Act 2003	Renewal Period	Total
Club Premises Certificate	For Life	
Personal Alcohol (variation/new)	For Life	63
Premises Licence	For Life	18
Temp Event Notice no Alcohol	For the dates applied for	
Temp Event Notice with Alcohol	For the dates applied for	480
Minor Variation Application	For Life	8
Designated Premises Supervisor (DPS) Change/Variation	For Life	81
Disapply DPS	For Life	1
Premises Licence Transfer Application	For Life	22
Annual Fee	Due each year on anniversary of granting of original licence	712
Notification of Interest	For Life	1

Premises Licence with Alcohol - Full Variation	For Life	2
Premises Licence without Alcohol - Full Variation	For Life	
Total Licensing Act Applications		1388

Gambling Act 2005	Renewal Period	Total
Bingo Premise Licence	For Life	
Betting Premise Licence (other than track)	For Life	
Betting Premises Licence (track)	For Life	
Licensed Premise Gaming Machine Permit	For Life	
Notification of Intent to have gaming machines	For Life	3
Prize Gaming Permit	10 Years	
Club Machine Permits	10 Years	
Club Gaming Permit	10 Years	
Occasional Use Notice	For the dates applied for	
Temporary Use Notice	For the dates applied for	
Adult Gaming Centre	For Life	
Small Society Lotteries	For Life	13
Change of Promoter	As necessary	
Annual Fee	Due each year on anniversary of granting of original licence	33
Family Entertainment gaming machine permit	10 Years	
Total Gambling Act 2005 Applications		49

Total Applications	2175
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Total Surrendered Vehicles	18
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APPENDIX B

Licensing and Safety Sub-Committee hearings held between 1 September 2024 and the 31 January 2025.

Date of Meeting	Scheduled/ Additional	Item	Meeting Venue	Decisions
None				

APPENDIX C**Licensing Act Sub-Committee hearings held between 1 September 2024 and the 31 January 2025.**

Date	Premises	Type of Application	Councillors	Decision	Review Requested by
3 September 2024	Baker & Cook, 58 Sheinton Street, Much Wenlock, TF13 6HU	Premises Licence Application	Councillor Edward Towers Councillor David Evans Councillor Roy Aldcroft	To grant the premises licence	n/a

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