

DECISION-MAKER:	LICENSING COMMITTEE
SUBJECT:	LICENSING OF PLEASURE BOATS AND BOATMEN
DATE OF DECISION:	4 th NOVEMBER 2010
REPORT OF:	SOLICITOR TO THE COUNCIL
STATEMENT OF CONFIDENTIALITY	
None.	

BRIEF SUMMARY

Section 94 of the Public Health Acts Amendment Act 1907 makes the city council the licensing authority for pleasure boats and boatmen.

The committee is asked to note the processes involved in licensing pleasure boats and boatmen and review the fees associated with the process

RECOMMENDATIONS:

- (i) To note the processes in licensing pleasure boats and boatmen
- (ii) To set application fees at a level commensurate with the costs associated with the provision of the service.

REASONS FOR REPORT RECOMMENDATIONS

1. To ensure that, as far as possible, the fees for applications are set at a level which allows for full cost recovery.

DETAIL (Including consultation carried out)

2. At its meeting on 11th June 2003, the Licensing and Public Safety Panel considered a report from the Solicitor to the Council concerning the licensing of pleasure boats and boatmen which had previously been carried out by Associated British Ports (Southampton) ("ABP") under their Docks Byelaws.
3. The panel agreed to the appointment of ABP as the council's consultant in relation to the examination of pleasure boats and boatmen to ascertain their suitability. The city council and ABP subsequently concluded an agreement appointing ABP as the council's agents for this purpose.
4. The panel also set fees for applications and delegated the function to the Solicitor to the Council, save for the power to revoke or refuse licences.
5. Currently, twenty-eight boatmen and ten pleasure boats are licensed by the city council.
6. A review of the service, in liaison with ABP, indicates that the fees should be reviewed so as to ensure that they properly reflect the costs of providing the service, both in terms of the work undertaken by ABP in inspecting pleasure boats and examining boatmen and the Licensing Team in all other aspects of the function.
7. The city council does not have the technical expertise to carry out the inspections of boats and the examination of boatmen, hence the arrangements with ABP where these matters are dealt with by the Southampton Harbourmaster's Office.

8. Licences for pleasure boats are renewable annually and boatmen are renewable at five, three and one year intervals, for those aged 18-63, 64-74 and over 75 years, respectively..

9. The fees were last set in 2003 and it is proposed that they should be increased to provide full cost recovery, as follows:

10. Licence type and duration	Current	Proposed
Pleasure boat licence application, (grant or renewal)(annual)	£135.00	£210.00
Boatman's licence application, (grant or renewal)(five yearly)	£60.00	£135.00

RESOURCE IMPLICATIONS

Capital/Revenue

11. The proposal is intended to produce, so far as is possible, full recovery of the costs involved in licensing pleasure boats and boatmen.

Property/Other

12. The resources to carry out the function are already present within the Licensing Team. There are no other significant resource implications

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

13. Section 94 of the Public Health Acts Amendment Act 1907 provides the power to license pleasure boats and boatmen and section 180 and paragraph 23 of schedule 14 to the Local Government (Miscellaneous Provisions) Act 1972 make it compulsory for a licensing system to be in place.

Other Legal Implications:

14. Schedule 1, paragraph B18 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) states that this licensing function is non-executive and should be with the Licensing Committee.

POLICY FRAMEWORK IMPLICATIONS

15. The decision required by this report is not contrary to the council's policy framework

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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

1.	None
2.	

Documents In Members' Rooms

1.	none
2.	

Integrated Impact Assessment

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	No
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Other Background Documents

Title of Background Paper(s) None.

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None.	
2.		

Integrated Impact Assessment and Other Background documents available for inspection at: Not Applicable.

WARDS/COMMUNITIES AFFECTED:	None
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Report Tracking

VERSION NUMBER:	2
DATE LAST AMENDED:	25/10/2010
AMENDED BY:	JB