

LICENSING COMMITTEE

Date: Tuesday 4 February 2020
Time: 5.30 pm
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Mark Devin, Democratic Services Officer (Committees) on 01392 265477 or email mark.devin@exeter.gov.uk

Entry to the Civic Centre can be gained through the Customer Services Centre, Paris Street.

Membership -

Councillors Owen (Chair), Buswell (Deputy Chair), Begley, Branston, Henson, D, Mitchell, K, Newby, Oliver, Quance, I, Vizard, Warwick, Wood and Wright

Agenda

Part I: Items suggested for discussion with the press and public present

1 **Apologies**

To receive apologies from Committee members.

2 **Minutes**

To approve and sign the minutes of the meeting held on 29 October 2019.

(Pages 3 -
6)

3 **Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as

defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

5 Licensing Fees & Charges 2020/21

To consider the report of the Environmental Health and Licensing Manager.

(Pages 7 -
24)

6 Approval under Delegation

To consider the verbal update of the Environmental Health and Licensing Manager.

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.

LICENSING COMMITTEE

29 October 2019

Present:

Councillor Keith Owen (Chair)

Councillors Buswell, Begley, Branston, Henson, D, Oliver, Quance, I, Vizard, Warwick, Wood and Wright

Apologies:

Councillors Mitchell, K and Newby

Also present:

Environmental Health and Licensing Manager, Litigation Solicitor and Democratic Services Officer (MD)

21 **Minutes**

The minutes of the meeting held on 17 September 2019 were taken as read, approved and signed by the Chair as correct, subject to the following amendment:-

Minute 20 - The Chair also reiterated that if any complaints should be received from members of the public that the matter could come back for consideration in the intervening period to be considered by the Environmental Health and Licensing Manager in consultation with the Chair and Licensing Committee.

22 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

23 **Proposal To Amend the Sex Establishment Licensing Policy**

The Licensing Committee received the report to amend the licensing policy for sex establishments in the city, which was adopted in 2013 which prohibited sex establishments from having window displays. In June 2019, ABS Holdings on behalf of 'Simply Pleasure', submitted a formal request to display their clothing range as part of their window display. There were no existing means within the policy to vary the licence and the suggested alternative was to amend the policy with conditions to control the suitability of the window displays.

Particular reference was made to the request to delegate power to the Environmental Health and Licensing Manager to control and inspect window displays before they are revealed. The amendment to the wording in the policy, would bring Exeter City Council in-line with other Council's in the country and provide a suitable balance between the commercial requirements of the licence holder, and maintaining appropriate window displays in licenced sex establishments.

During the discussion, the following points were raised:-

- The content of the window displays and what was considered to be appropriate was a concern, however leaving the windows blacked out could be controversial. What was considered acceptable should be comparable to other high street clothing store displays;
- It was considered appropriate that the Chair of the Licensing Committee and another member of the Licensing Committee should be consulted by the Environmental Health and Licensing Manager when considering displays;
- Any extra time spent for inspecting the displays before they are put up, would be charged to the premises as part of their licensing fee;
- The premises' window displays would operate to the rules set by the Advertising Standards Authority.

A motion was made to amend Condition 17 of the policy, to providing delegated power to the Environmental Health and Licensing Manager in consultation with the Chair of the Licensing Committee and one additional Member of the Licensing Committee, to approve window display content as required. The motion was seconded and passed unanimously.

RECOMMENDED: that the amended Sex Establishment Licensing Policy be approved and that Council be requested to adopt the policy.

24 **Proposal to introduce an updated Statement of Licensing Policy**

The Licensing Committee received the report, to introduce an updated Statement of Licensing Policy, which would establish the general principles for regulating and enforcing the Licensing Act 2003. Following a 12 week public consultation, as approved by the Licensing Committee on 16 July 2019, the Licensing Authority received no comments or representations. The Devon and Cornwall Constabulary had been involved in discussions, which contributed to the creation of the draft policy.

RECOMMENDED: that the updated Statement of Licensing Policy be approved and that Council be requested to formally adopt the Policy.

25 **Revision of the Taxi Forum Terms of Reference**

The Licensing Committee received the report which sought to review the Taxi Forum Terms of Reference, to ensure that there was clear membership representation from the Licensing Committee, Taxi Trade and Licensing Authority. Particular reference was made to the two main changes in the terms of reference:-

- The Deputy Chair of the Licensing Committee would also serve as the Deputy Chair of the Taxi Forum; and
- The limitation to the number of Licensing Committee members, attending the Taxi Forum meetings would be removed.

Specific reference was made to representation from the Hackney Carriage Trade to ensure that their representatives were elected at a constituted Annual General Meeting (AGM) and the minutes of the meeting with a confirmation letter confirming the elected positions were submitted to the Licensing Authority prior to the first meeting of the calendar year. Private Hire Trade representatives would need to provide a letter from the owner of the company prior to the first meeting of the calendar year, stating that they are authorised and delegated to act on behalf of the company at the taxi forum.

Members supported the amendments and encouraged the taxi associations to submit the proper paperwork prior to the first meeting of the calendar year, to ensure they had appropriate representation at the Taxi Forum meetings.

RESOLVED: that the Licensing Committee approve the Taxi Forum Terms of Reference.

The meeting commenced at 5.30 pm and closed at 6.21 pm

Chair

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REPORT TO LICENSING COMMITTEE

Date of Meeting: 04 February 2020

Report of:

The Environmental Health and Licensing Manager

Title: Licensing Fees and Charges

Is this a Key Decision?

No

* One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.

Is this an Executive or Council Function?

Licensing is a Council function delegated to the Licensing Committee

1. What is the report about?

The purpose of this report is to establish the licensing fees and charges that should apply for 2020/21 for those activities where the Council has discretion.

2. Recommendations:

For the period from 1 April 2020 to 31 March 2021 it is recommended that the Licensing Committee set the fees as contained in Appendix B.

3. Reasons for the recommendation:

3.1 The statutory principle in relation to the setting of fees is that they should be reasonable and should relate to the costs of performing the function, including staffing, administration, testing, inspections, hearings, regulation and appeals.

3.2 The recommendation is in order to comply with the provisions of the European Services Directive (2006/123/EC) which was incorporated into UK law by the Provision of Services Regulations 2009. The legal requirements were considered by the Supreme Court in the case of R (on the application of Hemming and others) v Westminster City Council [2015] UKSC 25 and [2017] UKSC 50.

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4. What are the resource implications including non-financial resources.

4.1 If there is no increase in fees there is a risk that the Council will not recover all of the costs for services or activities for which it is permitted to charge and increase the burden on the Council's general fund.

4.2 There will be a cost in adoption of fees, as some will require public notice to be given. However this cost will be met from the existing budgetary provision.

5. Section 151 Officer Comments:

- 5.1 The proposed fees have been built into the Council's provisional 2020-21 budget that will be considered at Council in February 2020.
- 5.2 Any surplus or deficit arising, will be placed in an earmarked reserve as it is a requirement for the fees to be ring-fenced for the service.

6. What are the legal aspects?

- 6.1 The Licensing Committee's responsibilities are set out in the Council's Constitution and include setting and reviewing licensing fees other than those set by statute.
- 6.2 The power to charge a fee is contained in Schedule 3 Paragraph 19 of the Local Government (Miscellaneous Provisions) Act 1982 which provides local authorities with a wide discretion to set a 'reasonable fee'. Paragraph 19 provides that:

'An applicant for the grant, variation, renewal or transfer of a licence under this Schedule shall pay a reasonable fee determined by the appropriate authority.'

The licence fee will consist of two parts, A and B as follows:

Part A - is to cover the costs of processing the application, namely the costs of the authorisation procedures and formalities.

The Part A fee is payable in full on submission of the application and is non-refundable.

Part B - is to cover the costs associated with running and enforcing the licensing scheme.

The Part B fee would only become payable if a licence is granted, and would need to be paid by the operator before the licence becomes operational.

7. Monitoring Officer's comments:

The Monitoring Officer has no comments in relation to this report.

8. Report details:

- 8.1 Exeter City Council has statutory responsibility for the administration and enforcement of a wide range of licences, registrations and permits. Many of these schemes allow the Council to charge a fee, payable by an applicant for a licence, in order to cover the costs (or a proportion thereof) of the administration of those licence types. In some cases, costs are also permitted to cover other aspects of providing the regulatory scheme.
- 8.2 The basis in setting such fees is generally to ensure full cost recovery, or as close to it as possible. Numerous legal cases over the years have confirmed that licensing fees may not be used to generate a profit for councils, and that fees should be reviewed annually to ensure that neither a significant surplus nor deficit is created. Surpluses or deficits may be carried forward to future years to be redistributed (within the ring-fenced licensing budget), or recouped, as applicable.

8.3 Many licensing schemes fall within the definition of ‘services’, under the EU Services Directive, as incorporated by the Provision of Services Regulations 2009. For such schemes, fees and charges must “*be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities*”. This principle was affirmed by the courts in *R (on the application of Hemming (t/a Simply Pleasure Ltd)) v Westminster City Council*. Fees must reflect administrative, policy and compliance costs, but cannot include the costs of enforcement action against unlicensed operators.

8.4 Appendix A summarises the Council’s powers to set its fees in respect of licensing applications, and any limitations on those powers.

8.5 A notice of any variation to vehicles and operator’s licence fees will be advertised in a local paper and will be deposited at the council offices for a period of 28 days. Any objections received within 28 days of publication of the notice and not withdrawn will be considered at a meeting of the Licensing Committee on 24th March 2020. If there are no objections to the variation in fees they will come into effect on 1 April 2020.

9. How does the decision contribute to the Council’s Corporate Plan?

The appropriate setting of Licensing Fees will contribute to a healthy and safe city, and lend support to a robust, business friendly economy.

10. What risks are there and how can they be reduced?

The proposed fees have been calculated on a cost recovery basis, and projections show that if the revised fees are adopted the costs of administering licensing schemes should be recovered.

11. Equality Act 2010 (The Act)

11.1 Under the Act’s Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people’s needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member’s attention

12. Carbon Footprint (Environmental) Implications:
No direct carbon/environmental impacts arising from the recommendations.
13. Are there any other options?
No. The Provision of Services Regulations 2009 requires that the recalculation of fees should be undertaken on an annual basis.

Simon Lane, Environmental Health and Licensing Manager

Author: Lee Staples

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

The Gambling Act 2005.

Guidance issued under Section 25 of the Gambling Act 2005

The Police Reform and Social Responsibility Act 2011

The Licensing Act 2003

Guidance issued under Section 182 of the Licensing Act 2003

Local Government (Miscellaneous Provisions) Act 1982

Local Government (Miscellaneous Provisions) Act 1976

Scrap Metal Dealers Act 2013

Contact for enquires:

Democratic Services (Committees)

Room 4.36

01392 265275

Appendix A - Summary of powers to set application fees

Section	Area	Power arises from
General principle		Reg 18(4), Provision of Services Regulations 2009 Any charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.
2.1 – 2.5	Alcohol, entertainment, etc	Prescribed in regulations made by the Secretary of State under the Licensing Act 2003. Section 197A of that Act will allow licensing authorities to set fees locally on a cost-recovery basis, but is yet to be commenced.
3.1	Animal boarding	s.1(2), Animal Boarding Establishments Act 1963 Fee as may be determined by LA.
3.2	Dangerous wild animals	s.1(2)(e), Dangerous Wild Animals Act 1976 Sufficient to meet direct and indirect costs incurred
3.3	Dog breeding	s.3A(2), Breeding of Dogs Act 1973 Reasonable costs incurred in administration and enforcement.
3.4	Pet shops	s.1(2), Pet Animals Act 1951 Fee as may be determined by LA.
3.5	Riding establishments	s.1(2), Riding Establishments Act 1964 Fee as may be determined by LA. Cost of veterinary inspection.
3.6	Zoos	s.15(1), Zoo Licensing Act 1981 Sufficient to cover the reasonable expenditure incurred by the authority. Special provisions for inspections, closures, and direction making.
4.1, 4.3	Gambling notices, premises licences	Set on a cost recovery basis by the authority, up to maximum amounts prescribed in regulations made under the Gambling Act 2005. No fee chargeable for OUN's
4.2, 4.4	Gaming permits, lotteries	Prescribed in regulations made by the Secretary of State under the Gambling Act 2005
5.1, 5.2	Charity collections	No fees chargeable
6.1	HC/PH drivers	s.53(2), Local Gov't (Misc. Provisions) Act 1976 Recovering the costs of issue and administration. Refundable if licence not granted.
6.2, 6.3	HC/PH vehicles, PH operators	s.70(1), Local Gov't (Misc. Provisions) Act 1976 Sufficient to cover the cost of: inspection of vehicle for licensing purposes, providing hackney carriage stands, or other costs for administration and control/supervision of vehicles. Refundable if licence not granted. <i>Maximum fees must be advertised.</i>
7.1	Hypnosis	No fees chargeable (except by London boroughs)
8.1	Scrap metal	Sch 1 para 6, Scrap Metal Dealers Act 2013 Fee set by the authority, with regard to guidance FEE-SETTING IS AN EXECUTIVE FUNCTION
9.1	Sex establishments	Sch 3, para 19, Local Gov't (Misc. Pr'ns) Act 1982 Reasonable fee
10.1	Skin piercing, etc	s.14(6), 15(6), Local Gov't (Misc. Pr'ns) Act 1982 Reasonable fee

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Fee	VAT @ 20%	Total	VAT
£ p	£ p	£ p	Code
<u>2019-20 Fees & Charges</u>			

1.03
1.033**Proposed for 2020-21 per agreed uplift**

Fee	VAT @ 20%	Total	VAT
£ p	£ p	£ p	Code

T LICENSING FEES - GENERAL

A NON RETURNABLE ADMINISTRATION FEE OF £50 INCLUDING VAT AT THE CURRENT RATE IS PAYABLE WITH ALL NEW APPLICATIONS (INCLUDES KNOWLEDGE TEST)

(1) Hackney carriage

Vehicle Licence (Incl Plate & Survey Charge)	355.00	-	355.00	9	365.00	-	365.00	9
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(2) Hackney Carriage

Driver's Licence and Identity card - 1 year	105.00	-	105.00	9	108.00	-	108.00	9
Driver's Licence and Identity card - 3 year	248.00	-	248.00	9	255.00	-	255.00	9

2019-20 Fees & Charges

							Fee £ p	VAT @ 20% £ p	Total £ p	VAT Code
(a)	New, 1 and 2 star Licence (inclusive of vets fees)	Part A	240.00	-	240.00	9	245.00	-	245.00	9
		Part B	80.00	-	80.00	9	85.00	-	85.00	9
(b)	3, 4 and 5 star Licence (inclusive of vets fees)	Part A	n/a	-	n/a	9	490.00	-	490.00	9
		Part B	n/a	-	n/a	9	170.00	-	170.00	9
(12) Riding Establishments Licence										
(a)	New, 1 and 2 star Licence (inclusive of vets fees)	Part A	355.00	-	355.00	9	365.00	-	365.00	9
		Part B	175.00	-	175.00	9	180.00	-	180.00	9
(b)	3, 4 and 5 star Licence (inclusive of vets fees)	Part A	n/a	-	n/a	9	730.00	-	730.00	9
		Part B	n/a	-	n/a	9	360.00	-	360.00	9
	Per horse in excess of 10		7.50	-	7.50	9	7.60	-	7.60	9
(13) Dog Breeding Establishments Licence										
(a)	New, 1 and 2 star Licence (inclusive of vets fees)	Part A	240.00	-	240.00	9	245.00	-	245.00	9
		Part B	80.00	-	80.00	9	85.00	-	85.00	9
(b)	3, 4 and 5 star Licence (inclusive of vets fees)	Part A	n/a	-	n/a	9	490.00	-	490.00	9
		Part B	n/a	-	n/a	9	170.00	-	170.00	9
(14) Dangerous Wild Animals Act										
	Licence Fee (inclusive of vets fees)	Part A	355.00	-	355.00	9	365.00	-	365.00	9
		Part B	175.00	-	175.00	9	180.00	-	180.00	9
(15) Sex Establishments Licence										
	Licence Fee (inclusive of vets fees)	Part A	3,224.00	-	3,224.00	9	3,300.00	-	3,300.00	9
		Part B	741.00	-	741.00	9	750.00	-	750.00	9
(16) Small Lotteries										
	Statutory Charges									
(a)	Registration		40.00	-	40.00	9	40.00	-	40.00	9
(b)	Renewal		20.00	-	20.00	9	20.00	-	20.00	9

2019-20 Fees & Charges

					Fee £ p	VAT @ 20% £ p	Total £ p	VAT Code
(17) Gambling Act 2005								
Statutory charges:								
(i) Bingo								
- Provisional statement	2,745.00	-	2,745.00	9	2,745.00	-	2,745.00	9
- New premises following provisional statement	1,060.00	-	1,060.00	9	1,060.00	-	1,060.00	9
- New premises without provisional statement	3,215.00	-	3,215.00	9	3,215.00	-	3,215.00	9
- Annual fee - First year only following fast track conversion	590.00	-	590.00	9	590.00	-	590.00	9
- Annual fee - other than above	765.00	-	765.00	9	765.00	-	765.00	9
- Variation	1,380.00	-	1,380.00	9	1,380.00	-	1,380.00	9
- Transfer	945.00	-	945.00	9	945.00	-	945.00	9
- Reinstatement	945.00	-	945.00	9	945.00	-	945.00	9
(ii) Adult Gaming Centre								
- Provisional statement	1,530.00	-	1,530.00	9	1,530.00	-	1,530.00	9
- New premises following provisional statement	1,178.00	-	1,178.00	9	1,178.00	-	1,178.00	9
- New premises without provisional statement	2,000.00	-	2,000.00	9	2,000.00	-	2,000.00	9
- Annual fee - First year only following fast track conversion	590.00	-	590.00	9	590.00	-	590.00	9
- Annual fee - other than above	765.00	-	765.00	9	765.00	-	765.00	9
- Variation	765.00	-	765.00	9	765.00	-	765.00	9
- Transfer	945.00	-	945.00	9	945.00	-	945.00	9
- Reinstatement	945.00	-	945.00	9	945.00	-	945.00	9
(iii) Family Entertainment Centre								
- Provisional statement	765.00	-	765.00	9	765.00	-	765.00	9
- New premises following provisional statement	1,120.00	-	1,120.00	9	1,120.00	-	1,120.00	9
- New premises without provisional statement	1,768.00	-	1,768.00	9	1,768.00	-	1,768.00	9
- Annual fee - First year only following fast track conversion	415.00	-	415.00	9	415.00	-	415.00	9
- Annual fee - other than above	590.00	-	590.00	9	590.00	-	590.00	9
- Variation	790.00	-	790.00	9	790.00	-	790.00	9
- Transfer	765.00	-	765.00	9	765.00	-	765.00	9
- Reinstatement	765.00	-	765.00	9	765.00	-	765.00	9
(iv) Betting Track								
- Provisional statement	710.00	-	710.00	9	710.00	-	710.00	9
- New premises following provisional statement	2,060.00	-	2,060.00	9	2,060.00	-	2,060.00	9
- New premises without provisional statement	2,060.00	-	2,060.00	9	2,060.00	-	2,060.00	9
- Annual fee - other than above	736.00	-	736.00	9	736.00	-	736.00	9

	2019-20 Fees & Charges				Fee	VAT @ 20%	Total	VAT
					£ p	£ p	£ p	Code
- Variation	1,000.00	-	1,000.00	9	1,000.00	-	1,000.00	9
- Transfer	710.00	-	710.00	9	710.00	-	710.00	9
- Reinstatement	710.00	-	710.00	9	710.00	-	710.00	9
(v) Betting Other								
- Provisional statement	2,142.00	-	2,142.00	9	2,142.00	-	2,142.00	9
- New premises following provisional statement	1,200.00	-	1,200.00	9	1,200.00	-	1,200.00	9
- New premises without provisional statement	3,000.00	-	3,000.00	9	3,000.00	-	3,000.00	9
- Annual fee - other than above	600.00	-	600.00	9	600.00	-	600.00	9
- Variation	1,075.00	-	1,075.00	9	1,075.00	-	1,075.00	9
- Transfer	860.00	-	860.00	9	860.00	-	860.00	9
- Reinstatement	860.00	-	860.00	9	860.00	-	860.00	9
(vi) Miscellaneous Premises Licence Fees:								
- Change of circumstances (statutory charge)	50.00	-	50.00	9	50.00	-	50.00	9
- Copy of Licence	27.50	-	27.50	9	27.50	-	27.50	9
(vii) Unlicensed FEC permits								
- Application fee	330.00	-	330.00	9	330.00	-	330.00	9
- Application fee - existing operator	110.00	-	110.00	9	110.00	-	110.00	9
- Renewal fee	330.00	-	330.00	9	330.00	-	330.00	9
- Change of name	27.50	-	27.50	9	27.50	-	27.50	9
- Copy of permit	15.00	-	15.00	9	15.00	-	15.00	9
- Temporary use notices								
- Occasional use notices								
(viii) Automatic entitlement - Alcohol Licensed Premises								
- Notification of two machines	50.00	-	50.00	9	50.00	-	50.00	9
(ix) Permit for more than two machines - Alcohol Licensed Premises								
- Application fee - existing operator	100.00	-	100.00	9	100.00	-	100.00	9
- Application fee other than as above	150.00	-	150.00	9	150.00	-	150.00	9
- Permit variation fee	100.00	-	100.00	9	100.00	-	100.00	9
- Permit transfer fee	25.00	-	25.00	9	25.00	-	25.00	9

2019-20 Fees & Charges

					Fee	VAT @ 20%	Total	VAT
					£ p	£ p	£ p	Code
- Annual fee	50.00	-	50.00	9	50.00	-	50.00	9
- Change of name	25.00	-	25.00	9	25.00	-	25.00	9
- Copy of permit	15.00	-	15.00	9	15.00	-	15.00	9

2019-20 Fees & Charges

					Fee £ p	VAT @ 20% £ p	Total £ p	VAT Code
(x) Prize Gaming								
- Application fee	300.00	-	300.00	9	300.00	-	300.00	9
- Application fee - existing operator	100.00	-	100.00	9	100.00	-	100.00	9
- Renewal fee	300.00	-	300.00	9	300.00	-	300.00	9
- Change of name	25.00	-	25.00	9	25.00	-	25.00	9
- Copy of permit	15.00	-	15.00	9	15.00	-	15.00	9
(xi) Club Gaming and Club Machine Permits								
- Application fee - existing operator	110.00	-	110.00	9	110.00	-	110.00	9
- Application fee other than as above	220.00	-	220.00	9	220.00	-	220.00	9
- Permit variation fee	110.00	-	110.00	9	110.00	-	110.00	9
- Permit fee - fast track	110.00	-	110.00	9	110.00	-	110.00	9
- Renewal fee - other	220.00	-	220.00	9	220.00	-	220.00	9
- Annual fee	50.00	-	50.00	9	50.00	-	50.00	9
- Copy of permit	15.00	-	15.00	9	15.00	-	15.00	9
(18) Scrap Metal Licences								
- New Scrap Metal Site Licence	270.00	-	270.00	9	290.00	-	290.00	9
- New Scrap Metal Collectors Licence	128.00	-	128.00	9	135.00	-	135.00	9
- Scrap Metal Site Licence Renewal	180.00	-	180.00	9	190.00	-	190.00	9
- Scrap Metal Collectors Licence Renewal	95.00	-	95.00	9	100.00	-	100.00	9
- Vary Licence Holders Details	15.00	-	15.00	9	20.00	-	20.00	9
- Vary Licensed Sites	65.00	-	65.00	9	70.00	-	70.00	9
- Vary Site Manager	35.00	-	35.00	9	40.00	-	40.00	9
- Vary Change from Site to Collector Licence	35.00	-	35.00	9	40.00	-	40.00	9
- Vary Change from Collector to Site	120.00	-	120.00	9	130.00	-	130.00	9
(19) Control of Skin Piercing etc								
Registration Fee - premises (inc one person)	95.00	-	95.00	9	100.00	-	100.00	9
- extra person	45.00	-	45.00	9	50.00	-	50.00	9
U LICENSING FEES - LICENSING ACT 2003								
Statutory charges:								
(1) Premises Licence and Club Premises Certificates								

2019-20 Fees & Charges

					Fee £ p	VAT @ 20% £ p	Total £ p	VAT Code
Grant or variation								
Band A - No rateable value up to £4,300	100.00	-	100.00	9	100.00	-	100.00	9
Band B - Rateable value £4,301 to £33,000	109.00	-	109.00	9	109.00	-	109.00	9
Band C - Rateable value £33,301 to £87,000	315.00	-	315.00	9	315.00	-	315.00	9
Band D - Rateable value £87,001 to £125,000	450.00	-	450.00	9	450.00	-	450.00	9
Band C - Rateable value £125,001 and above	635.00	-	635.00	9	635.00	-	635.00	9
Annual fee								
Band A - No rateable value up to £4,300	70.00	-	70.00	9	70.00	-	70.00	9
Band B - Rateable value £4,301 to £33,000	180.00	-	180.00	9	180.00	-	180.00	9
Band C - Rateable value £33,301 to £87,000	295.00	-	295.00	9	295.00	-	295.00	9
Band D - Rateable value £87,001 to £125,000	320.00	-	320.00	9	320.00	-	320.00	9
Band C - Rateable value £125,001 and above	350.00	-	350.00	9	350.00	-	350.00	9
* An additional fee is payable for premises exclusively or primarily carrying on the supply of alcohol for consumption on the premises for events of 5,000 or more persons.								
(2) Other charges								
Temporary event notice	21.00	-	21.00	9	21.00	-	21.00	9
Theft, loss etc of premises licence or summary	10.50	-	10.50	9	10.50	-	10.50	9
Application for provisional statement	315.00	-	315.00	9	315.00	-	315.00	9
Notification of change of name and address	10.50	-	10.50	9	10.50	-	10.50	9
Variation to specify individual as premises supervisor	23.00	-	23.00	9	23.00	-	23.00	9
Transfer of premises licence	23.00	-	23.00	9	23.00	-	23.00	9
Interim authority notice	23.00	-	23.00	9	23.00	-	23.00	9
Theft, loss etc of certificate or summary	10.50	-	10.50	9	10.50	-	10.50	9
Notification of change of name or alteration of club rules	10.50	-	10.50	9	10.50	-	10.50	9
Change of relevant registered address of club	10.50	-	10.50	9	10.50	-	10.50	9
Theft, loss etc of temporary event notice	10.50	-	10.50	9	10.50	-	10.50	9
Grant or renewal of personal licence	34.00	-	34.00	9	34.00	-	34.00	9
Theft, loss etc of personal licence	10.50	-	10.50	9	10.50	-	10.50	9
Duty to notify change of name or address	10.50	-	10.50	9	10.50	-	10.50	9
Right of freeholder to be notified	21.00	-	21.00	9	21.00	-	21.00	9

Equality Impact Assessment: *Licensing Fees and Charges*

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Licensing Committee 4 th February 2020	Licensing Fees and Charges	For the period from 1 April 2020 to 31 March 2021 it is recommended that the Licensing Committee set the fees as contained in Appendix B of the report.	

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This is must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
Sex/Gender	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
Gender reassignment	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.

Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
Pregnancy and maternity including new and breast feeding mothers	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
Marriage and civil partnership status	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.
<p><u>Actions identified that will mitigate any negative impacts and/or promote inclusion</u></p> <ul style="list-style-type: none"> • None. The proposed Fees and Charges 2020/2021 would apply equally to all of the groups identified above, and are considered to have a neutral impact in all cases. 			

Officer: Lee Staples
Date: 24th Dec 2019

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