

LICENSING COMMITTEE

Date: Tuesday 30 January 2024

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 Sharon Sissons, Democratic Services Officer (Committees) on 01392 265115 or email sharon.sissons@exeter.gov.uk

Entry to the Civic Centre can be gained through the rear entrance, located at the back of the Customer Service Centre, Paris Street.

Membership -

Councillors Asvachin (Chair), Warwick (Deputy Chair), Begley, Bennett, Fullam, Foale, Holland, Parkhouse, Patrick, Rees, Sheridan, Snow, Vizard and Wood

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 12 September 2023.

(Pages 3 -
8)

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 and Charges for 2024/25

To consider the report of the Service Lead - Environmental Health & Community Safety.

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24)

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265115.

LICENSING COMMITTEE

12 September 2023

Present:

Councillor Marina Asvachin (Chair)
Councillors Warwick, Begley, Bennett, Ellis-Jones, Fullam, Foale, Holland, Parkhouse,
Rees, Sheridan, Snow and Vizard

Apologies:

Councillor Wood

Also present:

Service Lead Legal Services, Service Lead - Environmental Health & Community Safety,
Legal Advisor, Principal Licensing Officer and Democratic Services Officer (SLS)

20 **Minutes**

The minutes of the meeting held on 11 July 2023 were taken as read, approved and signed by the Chair as correct.

21 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

22 **Local Government (Miscellaneous Provisions) Act 1982 - Application for the Grant of a Sex Entertainment Venue Licence - The Monkey Suit, Exeter**

The Legal Advisor introduced the proceedings and outlined the procedure for the meeting.

The Principal Licensing Officer advised the Licensing Committee that three late objections had been received in respect of the Application. The Applicant was asked to submit any objections to the Licensing Committee considering the late objections and those objectors addressing the Licensing Committee. The Applicant did not object and the Licensing Committee resolved unanimously to allow the late objections.

The Principal Licensing Officer presented the report, in respect of the application to licence a sexual entertainment venue at The Monkey Suit, 161 Sidwell Street, Exeter.

The objectors to the application in attendance addressed the Licensing Committee and answered questions from members and the Applicant.

The Applicant spoke in support of the application and answered questions submitted in respect of the Application.

RESOLVED that, the application for a sexual entertainment venue ('SEV') licence in respect of The Monkey Suit, was refused for the reasons set out in the Notice of Determination attached.

The meeting commenced at 5.30 pm and closed at 7.55 pm

Chair

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**EXETER CITY COUNCIL (Licensing Authority)
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, Schedule 3**

NOTICE OF DETERMINATION

Application under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 for a Sex Establishment Licence for a Sexual Entertainment Venue in respect of the premises known as The Monkey Suit 161 Sidwell Street, Exeter, EX4 6RH ('the Premises').

Decision of the Licensing Committee sitting at the Civic Centre, Exeter on Tuesday 12th September 2023 at 1730hrs to 1955hrs.

In attendance:

Councillors Asvachin (Chair), Warwick (Deputy Chair), Begley, Bennett, Ellis-Jones, Fullam, Foale, Holland, Parkhouse, Rees, Sheridan, Snow, Vizard.

Service Lead Environmental Health and Community Safety Simon Lane, Principal Licensing Officer Nigel Marston, Service Lead Legal Services Simon Copper, Team Lead ECL Contracts and Licensing Matthew Hall, Democratic Services Officer (Committees) Sharon Sissons.

The hearing commenced at 1730hrs and closed at 1955hrs.

In attendance for the Applicant was Mark Sherman the Director of Bar Dynamics Limited and manager of the Premises.

In attendance objecting to the application were Katherine Dawson, Cllr Yvonne Atkinson and Cllr Laura Wright.

The Decision

In determining this application, the Licensing Committee considered all the relevant evidence and information presented to it both written and oral, and took account of all the matters it is bound to take account of, in particular the following:-

- . Local Government (Miscellaneous Provisions) Act 1982
- . Exeter City Council Sex Establishment Policy July 2013 (the Policy)
- . Sexual Entertainment Venue Home Office Guidance
- . The Human Rights Act 1998
- . any equality and diversity considerations

The Licensing Committee refused the application unanimously on the following discretionary grounds set out in Schedule 3 Paragraph 12 of the Local Government (Miscellaneous Provisions) Act 1982.

Paragraph 12(3)(c) that the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality.

And paragraph 12(3)(d) that the grant or renewal of the licence would be inappropriate having regard

- i. to the character of the relevant locality; or

- ii. to the use to which any premises in the vicinity are put; or
- iii. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Reasons

The Licensing Committee applied paragraph 12(3)(c) of the Act and Policy 7 of the Council's Sex Establishment Licensing Policy headed 'The Number of Sex Establishments'. Policy 7 states that there is no locality within Exeter in which it would be appropriate to licence a Sex Entertainment Venue. Accordingly the appropriate number of this category of sex establishment for each and every locality within Exeter is nil. The Applicant's proposal that the Premises would not be operated as a traditional strip club attracting a largely heterosexual male audience was not a sufficient reason to depart from the Council's policy of nil Sex Entertainment Venues in the City.

The Licensing Committee applied paragraph 12(3)(d)(i) of the Act and Policy 8 of the Council's Sex Establishment Licensing Policy headed 'Character of Locality'. Policy 8 states that sex establishments are unsuitable uses in localities whose character is or is significantly one or more of the following: educational, residential, religious, family leisure, late night entertainment and shopping. The Applicant's submissions that the Premises would not operate until 2100hrs and would not be visible from outside of the Premises were considered inadequate reasons to grant the licence given the character of the locality and were therefore insufficient to depart from this policy. The Licensing Committee determined as a matter of fact that the character of the locality included educational, residential, religious, family leisure, late night entertainment and shops and that residential (flats on Sidwell Street and nearby student accommodation), family leisure (St Sidwells Point leisure centre) and late night entertainment (restaurants on Sidwell Street) did not close at 2100hrs. In addition, Sidwell Street is a busy pedestrian route for visitors, residents and workers with a number of Bus stops and the central Bus Station nearby. The Licensing Committee considered that the existence of a Sex Entertainment Venue would be inappropriate having regard to the character of the locality.

The Licensing Committee applied paragraph 12(3)(d)(ii) of the Act and Policy 9 of the Council's Sex Establishment Licensing Policy headed 'Vicinity'. Policy 9 states that the Council will not normally grant a licence where any premises within the vicinity are used for the following: School, place of worship, family leisure, domestic residential buildings, important historic buildings, youth facilities and important cultural facilities. The Applicant's submissions that there would be no external signage at the Premises and entertainment would only operate from 2100hrs did not provide any basis to grant the licence given the use to which premises in the vicinity are put. The Licensing Committee determined as a matter of fact that residential, (flats on Sidwell Street and nearby student accommodation), place of worship (nearby Mosque), family leisure (St Sidwells Point) and a Community Centre (St Sidwell's Community Centre) uses were all in the Vicinity of the Premises.

The Licensing Committee applied ground 12(3)(d)(iii) of the Act and Policy 10 of the Council's Sex Establishment Licensing Policy headed 'Layout Character and Condition'. Policy 10 states that the Council expects all parts of the premises to be fully accessible to disabled people. The Licensing Committee considered that the proposed accessibility for disabled people to the sex entertainment venue did not make it fully accessible to all disabled people. Notably there were no measures in place to provide access to the first floor of the premises for individuals with physical disabilities.

The Application was therefore refused on the grounds that a sexual entertainment venue at the Premises would be inappropriate having regard to the Council's nil policy, the character of the relevant locality and the use to which other premises in the vicinity are put.

Right of Appeal

The applicant may appeal against this decision in accordance with Paragraph 27, Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

21st September 2023

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REPORT TO LICENSING COMMITTEE AND COUNCIL

Date of Meeting: 30 January 2024 and 20 February 2024

Report of: Service Lead - Environmental Health & Community Safety

Title: Licensing Fees and Charges for 2024/25

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

- 1.1 The purpose of this report is to establish the licensing fees and charges that should apply for 2024/25 for those activities where the Council has discretion to do so.

2. Recommendations:

- 2.1 That the Licensing Committee recommends and Council approves the following:

For the period from 1 April 2024 to 31 March 2025 it is recommended that the Licensing Committee and Council set the fees as contained in Appendix B attached to the report.

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.

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 fees and charges proposed in the report have been included in the Council's Fees & Charges, which will be considered at the Extraordinary meeting of Council on 20 February. The impact of the proposals have been included in the Services budget.

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 legal powers to charge a fee are set out in Appendix A of this report.

7. Monitoring Officer's comments:

- 7.1 The Monitoring Officer draws Members' attention to the legal implications as set out in paragraph 6 above but otherwise has nothing further to add.

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 19 March 2024. If there are no objections to the variation in fees they will come into effect on 1 April 2024.

8.6 One change to this year's fee structure is the change in fee structure relating to Street Trading. In line with case law on fees set under the EU Services Directive, the Street Trading 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.

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

9.1 The appropriate setting of Licensing Fees will contribute to a healthy and active city, a prosperous local economy and building great communities.

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

10.1 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:

12.1 No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 The Licensing Committee could decide to maintain fees and charges at the 2022/23 levels, however the service would not be recovering the full cost incurred to the authority for delivering the individual licence areas.

Report of: Simon Lane - Service Lead Environmental Health and Community Safety

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 enquiries:
Democratic Services (Committees)
Room 4.36
01392 265115

Appendix A - Summary of powers to set application fees

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.
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.
Animal boarding	s.1(2), Animal Boarding Establishments Act 1963 Fee as may be determined by LA. s 13 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 A local authority may charge such fees as it considers necessary
Dangerous wild animals	s.1(2)(e), Dangerous Wild Animals Act 1976 Sufficient to meet direct and indirect costs incurred
Dog breeding	s.3A(2), Breeding of Dogs Act 1973 Reasonable costs incurred in administration and enforcement. s 13 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 A local authority may charge such fees as it considers necessary
Pet shops	s.1(2), Pet Animals Act 1951 Fee as may be determined by LA. s 13 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 A local authority may charge such fees as it considers necessary
Riding establishments	s.1(2), Riding Establishments Act 1964 Fee as may be determined by LA. Cost of veterinary inspection. s 13 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 A local authority may charge such fees as it considers necessary
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.
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
Gaming permits, lotteries	Prescribed in regulations made by the Secretary of State under the Gambling Act 2005
Charity collections	No fees chargeable
Hackney Carriage / Private Hire drivers	s.53(2), Local Gov't (Misc. Provisions) Act 1976 Recovering the costs of issue and administration. Refundable if licence not granted.

Hackney Carriage / Private Hire vehicles, Private Hire 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>
Hypnosis	No fees chargeable (except by London boroughs)
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
Sex establishments	Sch. 3, para 19, Local Gov't (Misc. Pr'ns) Act 1982 Reasonable fee
Skin piercing, etc	s.14(6), 15(6) , Local Gov't (Misc. Pr'ns) Act 1982 Reasonable fee
Street Trading Consents	Schedule 4 Paragraph 9 (1) of Local Government (Miscellaneous Provisions) Act 1982 Reasonable fee

Approved fees for 2023-24

Proposed for 2024-25

	Approved fees for 2023-24				Proposed for 2024-25			
	Fee £ p	VAT @ 20% £ p	Total £ p	VAT CODE	Fee £ p	VAT @ 20% £ p	Total £ p	VAT CODE
T LICENSING FEES - GENERAL								
(1) Hackney carriage								
Vehicle Licence (Incl Plate & Survey Charge)	395.00	-	395.00	9	415.000	-	415.00	9
(2) Hackney Carriage								
Driver's Licence and Identity card - 1 year	130.00	-	130.00	9	135.000	-	135.00	9
Driver's Licence and Identity card - 3 year	295.00	-	295.00	9	310.000	-	310.00	9
(3) Private Hire Operators Licence								
per annum	160.00	-	160.00	9	170.000	-	170.00	9
5 year licence	600.00	-	600.00	9	650.000	-	650.00	9
(4) Private Hire Vehicle Licence								
(Incl. Plate)	310.00	-	310.00	9	325.000	-	325.00	9
(5) Private Hire Drivers								
Driver's Licence and Identity card - 1 year	130.00	-	130.00	9	135.000	-	135.00	9
Driver's Licence and Identity card - 3 year	295.00	-	295.00	9	310.000	-	310.00	9
(6) Vehicle Licences and Plate - Transfer Fees	75.00	-	75.00	9	75.000	-	75.00	9
(7) Additional Knowledge Test	45.83	9.17	55.00	3	45.83	9.17	55.00	3
(8) Miscellaneous fees								
Replacement plate	35.00	-	35.00	9	37.000	-	37.00	9
Missed appointments	45.83	9.17	55.00	3	45.83	9.17	55.00	3

(9) Consents to Street Trade

For up to 3 months	Part A	830.00	-	830.00	9	400.000	-	400.00	9
	Part B					400.000	-	400.00	9
For up to 6 months	Part A	1,185.00	-	1,185.00	9	400.000	-	400.00	9
	Part B					800.000	-	800.00	9
For up to 9 months	Part A	1,780.00	-	1,780.00	9	400.000	-	400.00	9
	Part B					1,200.000	-	1,200.00	9
For up to 12 months	Part A	2,060.00	-	2,060.00	9	400.000	-	400.00	9
	Part B					1,600.000	-	1,600.00	9
Additional Vehicle added to consent (annual fee)						400.000	-	400.00	9

Animal Welfare**(10) Animal Boarding Establishment Licence**

(a) New, 1 & 2 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9
(b) 3, 4 and 5 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9

(11) Pet Animals Licence

(a) New, 1 and 2 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9
(b) 3, 4 and 5 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9

(12) Riding Establishments Licence

(a) New, 1 and 2 star Licence (inclusive of vets fees)	Part A	790.00	-	790.00	9	830.000	-	830.00	9
	Part B	390.00	-	390.00	9	410.000	-	410.00	9
(b) 3, 4 and 5 star Licence (inclusive of vets fees)	Part A	790.00	-	790.00	9	830.000	-	830.00	9
	Part B	285.00	-	285.00	9	300.000	-	300.00	9
Per horse in excess of 10		16.00	-	16.00	9	16.000	-	16.00	9

(13) Dog Breeding Establishments Licence

(a) New, 1 and 2 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9
(b) 3, 4 and 5 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9

(14) Dangerous Wild Animals Act

Licence Fee (inclusive of vets fees)	Part A	510.00	-	510.00	9	525.000	-	525.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9

(15) Dog Day Care Centres

(a) New, 1 and 2 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9
(b) 3, 4 and 5 star Licence (inclusive of vets fees)	Part A	510.00	-	510.00	9	535.000	-	535.00	9
	Part B	210.00	-	210.00	9	220.000	-	220.00	9
Per dog in excess of 10		3.70	-	3.70	9	3.900	-	3.90	9
Per dog in excess of 20		4.70	-	4.70	9	4.900	-	4.90	9

(16) Sex Establishments Licence

Licence Fee	Part A	3,500.00	-	3,500.00	9	3,600.000	-	3,600.00	9
	Part B	820.00	-	820.00	9	900.000	-	900.00	9

(17) Small Lotteries								
Statutory Charges								
(a) Registration	40.00	-	40.00	9	40.000	-	40.00	9
(b) Renewal	20.00	-	20.00	9	20.000	-	20.00	9
(18) Gambling Act 2005 - Statutory charges:								
(i) Bingo								
- Provisional statement	2,745.00	-	2,745.00	9	2,745.000	-	2,745.00	9
- New premises following provisional statement	1,060.00	-	1,060.00	9	1,060.000	-	1,060.00	9
- New premises without provisional statement	3,215.00	-	3,215.00	9	3,215.000	-	3,215.00	9
- Annual fee - First year only following fast track conversion	590.00	-	590.00	9	590.000	-	590.00	9
- Annual fee - other than above	765.00	-	765.00	9	765.000	-	765.00	9
- Variation	1,380.00	-	1,380.00	9	1,380.000	-	1,380.00	9
- Transfer	945.00	-	945.00	9	945.000	-	945.00	9
- Reinstatement	945.00	-	945.00	9	945.000	-	945.00	9
(ii) Adult Gaming Centre								
- Provisional statement	1,530.00	-	1,530.00	9	1,530.000	-	1,530.00	9
- New premises following provisional statement	1,178.00	-	1,178.00	9	1,178.000	-	1,178.00	9
- New premises without provisional statement	2,000.00	-	2,000.00	9	2,000.000	-	2,000.00	9
- Annual fee - First year only following fast track conversion	590.00	-	590.00	9	590.000	-	590.00	9
- Annual fee - other than above	765.00	-	765.00	9	765.000	-	765.00	9
- Variation	765.00	-	765.00	9	765.000	-	765.00	9
- Transfer	945.00	-	945.00	9	945.000	-	945.00	9
- Reinstatement	945.00	-	945.00	9	945.000	-	945.00	9
(iii) Family Entertainment Centre								
- Provisional statement	765.00	-	765.00	9	765.000	-	765.00	9
- New premises following provisional statement	1,120.00	-	1,120.00	9	1,120.000	-	1,120.00	9
- New premises without provisional statement	1,768.00	-	1,768.00	9	1,768.000	-	1,768.00	9
- Annual fee - First year only following fast track conversion	415.00	-	415.00	9	415.000	-	415.00	9
- Annual fee - other than above	590.00	-	590.00	9	590.000	-	590.00	9
- Variation	790.00	-	790.00	9	790.000	-	790.00	9
- Transfer	765.00	-	765.00	9	765.000	-	765.00	9
- Reinstatement	765.00	-	765.00	9	765.000	-	765.00	9
(iv) Betting Track								
- Provisional statement	710.00	-	710.00	9	710.000	-	710.00	9
- New premises following provisional statement	2,060.00	-	2,060.00	9	2,060.000	-	2,060.00	9
- New premises without provisional statement	2,060.00	-	2,060.00	9	2,060.000	-	2,060.00	9
- Annual fee - other than above	736.00	-	736.00	9	736.000	-	736.00	9
- Variation	1,000.00	-	1,000.00	9	1,000.000	-	1,000.00	9
- Transfer	710.00	-	710.00	9	710.000	-	710.00	9
- Reinstatement	710.00	-	710.00	9	710.000	-	710.00	9
(v) Betting Other								
- Provisional statement	2,142.00	-	2,142.00	9	2,142.000	-	2,142.00	9
- New premises following provisional statement	1,200.00	-	1,200.00	9	1,200.000	-	1,200.00	9
- New premises without provisional statement	3,000.00	-	3,000.00	9	3,000.000	-	3,000.00	9
- Annual fee - other than above	600.00	-	600.00	9	600.000	-	600.00	9
- Variation	1,075.00	-	1,075.00	9	1,075.000	-	1,075.00	9
- Transfer	860.00	-	860.00	9	860.000	-	860.00	9
- Reinstatement	860.00	-	860.00	9	860.000	-	860.00	9

(vi) Miscellaneous Premises Licence Fees:									
- Change of circumstances (statutory charge)	50.00	-	50.00	9	50.000	-	50.00	9	
- Copy of Licence	27.50	-	27.50	9	27.500	-	27.50	9	
(vii) Unlicensed FEC permits									
- Application fee	330.00	-	330.00	9	330.000	-	330.00	9	
- Application fee - existing operator	110.00	-	110.00	9	110.000	-	110.00	9	
- Renewal fee	330.00	-	330.00	9	330.000	-	330.00	9	
- Change of name	27.50	-	27.50	9	27.500	-	27.50	9	
- Copy of permit	15.00	-	15.00	9	15.000	-	15.00	9	
(viii) Automatic entitlement - Alcohol Licensed Premises									
- Notification of two machines	50.00	-	50.00	9	50.000	-	50.00	9	
(ix) Permit for more than two machines - Alcohol Licensed Premises									
- Application fee - existing operator	100.00	-	100.00	9	100.000	-	100.00	9	
- Application fee other than as above	150.00	-	150.00	9	150.000	-	150.00	9	
- Permit variation fee	100.00	-	100.00	9	100.000	-	100.00	9	
- Permit transfer fee	25.00	-	25.00	9	25.000	-	25.00	9	
- Annual fee	50.00	-	50.00	9	50.000	-	50.00	9	
- Change of name	25.00	-	25.00	9	25.000	-	25.00	9	
- Copy of permit	15.00	-	15.00	9	15.000	-	15.00	9	
(x) Prize Gaming									
- Application fee	300.00	-	300.00	9	300.000	-	300.00	9	
- Application fee - existing operator	100.00	-	100.00	9	100.000	-	100.00	9	
- Renewal fee	300.00	-	300.00	9	300.000	-	300.00	9	
- Change of name	25.00	-	25.00	9	25.000	-	25.00	9	
- Copy of permit	15.00	-	15.00	9	15.000	-	15.00	9	
(xi) Club Gaming and Club Machine Permits									
- Application fee - existing operator	110.00	-	110.00	9	110.000	-	110.00	9	
- Application fee other than as above	220.00	-	220.00	9	220.000	-	220.00	9	
- Permit variation fee	110.00	-	110.00	9	110.000	-	110.00	9	
- Permit fee - fast track	110.00	-	110.00	9	110.000	-	110.00	9	
- Renewal fee - other	220.00	-	220.00	9	220.000	-	220.00	9	
- Annual fee	50.00	-	50.00	9	50.000	-	50.00	9	
- Copy of permit	15.00	-	15.00	9	15.000	-	15.00	9	
(xii) Scrap Metal Licences									
- New Scrap Metal Site Licence	325.00	-	325.00	9	325.000	-	325.00	9	
- New Scrap Metal Collectors Licence	175.00	-	175.00	9	175.000	-	175.00	9	
- Scrap Metal Site Licence Renewal	225.00	-	225.00	9	225.000	-	225.00	9	
- Scrap Metal Collectors Licence Renewal	150.00	-	150.00	9	150.000	-	150.00	9	
- Vary Licence Holders Details	30.00	-	30.00	9	30.000	-	30.00	9	
- Vary Licensed Sites	75.00	-	75.00	9	75.000	-	75.00	9	
- Vary Site Manager	50.00	-	50.00	9	50.000	-	50.00	9	
- Vary Change from Site to Collector Licence	50.00	-	50.00	9	50.000	-	50.00	9	
- Vary Change from Collector to Site	150.00	-	150.00	9	150.000	-	150.00	9	
(xiii) Control of Skin Piercing etc									
Registration Fee - premises	120.00	-	120.00	9	120.000	-	120.00	9	
- extra person	70.00	-	70.00	9	70.000	-	70.00	9	
(xiv) Food Premises Register									
Copy of whole Register	650.00	-	650.00	9	650.000	-	650.00	9	

Copy of a section of Register	150.00	-	150.00	9	150.000	-	150.00	9
Copy of individual premises	20.00	-	20.00	9	20.000	-	20.00	9
(xv) Film Classification								
Classification of films up to 30 minutes film duration	50.00	-	50.00	9	55.000	-	55.00	9
Each additional 20 minute film duration	23.00	-	23.00	9	25.000	-	25.00	9

U LICENSING FEES - LICENSING ACT 2003

Statutory charges:

(1) Premises Licence and Club Premises Certificates

Grant or variation

Band A - No rateable value up to £4,300	100.00	-	100.00	9	100.000	-	100.00	9
Band B - Rateable value £4,301 to £33,000	190.00	-	190.00	9	190.000	-	190.00	9
Band C - Rateable value £33,001 to £87,000	315.00	-	315.00	9	315.000	-	315.00	9
Band D - Rateable value £87,001 to £125,000	450.00	-	450.00	9	450.000	-	450.00	9
Band E - Rateable value £125,001 and above	635.00	-	635.00	9	635.000	-	635.00	9

Annual fee

Band A - No rateable value up to £4,300	70.00	-	70.00	9	70.000	-	70.00	9
Band B - Rateable value £4,301 to £33,000	180.00	-	180.00	9	180.000	-	180.00	9
Band C - Rateable value £33,001 to £87,000	295.00	-	295.00	9	295.000	-	295.00	9
Band D - Rateable value £87,001 to £125,000	320.00	-	320.00	9	320.000	-	320.00	9
Band E - Rateable value £125,001 and above	350.00	-	350.00	9	350.000	-	350.00	9

Note: 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	21.000	-	21.00	9
Theft, loss etc of premises licence or summary	10.50	-	10.50	9	10.500	-	10.50	9
Application for provisional statement	315.00	-	315.00	9	315.000	-	315.00	9
Notification of change of name and address	10.50	-	10.50	9	10.500	-	10.50	9
Variation to specify individual as premises supervisor	23.00	-	23.00	9	23.000	-	23.00	9
Transfer of premises licence	23.00	-	23.00	9	23.000	-	23.00	9
Interim authority notice	23.00	-	23.00	9	23.000	-	23.00	9
Theft, loss etc of certificate or summary	10.50	-	10.50	9	10.500	-	10.50	9
Notification of change of name or alteration of club rules	10.50	-	10.50	9	10.500	-	10.50	9
Change of relevant registered address of club	10.50	-	10.50	9	10.500	-	10.50	9
Theft, loss etc of temporary event notice	10.50	-	10.50	9	10.500	-	10.50	9
Grant or renewal of personal licence	34.00	-	34.00	9	34.000	-	34.00	9
Theft, loss etc of personal licence	10.50	-	10.50	9	10.500	-	10.50	9
Duty to notify change of name or address	10.50	-	10.50	9	10.500	-	10.50	9
Right of freeholder to be notified	21.00	-	21.00	9	21.000	-	21.00	9

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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 30 January 2024	Licensing Fees & Charges	For the period from 1 April 2024 to 31 March 2025 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	neutral	low	There is no evidence to suggest that the proposed fees and charges would have a potential impact on this characteristic.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
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).			
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.

Actions identified that will mitigate any negative impacts and/or promote inclusion

- **None.** The proposed Fees and Charges 2024/2025 would apply equally to all of the groups identified above, and are considered to have a neutral impact in all cases.

Officer: Simon Lane

Date: 05 January 2024

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