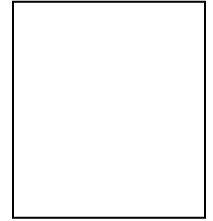




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of:	Chief Licensing Officer & Head of Licensing
Date:	27 th March 2014
Subject:	Determination of Licence Fees
Author of Report:	Steve Lonnia
Summary:	To determine the non-statutory licences fees for the 2014/15 financial year
Recommendations:	The Chief Licensing Officer and Head of Licensing following detailed consultation with the Councils Legal and Finance officers recommends that the committee accept the proposed fees set out and detailed in the attachments to this report.
Background Papers:	None
Category of Report:	OPEN

**REPORT OF THE CHIEF LICENSING OFFICER & HEAD OF LICENSING
TO THE LICENSING COMMITTEE**

No: 13/14

**Licensing Fees Review (Determination of Fees)
2014/15 Financial Year**

1.0 PURPOSE AND OUTCOMES

- 1.1 The purpose of this report is for members to determine the fees for the following individual licensing systems;
- Private Hire & Hackney Carriage Drivers, Vehicles and Operators etc;
 - Animal Health (pets shops, animal boarding establishments, dangerous wild animals, riding establishments and breeders of dogs);
 - Street Trading (football, static, mobile, schools, and short term consents);
 - Scrap Metal;
 - Sex Establishment Licensing (sex shops and sexual entertainment venues);
 - Gambling Premises (casino, bingo, betting and track premises etc.);
 - Approved Marriage Premises (secular and religious)
 - Poisons Registration;
 - Pavement Café Licences;
 - Second Hand Dealers Registration;
 - Skin Piercing / Tattooists;
 - Safety of Sports Grounds
- 1.2 To note the following fee(s) that are prescribed by the Secretary of State. These are “Statutory” fees and can not be changed by the Local Authority. These are;
- Licensing Act 2003
 - Gambling Act 2005 (certain fees)
- 1.3 To inform members of the systems that are administered by the Licensing Service, where the legislation states we are unable to charge a fee;
- Safety of Sports Grounds
 - Street Collections
 - House to House Collections
 - Hypnotism
 - Commons Registration
- 1.4 The intended outcomes of this report are to ensure that:-
- The Licensing Service recovers the reasonable costs of the service for administering and enforcing the terms and conditions of the relevant individual licensing systems;
 - The Council fees and charges are set in accordance with the Councils Fair Charging Principles set out in the Future Shape Policy Handbook; the Provision of Service Regulations 2009; all the relevant individual pieces of licensing legislation; and
 - All fees are determined on an annual basis whether they remain the same, increase or decrease.

2.0 FAIR CHARGING POLICY

- 2.1 It is agreed that fees and charges should be set in a consistent way across the Council and that we are transparent about the fees we expect people to pay.
- 2.2 Licence fees must also be set in accordance with the relevant individual piece of legislation; The Provision of Services Regulations 2009; and any other associated legislation / regulations. Members should note that some systems do not fall within the scope of these regulations, one particular system is Taxi Licensing (licensing of vehicles, drivers and operators) and the Gambling Act (Premises licences etc.) system.
- 2.3 To ensure consistency of approach we are dealing with all the fees in the same way to make it easier for our customers to understand.
- 2.4 The fees have been set so that they enable the service and the Council to deliver on our priorities and also on the principle of the polluter pays where it is appropriate.
- 2.5 The Council intends to recover its reasonable costs of the Licensing Service with regards to the administration and enforcement of the terms and conditions of each of the above individual licensing systems. Each licensing system has its fee calculated separately to ensure we are only recovering the costs in relation to that individual system.

3.0 CASE LAW

- 3.1 In order for the service to equalise revenue and expenditure, it is not sufficient to make an estimate of costs in the forthcoming year and see to equalise them with revenue. We must also ensure that any surpluses and deficits are brought forward. This was established in two cases, that deficits can be brought forward in R (Hutton) v Westminster City Council in 1985 and that surpluses can be brought forward in R (Hemming and Others) v Westminster City Council.
- 3.2 It is clear from R v Manchester City Council. Ex p. King, The Times, April 3, 1991 that the power to set fees does not permit the Council to raise revenue generally.
- 3.3 It has also been established in many cases such as R-v-The Greater London Council Ex Parte The Rank Organisation Limited where it was stated “the level of fees was a matter of policy and as long as the total fee income did not exceed the cost of the licensing system the court should not and could not see to interfere”.
- 3.4 The case of R (Hemming and Others) v Westminster City Council has changed the way we must consider setting fees and what legitimate costs we can recover.

Keith J upheld that the procedures the costs of which could be recharged to licensees are;

“... the steps which an applicant for a licence has to take if he wishes to be granted a licence or to have his licence renewed, and when you talk about the cost of those procedures, you are talking about the administrative costs of vetting the application and the costs of investigating their compliance with the terms of the licence. There is simply no room for the costs of authorisation procedures to include costs which are significantly in excess of those costs...”

- 3.5 Members should note that the Council can only recover the actual costs of delivering each individual system from the fees it charges applicants / licensees. It can not make a surplus from fees and must not use fees to subsidise any other licensing system or to offset other budgets or raise income generally.
- 3.6 The overarching principle and starting point for the setting of fees is that the Local Authority must only recover its reasonable costs of administering that individual system and enforcing the terms and conditions of those licences where applicable and that no irrelevant factors are taken in to account when setting such fees.

4.0 PROVISION OF SERVICES REGULATIONS 2009

- 4.1 These regulations came into force on 28 December 2009; Para 18(4) states 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 these procedures and formalities.
- 4.2 The regulations suggest that all fees within the scope of the directive be separable in to two parts. Firstly the pre application costs, mainly the administrative costs incurred when dealing with the application from when it is first received up until it being determined (issues/refused). Secondly the on-going costs of monitoring and enforcing the terms and conditions of that licence. This is to show clearly which part of the fee is repayable should the applicant be unsuccessful.

5.0 PRIVATE HIRE & HACKNEY CARRIAGE DRIVERS VEHICLES AND OPERTORS – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 and the TOWN POLICE CLAUSES ACT 1847

- 5.1 Section 53, Sub-section (2) Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such fee as they consider reasonable with a view to recovering the costs of issue and administration
- 5.2 Section 70, Sub-section (1) Subject to the provisions of sub-section (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may e resolved by them from time to time and as sufficient in the aggregate to recover in whole or in part-
- (a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose determining whether any such licence should be granted or renewed;
 - (b) the reasonable cost of providing hackney carriage stands; and
 - (c) Any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

6.0 ANIMAL HEALTH LICENSING

- 6.1 **Pet Shops (Pet Animals Act 1951)** – Paragraph 1, Sub-paragraph 2, Every local authority may, on application being made to them for that purpose by a person who is not for the time being disqualified from keeping a Pet Shop, and on payment of such fee as may be determined by the local authority
- 6.2 **Animal Boarding Establishments Act 1963** – Paragraph 1, Sub-paragraph 2, Every local authority may, on application being made to them for that purpose by a person who is not for that time being disqualified-
- (a) ...
.....
 - (f) ...
and on payment of such fee as may be determined by the Local Authority
- 6.3 **Riding Establishments Act 1964** - Paragraph 1, Sub-paragraph 2, Every local authority may, on application being made to them for that purpose by a person who is an individual over the age of eighteen years or a body corporate, being a person who is not for the time being disqualified-
- (a) ...
.....
 - (g) ...
Grant, on payment of such a fee as may be determined by the Local Authority
- 6.4 **Breeding of Dogs Act 1973** - Paragraph 3A, Sub-paragraph 3, a local authority may set the level of fees to be charged by virtue of subsection (2) of this section-
- (a) With a view to recovering the reasonable costs incurred by them in connection with the administration and enforcement of this Act and the Breeding of Dogs Act 1991;
- 6.5 **Dangerous Wild Animals Act 1976** – Paragraph 1, Sub-paragraph 2, a local Authority shall not grant a licence under this Act unless an application for it-
- (a) ...
.....
 - (e) is accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application).
- 6.6 **Zoo Licensing Act** – Paragraph 15, Sub-paragraph (1) Subject to this section, the Local Authority may charge such [reasonable] fees as they may determine in respect of
- 6.6.1 The Licensing Service through the Licensing Committee has agreed not to set a fee under this Act at this moment in time. It is agreed that such fees would be determined if an application was received.
- 7.0 **STREET TRADING – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**
- 7.1 Schedule 4 – Paragraph 9, Sub-paragraph 1, a district Council may charge such fees as they consider reasonable for the grant or renewal of a street trading licence or street trading consent.

- 7.2 Sub-paragraph 2, a Council may determine different fees for different types of licence or consent and, in particular, but without prejudice to the generality of this sub-paragraph, may determine fees differing according-
- (a) to the duration of the licence or consent;
 - (b) to the street in which it authorises trading; and
 - (c) to the description of articles in which the holder is authorised to trade

8.0 SCRAP METAL DEALERS ACT 2013

- 8.1 Schedule 1, Paragraph 6, Sub-paragraph 1, an application must be accompanied by the fee set by the Authority.
- 8.2 The Local Government Association has issued comprehensive guidance on licence fee charges and refers to the European Services Directive.

9.0 SEX ESTABLISHMENTS / SEXUAL ENTERTAINMENT VENUES – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

- 9.1 Schedule 3 – Paragraph 19, 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

10.0 GAMBLING ACT 2005

- 10.1 Section 212, Sub-section (1), Regulations under this part prescribing a fee-
- (a) may provide for the amount of the fee to be determined by the Licensing Authority; and
 - (b) may, if they make provision by virtue of paragraph (a), specify constraints on a licensing authority's power to determine the amount of the fee.

Subsection (2), where provision is made under sub-section (1) for the amount of fee to be determined by a Licensing Authority, the Authority-

- (a) Shall determine the amount of fee;
- (b) May determine different amounts for different classes of case specified in The regulations (but may not otherwise determine different amounts for different cases);
- (c) Shall publish the amount of the fee as determined from time to time; and
- (d) Shall aim to ensure that the income from fees of that kind as nearly as possible equates to the costs of providing the service to which the fee relates.

- 10.2 The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 sets out in detail the classes of premises and the maximum fees etc.

11.0 MARRIAGE ACT 1949 AND THE MARRIAGES & CIVIL PARTNERSHIPS (APPROVED PREMISES) REGULATIONS / RELIGIOUS PREMISES APPROVED PREMISES REGISTRATION

- 11.1 Paragraph 12, Sub-paragraph (1) – An Authority may, in accordance with paragraphs (2) to (4), determine a fee in respect of an application for or the renewal of an approval, and may determine that fee either for that particular application or renewal or for applications and renewals generally or of any class.

(2) A fee determined for particular application or renewal shall not exceed the amount which reasonably represents the costs incurred or to be incurred by the authority in respect of that application or renewal.

(3) A fee determined for applications or renewals generally of a particular class shall not exceed the amount which reasonably represents the average costs incurred or likely to be incurred by the authority in respect of an application or renewal, or, as the case may be, in respect of an application or renewal of that class.

(4) A fee determined in respect of an application or renewal may not include an amount representing costs incurred in respect of any review or possible review under regulation 9 unless and until such a review is requested in relation to that application or renewal; but where such a review is requested an authority may determine an additional fee in respect of that application or renewal in accordance in accordance with paragraph (2) or (3), taking in to account only the additional costs arising from the review.

12.0 POISONS ACT 1972

12.1 Paragraph 6, Sub-paragraph (2) A person whose name is entered in a Local Authority's list shall pay to the Local Authority such [reasonable fees as The Authority may determine] in respect of

13.0 PAVEMENT CAFÉ LICENCES - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS INSERTED IN THE HIGHWAYS ACT 1982

13.1 Section 115F, Sub-section (1) – Subject to sub-section (2) to (4), a Council may grant a permission under section 115E above upon such conditions as they think fit, including conditions requiring payment to the council of such reasonable charges as they may determine.

14.0 SECOND HAND DEALERS – SOUTH YORKSHIRE ACT 1980

14.1 The registration under this Act remains in place for three years. There is no provision in the legislation with regards to fees.

14.2 The Provision of Services Regulations 2009, Paragraph 18, Sub-paragraph (4) states any charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate. Therefore, we only recover our basic administration costs of issuing the registration.

15.0 REGISTRATION OF ACUPUNCTURE, EAR PIERCING, TATTOOISTS, ELECTROLYSIS AND SEMI PERMANENT SKIN COLOURING – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, PART VIII

15.1 Acupuncture – Paragraph 14, Sub-paragraph (6) and Tattooing, Ear Piercing, Electrolysis and Semi Permanent Skin Colouring – Paragraph 15, Sub-paragraph (6) both state, a Local Authority may charge such reasonable fees as they determine for registration under this section.

16.0 SAFETY OF SPORTS GROUNDS ACT 1972 (As Amended)

- 16.1 Under the Safety of Sports Grounds Regulations 1987 & the Safety of Places of Sport Regulations 1988 both give the local authority powers to determine a fee in certain circumstances.
- 16.2 Paragraph 8 of the Safety of Sports Grounds Regulations 1987 regarding fees states, "A Local Authority may determine a fee to be charged in respect of an application for the issue, amendment, replacement or transfer of a safety certificate but such a fee shall not exceed an amount commensurate with the work actually and reasonably done by or on behalf of the local authority in respect of the application".
- 16.3 Paragraph 6 of the Safety of Places of Sport Regulations 1988 sets out an identical provision for the charging of fees.

17.0 ADOPTION OF LEGISLATION

17.1 The legislation administered and enforced by the council's licensing service is either imposed by statute or adopted individually by the council.

17.2 The following pieces of legislation are imposed on the council by statute;

- Licensing Act 2003
- Gambling Act 2005
- Pet Animals Act 1951
- Animal Boarding Establishments Act 1963
- Riding Establishments Act 1964
- Breeding of Dogs Act 1973
- Dangerous Wild Animals Act 1976
- Zoo Licensing Act 1981
- Marriages Act 1949
- Poisons Act 1972
- South Yorkshire Act 1980 – Second Hand Dealers
- Safety at Sports Grounds Act 1975 (As Amended)
- Town Police Clauses Act 1847 – Hackney Carriages

17.3 The following pieces of legislation are adopted by the council;

- Local Government (Miscellaneous Provisions) Act 1976 – Part II, Private Hire and Hackney Carriage Licensing
- Local Government (Miscellaneous Provisions) Act 1982 – Street Trading
- Local Government (Miscellaneous Provisions) Act 1982 – Sex Establishments / Sexual Entertainment Venues
- Local Government (Miscellaneous Provisions) Act 1982 as inserted in the Highways Act 1982
- Scrap Metal Dealers Act 2013 – Pavement Café Licences
- Local Government (Miscellaneous Provisions) Act 1982 – Acupuncture, Ear Piercing, Tattooists, Electrolysis and Semi Permanent Skin Colouring

- 17.4 Those that are adopted by the council have to follow strict procedural requirements, including;
- Specifying the day the provisions come in to effect
 - Placing a public notice in a local newspaper

Please note: the above are only an example of the procedural requirements and are not an exhaustive / detailed list

- 17.5 The City Councils Head of Legal has confirmed that the Council has properly adopted the above pieces of legislation where necessary and evidence is retained in the Councils archives (minutes etc.).

18.0 NEW FEES STRUCTURE & CHANGES

- 18.1 Although not a legal requirement under the European Services Directive, it is felt that it is good practice to show application fees in two parts. These are the pre application costs in dealing with the application itself and post application costs which are the ongoing costs of managing the licence and enforcing the terms and conditions.

- For example if a licence fee is £100 it will be shown as £75 pre costs and £25 post costs

- 18.2 The service will ask applicants to pay both fees up front as over 95% of licences are granted and therefore it is more cost effective. If an applicant requests to pay them separately then there will be an additional administration cost. The post costs would be refunded where an application is unsuccessful.

- 18.3 As a service we are also introducing a two tier fee system in line with the transformation project new investment in IT where there will be a different fee for making an application on paper in the traditional manner, than if you apply electronically. This lower fee will reflect the lower time spent on administration / staff time when processing an electronic application.

- 18.4 Attached at Appendix "B" is a full schedule of non-statutory fees.

- 18.5 The introduction of new working processes and a channel shift from manual to electronic has enabled efficiencies in the service cost base, including a reduction in workforce. This new streamlined capability has identified several key areas where reductions in cost can lead to fee reductions. These key areas are set out below;

- Sex Shop Licences & Variations etc.
- Gambling Premises Licences & Variations etc.
- Static / Schools & Short Term Street Trading Consents
- Private Hire & Hackney Carriage Vehicle Drivers & Operator Licences

- 18.6 The reductions above are allocated to areas that have either required less interaction / enforcement in 2013/14 due to premises being well managed (i.e. Sex Shops and Gambling Premises) or that due to the service restructure we are able to allocate resources to interact / enforce during normal hours rather than out of hours which incurs more costs.

- 18.7 There are also several areas that will see a slight increase in the licence fees. This is due to the service being required to allocate more resources / time over the last twelve months and see this requirement continuing in the 2014/15 financial year. These are set out below;
- Animal Health Licences (Pet Shops, Riding Establishments etc.)
 - Poisons Registrations
 - Pavement Café Licences
 - Skin Piercing / Tattooists etc.
- 18.8 The fees and income have been calculated based upon an expected 50/50 split in paper and electronic applications. The Chief Licensing Officer & Head of Licensing will manage the income generated in each area on a monthly basis.
- 18.9 If at any stage during the financial year the service is not achieving a 50/50 split then it must then decide on a course of action to be undertaken. If the service is receiving more paper applications it may require extra resources (staff) to deal with the demand in any particular area and may therefore use the additional income for this purpose. If more electronic applications are being received then it may need to reduce resources (staff) or reduce costs.
- 18.10 If a surplus is achieved at the end of the year then this may be carried forward in to next years budget, or the relevant fees reduced accordingly and / or the money re-invested within the service if it is necessary.

19.0 CONSULTATION

- 19.1 The Chief Licensing Officer & Head of Licensing has undertaken some initial consultations with various trade organisations which have been fairly positive.
- 19.2 As detailed in paragraphs 20.1 to 20.4 below there are strict statutory processes to be followed in relation to licensed vehicles and operators. This will commence immediately following the determination of the fees by members at this meeting.
- 19.3 The Licensing Service will also consult with those licensees and businesses licensed under the various other pieces of legislation during the same timescales.
- 19.4 If any objections are received they will be placed back before the licensing committee for consideration.
- 19.5 If no objections are received then the new fees will come in to force immediately following the 28 day consultation.

20.0 ADVERTISING

- 20.1 Any proposed variation to the fees for licensed vehicles and operators must be advertised and objections received within 28 days of the advertisement considered. There is no requirement for drivers or other fees to be advertised or for objections to be considered.
- 20.2 Following the advertisement where no objections are received the new scale of fees comes in to effect on a specified date no less than 28 days after the advertisement appeared.

20.3 Should objections be received (that are not withdrawn) then those objections must be considered. After consideration of any objections by the Council the new scale of fees, whether modified or not, will come in to effect on a new date that is within two months of the original date.

20.4 The Council cannot recover enforcement costs from the drivers licence application system.

21.0 THE LICENSING SERVICE

21.1 Licensing provides a single service / single point of contact. Licensing staff work across the whole of the service and are able to react to any needs as they arise. The service must be able to undertake work wherever the demand dictates at any particular time.

21.2 In most cases except taxis (which is governed by express provisions) , certain enforcement costs can be recovered. It is in those cases covered by the European Services Directive / Provision of Services Regulations that further fees cannot be recovered. These systems include Sex Establishments and Street Trading etc.

21.3 The Service is keen to streamline processes, improve performance, and provide an electronic option to customers which will in turn reduce costs in many areas.

22.0 FINANCIAL INFORMATION (COSTS)

22.1 Below is a summary of the anticipated budget for the Licensing Service for 2014-15. More detail can be found at Appendix "A"

Expenditure Type	£000's
Employee Costs	704
Other Direct Costs	141
Corporate & Mgt Overheads	241
Investment Scheme Costs	93
Total Budget	1,179

22.2 Overall, it is planned that the Service will reduce its costs by £86k in 2014.15 to £1.179m. This reflects a reduction in direct (staffing) costs as a result of the transformation project, together with savings anticipated in corporate and management overheads, in line with significant reductions being made by SCC in this area of activity.

22.3 Employee Costs will remain the single largest cost for the Service at around £0.7m (60%). These costs are based on the revised structure approved in October 2014.

22.4 Other Direct Costs include such things as equipment, fees, office expenses etc.

22.5 Corporate and Management Overheads include such activities as accommodation, legal, finance, committee secretariat, ICT and management. At £0.241m they represent around 20% of total cost and are derived from the corporate service level agreement process.

22.6 The Investment Scheme Costs represent the Transformation Project costs (ICT upgrade project staff and redundancy) which are repayable over 3 years at £93K per year.

23.0 FINANCIAL INFORMATION (REVENUE)

23.1 Fees are set in-line with the amount of time the licensing service plans to spend on each activity. During the fee setting process a review of the number of expected licences and activity/time spent on the service is undertaken.

23.2 Each year the services costs are budgeted for based on the delivery of the service and an hourly rate is calculated. This hourly rate is then used to inform the licence fee proposed based upon the amount of activity the licence is expected to receive by the service for the forthcoming year.

23.3 Below is a summary of the allocation of the licence service budgeted cost between the statutory, non-statutory and non-fee earning activities for 2014-15, together with the planned fee income to be generated.

	Statutory	Non-Statutory	Non-Fee	Total
	£'000	£'000	£'000	£'000
Expenditure				
• Costs Pre application determination	292	570	57	919
• Costs Post determination Enforcing / Reviewing etc.	83	160	17	260
Total	375	730	74	1,179
Income	(451)	(728)	0	(1,179)
Net	(76)	2	74	0

23.4 Revenue is raised from over 50 licensing systems such as alcohol & entertainment, street trading, gambling premises, sex shops and sexual entertainment venues, animal health licences etc.

24.0 NON STATUTORY FEES

24.1 The Licensing Service has undertaken an extensive review of the non-statutory fees with Finance. There are many fees charged across the service and we are proposing several changes to licence fee system as detailed in paragraphs 18.1 to 18.9 above

24.2 Members will note that fees must be reviewed / determined every year. Members should be aware that the fees were last determined in March 2013.

24.3 The Licensing Service has taken on several new systems over the last twelve months and those new systems are included in this report.

- 24.4 The fees set by the Licensing Authority which are proposed to remain the same are attached at Appendix "B".
- 24.5 Safety of Sports Grounds fees are dealt with separately and a list of projected fees is attached at Appendix "D"

25.0 STATUTORY FEES

- 25.1 The Licensing Service also administers several systems where the fee is determined by the Secretary of State through regulation. This includes all the fees under the Licensing Act 2003 and also several fees under the Gambling Act 2005.
- 25.2 The Licensing Authority has no powers to change these fees. Those fees are detailed at Appendix "C".

26.0 NON FEE PAYING

- 26.1 The last few systems the service administers are ones which in accordance with the legislation the Licensing Authority are unable to charge a fee. These systems include duties that are placed upon us by statute and must be undertaken.
- 26.2 These systems include Safety at Sports Grounds, Street Collections, House to House Collections, Hypnotism, Commons Registration and Scrap Metal Dealers.

27.0 FINANCIAL IMPLICATIONS

- 27.1 There are no financial implications for the Council arising from this report if members agree the fees proposed.
- 27.2 Should Members agree to determine the licence fees as detailed in the report above and attachments, the Council will recover its reasonable costs of the Licensing Service in relation to administering and enforcing the above licensing systems.

28.0 RECOMMENDATIONS

- 28.1 The Chief Licensing Officer and Head of Licensing following detailed consultation with the Councils Legal and Finance officers recommends that the committee accept the proposed fees set out and detailed in the attachments to this report.
- 28.2 Members must carefully consider all the information provided in this report and that included in any attachments and any written or verbal information received at the meeting before determining the licence fee(s) as set out and detailed in the attachments to this report.
- 28.3 These fees have been carefully calculated in order to ensure the Service recovers its reasonable costs and that the fees comply with all the relevant individual pieces of legislation and in particular the Provision of Services Regulations 2009.

29.0 OPTIONS OPEN TO THE BOARD

- 29.1 To determine the fees and authorise the Chief Licensing Officer and Head of Licensing to impose the fees as detailed in this report and the relevant attachments
- 29.2 To defer the decision to determine the fees for further consideration and work to be undertaken before being presented back to the Licensing Committee.

Stephen Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy & Regulation, Place
Staniforth Road Depot, Staniforth Road
March 2014

APPENDIX "A"

2014/15 Breakdown of Licensing Budget					
INCOME		Statutory Fee	Non Statutory	Non Fee Paying	TOTAL
FEES & CHARGES		-	- 102,000		
LICENSE FEES		-	- 5,000		
LIQUOR ALTERATIONS FEES		- 35,000	-		
LIQUOR CLUB PREMISES LICENSE		- 16,400	-		
TAXI DRIVERS		-	- 195,000		
GAMBLING LICENSE FEES		-	- 64,000		
HACKNEY CARRIAGES LICENSE FEES		-	- 108,000		
LIQUOR MISC LICENSE FEES		- 39,000	-		
LIQUOR PERSONAL LICENSE FEES		- 16,000	-		
LIQUOR PREMISES LICENSE FEES		- 345,000	-		
PRIVATE HIRE TAXIS LICENSE FEE		-	- 237,000		
TAXI MISCELLANEOUS INCOME		-	- 17,000		
TOTAL INCOME	TOTAL	- 451,400	- 728,000	-	- 1,179,400
DIRECT COSTS		Statutory	Non Statutory	Non Fee Paying	
Staffing		246,383	401,252	56,316	703,950
Premises & Transport		4,480	7,296	1,024	12,800
Professional Fees and Subscriptions		10,000	37,500	-	47,500
Office Materials & Supplies		14,498	32,670	1,332	48,500
Advertising / Publicity		645	855	-	1,500
Telephone and IT		7,600	22,140	260	30,000
Capital Investment Costs		22,750	70,500	500	93,750
SUB TOTAL	TOTAL	306,356	572,213	59,432	938,000
INDIRECT COSTS					
Corporate Overhead and Legal and Democratic Services		68,648	158,000	14,752	241,400
TOTAL COSTS	TOTAL	375,004	730,213	74,184	1,179,400
Cash Limit		- 76,397	2,213	74,184	0

APPENDIX "B"

Proposed Fee by Type 2014-2015

Sex Establishments		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
New	5,200	1,310	1,290	2,600	948	1,152	2,100
Renewal	4,400	1,118	1,182	2,300	814	1,086	1,900
Transfer	1,200	995	605	1,600	654	446	1,100
Variation	1,000	735	165	900	410	90	500
Staff Reg.	37	34	6	40	30	5	35

SEV's		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
New	1,335	698	637	1,335	574	626	1,200
Renewal	1,000	464	536	1,000	378	507	885
Variation	1,000	464	536	1,000	378	507	885
Transfer	500	345	156	500	245	125	370

Street Trading		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Mobile (Ice Cream)	236	104	132	236	65	126	190
Mobile (Fruit & Veg)	315	110	205	315	72	198	270
Football Hot Food	505	188	317	505	145	310	455
Football Memorabilia	100	70	30	100	48	27	75
Schools	37	31	9	40	26	7	32
Short Term Day	48	51	9	60	37	9	45
Short Term Week	75	66	14	80	53	12	65
Short Term Month	118	95	25	120	74	21	95
Variation	100	84	16	100	53	15	68
New Assistants badge	15	20	-	20	15	-	15
Change of details (Minor)	15	20	-	20	15	-	15
Replacement Badge	8	10	-	10	7.5	-	7.5
Replacement Certificate	8	10	-	10	7.5	-	7.5
Static Street Trading	-	15,451	10,514	25,965	12,283	8,847	21,130

Animal Health		PAPER				ELECTRONIC			
Type	2013/14 Fee	PRE	POST	OTHER	TOTAL	PRE	POST	OTHER	TOTAL
Pet Shop New	156	44	14	107	165	30	11	107	148
Pet Shop Ren.	134	44	14	85	143	30	11	85	126
Riding Est. New	210	44	14	158	216	30	11	158	199
Riding Est. Ren.	185	44	14	127	185	30	11	127	168
Animal Bdrs. New	210	44	14	153	211	30	11	153	194
Animal Bdrs. Ren.	183	44	14	131	189	30	11	131	172
DWA's New	182	44	14	132	190	30	11	132	173
DWA's Ren.	159	44	14	108	166	30	11	108	149
Dog Breeders New	150	44	14	102	160	30	11	102	143
Dog Breeders Ren.	150	44	14	100	158	30	11	100	141

MISC -		PAPER					ELECTRONIC			
Type	2013/14 Fee	PRE	POST	Other	TOTAL	PRE	POST	Other	TOTAL	
Skin Piercing / Tattoois	Operator	50	43	7	50	30	5		35	
Skin Piercing / Tattoois	Premises	250	33	7	225	17	3	225	245	
Scrap Metal Dealers Sites	New	350	205	145	350	170	140		310	
	Renewal	300	168	132	300	135	125		260	
	Variation	75	61	14	75	50	10		60	
Scrap Metal Collectors	New	150	108	42	150	85	40		125	
	Renewal	100	65	35	100	50	30		80	
Pavement Café		88	77	18	95	63	12		75	
Poisons Registration	New	34	30	10	40	24	6		30	
	Renewal	18	17	3	20	15	-		15	
	Change of details	9	10	-	10	7.50	-		7.50	
2nd hand dealers		15	10	5	15	15	-		15	

Civil Marriage Premises		PAPER				ELECTRONIC			
Type	2013/14 Fee	PRE	POST	OTHER	TOTAL	PRE	POST	OTHER	TOTAL
New	970	422	139	430	970	343	153	430	890
Renewal	970	422	139	430	970	343	153	430	890

Private Hire Vehicles		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Renewals	160	115	38	153	79	34	113
New	215	157	51	208	120	48	168
Transfer (Misc)	21	21	-	21	15	-	15
				-			

Hackney Carriage Vehicles		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Renewals	160	115	38	153	79	34	113
New	215	157	51	208	120	48	168
Transfer (Misc)	21	21	-	21	15	-	15
				-			

PH / HC Drivers		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
New	215	169	36	205	150	30	180
Renewals (With DBS)	140	101	29	130	81	24	105
Renewals (Without DBS)	96	65	21	86	55	16	71
				-			

Operators		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
New	1,200	243	427	670	188	412	600
Renewal 0 to 50	n/a	205	255	460	159	241	400
Renewal 51+	n/a	243	427	670	188	412	600
				-			

MISC - Taxis		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Replacement Plates	23	25	-	25	20	-	20
Replacement Badges	15	20	-	20	15	-	15

Gambling Act		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Betting New	1,182	696	384	1,080	613	367	980
Betting First Annual Fee	198	102	48	150	65	40	105
Betting Annual Fee	283	150	80	230	108	72	180
Betting Variation	682	429	156	585	347	138	485
Betting Transfer	598	353	147	500	285	135	420
Betting Reinstatement	598	353	147	500	285	135	420
Betting Provisional Statement	1,182	694	386	1,080	614	366	980
Betting App Following Prov Statmnt	818	503	212	715	420	195	615

Gambling Act		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Casino First Annual Fee	1,097	430	520	950	350	490	840
Casino Annual Fee	1,567	647	753	1,400	569	721	1,290
Casino Variation	958	638	222	860	540	210	750
Casino Transfer	874	568	212	780	477	193	670
Casino Reinstatement	874	568	212	780	477	193	670

Gambling Act		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Bingo New	1,274	728	422	1,150	643	407	1,050
Bingo First Annual Fee	496	268	172	440	208	162	370
Bingo Annual Fee	709	385	225	610	328	212	540
Bingo Variation	774	483	182	665	404	161	565
Bingo Transfer	690	426	159	585	342	143	485
Bingo Reinstatement	690	426	159	585	342	143	485
Bingo Provisional Statement	1,274	727	423	1,150	643	407	1,050
Bingo App Following Prov Statmnt	910	544	256	800	462	238	700

Gambling Act		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
Tracks New	1,366	769	491	1,260	679	476	1,155
Tracks First Annual Fee	556	248	202	450	168	177	345
Tracks Annual Fee	795	333	347	680	252	323	575
Tracks Variation	866	557	198	755	469	181	650
Tracks Transfer	782	497	178	675	405	165	570
Tracks Reinstatement	782	497	178	675	405	165	570
Tracks Provisional Statement	1,366	768	492	1,260	680	475	1,155
Tracks App Following Prov Statmnt	938	565	270	835	479	251	730

Gambling Act		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
FEC's New	906	504	306	810	439	291	730
FEC's First Annual Fee	299	165	85	250	111	74	185
FEC's Annual Fee	428	196	144	340	145	130	275
FEC's Variation	590	362	138	500	290	130	420
FEC's Transfer	506	285	130	415	223	117	340
FEC's Reinstatement	506	285	130	415	223	117	340
FEC's Provisional Statement	906	504	306	810	439	291	730
FEC's App Following Prov Statmnt	542	302	148	440	245	125	370

Gambling Act		PAPER			ELECTRONIC		
Type	2013/14 Fee	PRE	POST	TOTAL	PRE	POST	TOTAL
AGC's New	1,182	639	441	1,080	565	415	980
AGC's First Annual Fee	343	172	118	290	118	102	220
AGC's Annual Fee	491	217	203	420	160	190	350
AGC's Variation	710	463	149	612	380	135	515
AGC's Transfer	626	375	150	525	300	130	430
AGC's Reinstatement	626	375	150	525	300	130	430
AGC's Provisional Statement	1,182	639	441	1,080	565	415	980
AGC's App Following Prov Statmnt	818	503	212	715	420	195	615

APPENDIX C

STATUTORY FEES

LICENSING ACT

APPLICATION	FEE
Premises New Band A	£100.00
Premises New Band B	£190.00
Premises New Band C	£315.00
Premises New Band D	£450.00
Premises New Band E	£635.00
Premises New Band D x 2	£900.00
Premises New Band E x 3	£1,905.00
Premises Annual Fee Band A	£70.00
Premises Annual Fee Band B	£180.00
Premises Annual Fee Band C	£295.00
Premises Annual Fee Band D	£320.00
Premises Annual Fee Band E	£350.00
Premises Annual Fee Band D x 2	£640.00
Premises Annual Fee Band E x 3	£1,050.00
Premises Provisional Statement	£315.00
Premises Variation Band A	£100.00
Premises Variation Band B	£190.00
Premises Variation Fee Band C	£315.00
Premises Variation Band D	£450.00
Premises Variation Band E	£635.00
Premises Variation Band D x 2	£900.00
Premises Variation Band E x 3	£1,905.00
Minor Variation	£89.00
Variation of DPS	£23.00
Premises Transfer	£23.00
TEN's	£21.00
Notification of Freeholder Interest	£21.00
Theft or Loss of Licence	£10.50
Change of Address	£10.50
CPC New Band A	£100.00
CPC New Band B	£190.00
CPC New Band C	£315.00
CPC New Band D	£450.00
CPC New Band E	£635.00
CPC New Band D x 2	£900.00
CPC New Band E x 3	£1,905.00
CPC Variation Band A	£100.00
CPC Variation Band B	£190.00
CPC Variation Band C	£315.00
CPC Variation Band D	£450.00

CPC Variation Band E	£635.00
CPC Variation Band D x 2	£900.00
CPC Variation Band E x 3	£1,905.00
CPC Annual Fee Band A	£70.00
CPC Annual Fee Band B	£180.00
CPC Annual Fee Band C	£295.00
CPC Annual Fee Band D	£320.00
CPC Annual Fee Band E	£350.00
CPC Annual Fee Band D x 2	£640.00
CPC Annual Fee Band E x 3	£1,050.00
Theft or Loss of CPC	£10.50
Change of Details CPC	£10.50
Personal Licence Grant	£37.00
Personal Licence Renewal	£37.00
Personal Licence Change of Address	£10.50
Personal Licence Duplicate / Copy	£10.50

GAMBLING ACT

APPLICATION	FEE
Lotteries New	£40.00
Lotteries Renewal	£20.00
Notification of Two Machines	£50.00
LPGMP	£150.00
Club Machine Permit	£200.00
Club Gaming Permit	£200.00
Unlicensed FEC Permit	£300.00
Prize Gaming Permits	£300.00

APPENDIX “D”

Safety at Sports Grounds Schedule of Fees

PLEASE NOTE All the fees below are only to give an indication of the potential costs based on prior experience and knowledge of the work involved. The actual fee will be calculated after the completion of the process and the full costs to the Council are then able to be calculated accurately.

General Safety Certificate

Application for grant	£5,000 to £15,000
Application for amendment / variation	£ 1,000 (small) £ 3,000 (medium) £ 5,000 (large)
Application for a replacement	£ 100
Application for transfer	£ 750

Special Safety Certificate

Application for grant	£ 1,000 to £15,000 (dependant upon size / type of event)
Application for amendment / variation	£ 1,000 (small) £ 3,000 (medium) £ 5,000 (Large)
Application for a replacement	£ 100
Application for transfer	£ 750

Regulated Stand Certificate

Application for grant	£1,000 to £10,000 (dependant upon size / type of event)
Application for amendment / variation	£ 1,000 (small) £ 2,000 (medium) £ 3,000 (Large)
Application for a replacement	£ 100
Application for transfer	£ 750