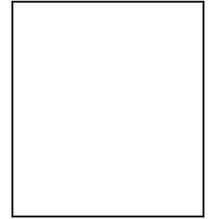




SHEFFIELD CITY COUNCIL Licensing Sub Committee Report



Report of:	Chief Licensing Officer & Head of Licensing
Date:	31 st March 2015
Subject:	Determination of Licence Fees
Author of Report:	Steve Lonnia
Summary:	To determine the non-statutory licences fees for the 2015/16 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: 20/15

**Licensing Fees Review (Determination of Fees)
2015/16 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
 - Town and Village Green 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
- 6.7 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. **Page 118**

(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 intended to introduce a two tier fee system in line with the transformation project and 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 However due to unforeseen technical problems that have been experienced with the project and the resulting impact on the amount of time and resource required to move the project forward we are still awaiting the new system being installed.

18.5 It is expected the back office part of the system will be fully installed and operational in early April. However the front end of the system (public facing) that enables applicants to apply online still requires some considerable development and configuration. It is hoped that we will be in a position to introduce the first part of the electronic application process in the summer (July/August).

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

18.7 Therefore, fees and income have been calculated based upon all paper applications during the first six months and then an expected 50/50 split in paper and electronic applications in the second half of the year (July onwards). The Chief Licensing Officer & Head of Licensing will manage the income generated in each area on a monthly basis.

18.8 If at any stage following the introduction of electronic applications and payments 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.

18.9 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 As there is no intention to change any fees as part of this report, the service has not undertaken any consultation.
- 19.2 The service has verbally informed certain trades of its proposal to maintain the current fees for the 2015/16 financial year.
- 19.3 Notices have been erected in the Licensing Reception and the information has also been placed on the Licensing Page of the Council Website.

20.0 ADVERTISING

- 20.1 Should there be 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.
- 20.5 As there have been no changes to the fees the above advertising is not applicable this year.

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 2014/15

- 22.1 Members will be aware that the Service set a budget of £1,179,000 for the 14/15 financial year.

- 22.2 The actual position at the end of the financial year will show a £121K increase to that what was budgeted in income. The main single reason for this is that the service was unable to put in to place the electronic application system.
- 22.3 Offsetting the increase in income was a £122K increase in expenditure. The single largest increase in expenditure was the employment of three temporary staff to undertake the work resulting from an increase in paper applications and to assist with the additional work created by the project and the additional project fees.

23.0 FINANCIAL INFORMATION (COSTS)

- 23.1 Below is a summary of the anticipated budget for the Licensing Service for 2015-16. More detail can be found at Appendix "A".

Expenditure Type	£000's
Employee Costs	758
Other Direct Costs	146
Corporate & Mgt Overheads	251
Investment Scheme Costs	93
Total Budget	1,248

- 23.2 Employee Costs will remain the single largest cost for the Service at around £0.76m (60%). The service has increased staffing levels with the employment of a Licensing Analyst / Processing Officer in February 15 and a further Licensing Strategy / Policy Officer is currently being recruited and is expected to start in May.
- 23.3 The service has seen an increase in workloads in these two areas and also highlighted some significant new work around analytical work, benchmarking, customer surveys, consultation and several policy and strategy areas.
- 23.4 Other Direct Costs include such things as equipment, fees, office expenses etc.
- 23.5 Corporate and Management Overheads include such activities as accommodation, legal, finance, committee secretariat, ICT and management. At £0.25m they represent around 20% of total cost and are derived from the corporate service level agreement process.
- 23.6 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.

24.0 FINANCIAL INFORMATION (REVENUE)

- 24.1 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.
- 24.2 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.

24.3 The increase in budgeted expenditure of £69k in 2015-16 is offset through additional anticipated generated income. The additional budgeted income in comparison to 2014-15 is a direct result of the delays to the on-line application system. In 2014-15 the budget was based on full year implementation, as opposed to half year in 2015-16.

24.4 Below is a summary of the allocation of the licence service budgeted cost between the statutory, non-statutory and non-fee earning activities for 2015-16, together with the planned fee income to be generated.

15-16	Statutory	Non-Statutory	Non-Fee	Total
	£'000	£'000	£'000	£'000
Expenditure	368	818	62	1248
Costs Pre application determination	272	604	46	922
Costs Post determination Enforcing / Reviewing etc.	96	214	16	326
Total	368	818	62	1248
Income	-423	-815	-10	-1,248
Net	-55	3	52	0

24.5 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.

25.0 NON STATUTORY FEES

25.1 The Licensing Service has undertaken an extensive review of the non-statutory fees with Finance.

25.2 Members will note that fees must be reviewed / determined every year. Members should be aware that the fees were last determined in March 2014.

25.3 The fees set by the Licensing Authority which are proposed to remain the same are attached at Appendix "B".

26.0 STATUTORY FEES

26.1 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.

26.2 The Licensing Authority has no powers to change these fees. Those fees are detailed at Appendix "C".

27.0 NON FEE PAYING

- 27.1 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.
- 27.2 These systems include Safety at Sports Grounds, Street Collections, House to House Collections, Hypnotism, Commons Registration and Scrap Metal Dealers.

28.0 FINANCIAL IMPLICATIONS

- 28.1 There are no financial implications for the Council arising from this report if members agree the fees proposed.
- 28.2 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.

29.0 RECOMMENDATIONS

- 29.1 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.
- 29.2 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.
- 29.3 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.

30.0 OPTIONS OPEN TO THE BOARD

- 30.1 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
- 30.2 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"

2015/16 Breakdown of Licensing Budget					
INCOME		Statutory Fee	Non Statutory	Non Fee Paying	TOTAL
FEES & CHARGES		-	- 108,000		
LICENSE FEES		-	- 2,000		
LIQUOR ALTERATIONS FEES		- 32,000	-		
LIQUOR CLUB PREMISES LICENSE		- 17,000	-		
TAXI DRIVERS		-	- 250,000		
GAMBLING LICENSE FEES		-	- 61,000		
HACKNEY CARRIAGES LICENSE FEES		-	- 127,000		
LIQUOR MISC LICENSE FEES		- 32,000	-		
LIQUOR PERSONAL LICENSE FEES		-	- 6,400		
LIQUOR PREMISES LICENSE FEES		- 342,000	-		
PRIVATE HIRE TAXIS LICENSE FEE		-	- 261,000		
TAXI MISCELLANEOUS INCOME		-	-	- 10,000	
TOTAL INCOME	TOTAL	- 423,000	- 815,400	- 10,000	- 1,248,400
DIRECT COSTS		Statutory	Non Statutory	Non Fee Paying	
Staffing		223,743	496,785	37,923	758,450
Premises & Transport		6,195	13,755	1,050	21,000
Professional Fees and Subscriptions		10,384	23,056	1,760	35,200
Office Materials & Supplies		16,446	36,516	2,788	55,750
Advertising / Publicity		1,180	2,620	200	4,000
Telephone and IT		8,850	19,650	1,500	30,000
Capital Investment Costs		27,435	60,915	4,650	93,000
SUB TOTAL	TOTAL	294,233	653,297	49,870	997,400
INDIRECT COSTS					
Corporate Overhead and Legal and Democratic Services		74,045	164,405	12,550	251,000
TOTAL COSTS	TOTAL	368,278	817,702	62,420	1,248,400
Cash Limit		- 54,722	2,302	52,420	-

APPENDIX "B"

Sex Establishments		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
New	2,600	1,343	1,257	2,600	2,100	970	1,130	2,100
Renewal	2,300	1,150	1,150	2,300	1,900	838	1,062	1,900
Transfer	1,600	1,014	586	1,600	1,100	660	440	1,100
Variation	900	738	162	900	500	410	90	500
Staff Reg.	40	33	7	40	35	27	8	35

SEV's		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
New	1,335	715	620	1,335	1,200	592	608	1,200
Renewal	1,000	480	520	1,000	885	390	495	885
Variation	1,000	480	520	1,000	885	390	495	885
Transfer	500	350	150	500	370	250	120	370

Street Trading		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Mobile (Ice Cream)	236	111	128	236	190	70	120	190
Mobile (Fruit & Veg)	315	116	200	315	270	80	190	270
Football Hot Food	505	196	309	505	455	150	305	455
Football Memorabilia	100	70	30	100	75	50	25	75
Schools	40	32	8	40	32	26	7	32
Short Term Day	60	52	8	60	45	37	8	45
Short Term Week	80	67	13	80	65	55	10	65
Short Term Month	120	100	20	120	95	75	20	95
Variation	100	85	15	100	68	60	10	70
New Assistants badge	20	20	-	20	15	15	-	15
Change of details (Minor)	20	20	-	20	15	15	-	15
Replacement Badge	10	10	-	10	8	8.0	-	8.0
Replacement Certificate	10	10	-	10	8	8.0	-	8.0
Static Street Trading	25,965	15,486	10,514	26,000	21,130	12,000	9,000	21,000

MISC		PAPER					ELECTRONIC				
Type	Fee	PRE	POST	Other	TOTAL	Fee	PRE	POST	Other	TOTAL	
Skin Piercing Operator	50	45	5	-	50	35	30	5	-	35	
Skin Piercing Premises	265	45	5	215	265	245	17	3	225	245	
Scrap Metal Dealers - Sites New	350	205	145	-	350	310	170	140	-	310	
Scrap Metal Dealers - Sites Renewal	300	170	130	-	300	260	135	125	-	260	
Scrap Metal Dealers - Sites Variation	75	62	13	-	75	60	50	10	-	60	
Scrap Metal Dealers - Mobile New	150	108	42	-	150	125	85	40	-	125	
Scrap Metal Dealers - Mobile Renewal	100	70	30	-	100	80	50	30	-	80	
Pavement Café	95	80	15	-	95	75	63	12	-	75	
Poison Registration New	40	30	10	-	40	30	24	6	-	30	
Poison Registration Renewal	20	17	3	-	20	15	15	-	-	15	
Poison Registration Change of details	10	10	-	-	10	8	8	-	-	8	
Second Hand Dealers	15	10	5	-	15	15	15	-	-	15	

Gambling Act		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Betting New	1,080	696	384	1,080	980	613	367	980
Betting First Annual Fee	150	102	48	150	105	65	40	105
Betting Annual Fee	230	150	80	230	180	108	72	180
Betting Variation	585	429	156	585	485	347	138	485
Betting Transfer	500	357	143	500	420	285	135	420
Betting Reinstatement	500	357	143	500	420	285	135	420
Betting Provisional Statement	1,080	700	380	1,080	980	614	366	980
Betting App Following Prov Statmnt	715	503	212	715	615	420	195	615

Gambling Act		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Casino First Annual Fee	950	447	503	950	840	360	480	840
Casino Annual Fee	1,400	668	732	1,400	1,290	590	700	1,290
Casino Variation	860	650	210	860	750	550	200	750
Casino Transfer	780	570	210	780	670	477	193	670
Casino Reinstatement	780	570	210	780	670	477	193	670

Civil Marriage Premises		PAPER				ELECTRONIC				
Type	Fee	PRE	POST	OTHER	TOTAL	Fee	PRE	POST	OTHER	TOTAL
New	970	462	108	400	970	890	390	100	400	890
Renewal	970	462	108	400	970	890	390	100	400	890

Animal Health		PAPER				ELECTRONIC				
Type	Fee	PRE	POST	OTHER	TOTAL	Fee	PRE	POST	OTHER	TOTAL
Pet Shop New	165	44	14	107	165	148	30	11	107	148
Pet Shop Ren.	143	40	15	85	140	126	30	11	85	126
Riding Est. New	216	44	13	158	215	199	30	11	158	199
Riding Est. Ren.	185	44	14	127	185	168	30	11	127	168
Animal Bdrs. New	211	44	13	153	210	194	30	11	153	194
Animal Bdrs. Ren.	189	44	15	131	190	172	30	11	131	172
DWA's New	190	44	14	132	190	173	30	11	132	173
DWA's Ren.	166	44	13	108	165	149	30	11	108	149
Dog Breeders New	160	44	14	102	160	143	30	11	102	143
Dog Breeders Ren.	158	45	15	100	160	141	30	11	100	141

Gambling Act		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Bingo New	1,150	730	420	1,150	1,050	650	400	1,050
Bingo First Annual Fee	440	270	170	440	370	210	160	370
Bingo Annual Fee	610	385	225	610	540	328	212	540
Bingo Variation	665	485	180	665	565	450	160	610
Bingo Transfer	585	429	156	585	485	342	143	485
Bingo Reinstatement	585	429	156	585	485	342	143	485
Bingo Provisional Statement	1,150	730	420	1,150	1,050	650	400	1,050
Bingo App Following Prov Statmnt	800	544	256	800	700	460	240	700

Gambling Act		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Tracks New	1,260	780	480	1,260	1,155	690	465	1,155
Tracks First Annual Fee	450	250	200	450	345	170	175	345
Tracks Annual Fee	680	336	344	680	575	260	315	575
Tracks Variation	755	560	195	755	650	475	175	650
Tracks Transfer	675	500	175	675	570	410	160	570
Tracks Reinstatement	675	500	175	675	570	410	160	570
Tracks Provisional Statement	1,260	775	485	1,260	1,155	690	465	1,155
Tracks App Following Prov Statmnt	835	571	264	835	730	485	245	730

Gambling Act		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
FEC's New	810	504	306	810	730	440	290	730
FEC's First Annual Fee	250	165	85	250	185	111	74	185
FEC's Annual Fee	340	196	144	340	275	145	130	275
FEC's Variation	500	362	138	500	420	295	125	420
FEC's Transfer	415	285	130	415	340	225	115	340
FEC's Reinstatement	415	285	130	415	340	225	115	340
FEC's Provisional Statement	810	504	306	810	730	439	291	730
FEC's App Following Prov Statmnt	440	302	138	440	37	245	125	370

Gambling Act		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
AGC's New	1,080	640	440	1,080	980	570	410	980
AGC's First Annual Fee	290	172	118	290	220	120	100	220
AGC's Annual Fee	420	220	200	420	350	160	190	350
AGC's Variation	612	466	144	610	515	380	135	515
AGC's Transfer	525	375	150	525	430	300	130	430
AGC's Reinstatement	525	375	150	525	430	300	130	430
AGC's Provisional Statement	1,080	640	440	1,080	980	570	410	980
AGC's App Following Prov Statmnt	715	505	210	715	615	420	195	615

Private Hire Vehicles		PAPER			ELECTRONIC			
Type		PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Renewals	153	115	38	153		79	34	113
New	208	157	51	208		120	48	168
Transfer (Misc)	21	21	-	21		15	-	15
				-				
Hackney Carriage Vehicles		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Renewals	153	115	38	153		79	34	113
New	208	157	51	208		120	48	168
Transfer (Misc)	21	21	-	21		15	-	15
				-				
PH / HC Drivers		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
New	205	169	36	205	180	150	30	180
Knowledge	-	65	10	75	n/a	n/a	n/a	n/a
Renewals (With DBS)	130	101	29	130	105	81	24	105
Renewals (Without DBS)	86	65	21	86	71	55	16	71
				-				
Operators		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
New	670	243	427	670	600	188	412	600
Renewal 0 to 50	460	205	255	460	400	159	241	400
Renewal 51+	670	243	427	670	600	188	412	600
MISC - Taxis		PAPER			ELECTRONIC			
Type	Fee	PRE	POST	TOTAL	Fee	PRE	POST	TOTAL
Replacement Plates	25	25	-	25	20	20	-	20
Replacement Badges	20	20	-	20	15	15	-	15

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 (dependent 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 (dependent 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

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