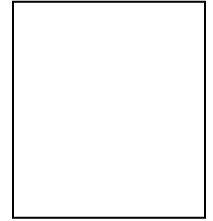




SHEFFIELD CITY COUNCIL Licensing Committee Report



Report of:	Chief Licensing Officer & Head of Licensing
Date:	12 th May 2016
Subject:	Determination of Licence Fees
Author of Report:	Steve Lonnia
Summary:	To determine the non-statutory licences fees for the 2016/17 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: 29/16

**Licensing Fees Review (Determination of Fees)
2016/17 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)
- Pavement Café Licences;
- Second Hand Dealers Registration;
- Skin Piercing / Tattooists; and
- Safety of Sports Grounds

1.2 To note, the following fee(s) are prescribed by the Secretary of State. These are “Statutory” fees and cannot 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; and
- 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 another is 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 the 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 cannot 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 an application (applicant) be unsuccessful.

5.0 PRIVATE HIRE & HACKNEY CARRIAGE DRIVERS, VEHICLES AND OPERATORS – 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 be 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 PAVEMENT CAFÉ LICENCES - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS INSERTED IN THE HIGHWAYS ACT 1982

12.1 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.

13.0 SECOND HAND DEALERS – SOUTH YORKSHIRE ACT 1980

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

13.2 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.

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

14.1 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.

15.0 SAFETY OF SPORTS GROUNDS ACT 1972 (As Amended)

15.1 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.

15.2 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”.

15.3 Paragraph 6 of the Safety of Places of Sport Regulations 1988 sets out an identical provision for the charging of fees.

16.0 ADOPTION OF LEGISLATION

16.1 The legislation administered and enforced by the council’s licensing service is either imposed by statute or adopted individually by the Council.

16.2 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
- South Yorkshire Act 1980 – Second Hand Dealers
- Safety at Sports Grounds Act 1975 (As Amended)
- Town Police Clauses Act 1847 – Hackney Carriages

16.3 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

16.4 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

16.5 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.).

17.0 FEES STRUCTURE

- 17.1 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
- 17.2 The service asks 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.
- 17.3 As a service we introduced a two tier fee system in line with the transformation project and investment in IT where there is 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.
- 17.4 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. The service are pushing Idox and Capita to resolve this as quickly as possible.
- 17.5 It is expected the back office part of the system will be fully installed and operational in May/June 2016. 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 (June/July).
- 17.6 Attached at Appendix "B" is a full schedule of non-statutory fees.
- 17.7 Therefore, fees and income have been calculated based upon an expected 50/50 split in paper and electronic applications when the system is introduced. The Chief Licensing Officer & Head of Licensing will manage the income generated in each area on a monthly basis.
- 17.8 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 be possible to re-assign resources to undertake more enforcement etc.
- 17.9 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.

18.0 CONSULTATION

- 18.1 The service are proposing several changes to the licence fees for 2016/17 following an annual review of the fees / time allocation to each system / expenditure and staffing costs.
- 18.2 The service has therefore informed those trades/licensees that are affected by the increase of fees of its proposal to change fees for the 2016/17 financial year.
- 18.3 Notices have been erected in the Licensing Reception and the information has also been placed on the Licensing Page of the Council Website.

19.0 ADVERTISING

- 19.1 Should there be any proposed variation to the fees for licensed vehicles and operators this 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.
- 19.2 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.
- 19.3 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.
- 19.4 The Council cannot recover enforcement costs from the drivers licence application system.

20.0 THE LICENSING SERVICE

- 20.1 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.
- 20.2 In most cases except taxis (which is governed by express provisions), the enforcement costs for enforcing the terms and conditions of a licence can be recovered. It is in those cases covered by the European Services Directive / Provision of Services Regulations that costs relating to enforcement of unlicensed activity cannot be recovered. These systems include Sex Establishments and Street Trading etc.
- 20.3 The Service is keen to streamline processes, improve performance, and provide an efficient and effective customer service alongside a proportionate enforcement regime.

21.0 FINANCIAL INFORMATION 2015/16

- 21.1 Members will be aware that the Service set a budget of £1,248,400 for the 15/16 financial year.
- 21.2 The latest forecast position at the end of the financial year will show a £152K 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.

21.3 Offsetting the increase in income was a £152K increase in expenditure. The single largest increase in expenditure was the employment of two permanent staff (1 x Licensing Analyst / Processing Officer and 1 x Licensing Strategy / Policy Officer) to undertake the work resulting from an increase in policy administration and processing of applications. The service has also made an early payment on the final instalment of the IT Project, and also a charge not budgeted for further legal advice.

22.0 FINANCIAL INFORMATION (COSTS)

22.1 Below is a summary of the anticipated budget for the Licensing Service for 2016-17. More detail can be found at Appendix "A"

Expenditure Type - 16-17	£000's	
Employee Costs	797	
Other Direct Costs	250	
Corporate & Mgt Overheads	227	
Investment Scheme Costs	23	
Total Budget	£1,297	

22.2 Employee Costs will remain the single largest cost for the Service at around £797K (60%). The service is currently recruiting two new Licensing Business Support Officers, which are hopefully due to start in March 2016.

22.3 The service has seen an increase in workloads in this area and has also highlighted some significant increase in analytical work, benchmarking, and customer surveys.

22.4 Other Direct Costs include such things as equipment, protective clothing, fees, office expenses etc. at £250K this represents around 19% of the budget.

22.5 Corporate and Management Overheads include such activities as accommodation, legal, finance, committee secretariat, ICT and management. At £227K they represent around 17% 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. This final year will only be £23k due to early repayment.

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 2016-17, together with the planned fee income to be generated.

16-17	Statutory	Non-Statutory	Non-Fee	Total
	£'000	£'000	£'000	£'000
Expenditure	347	895	55	1,297
Costs Pre application determination	234	603	37	874
Costs Post determination Enforcing / Reviewing etc.	113	292	18	423
Total	347	895	55	1,297
Income	- 411	- 886	- -	- 1,297
Net	- 64	9	55	-

23.5 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.

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 individual fees, the overall fees structure is 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 2015.

24.3 The fees set by the Licensing Authority are attached at Appendix "B".

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 PROPOSED FEE ALTERATIONS

- 27.1 All the proposed fees are set out in Appendix B. However, I have given a very brief breakdown below of which fees are increasing, which remain the same and which are being reduced.
- 27.2 The sex establishment fees are proposed to be reduced in relation to new applications, renewals and transfers. This takes account of the reduced resources that we commit to this system. A reduction in the time allocated to enforcement / administration are the main reason for the reduction in fees.
- 27.3 Street trading, private hire vehicle, hackney carriage vehicle, animal health licences and the miscellaneous taxi fees are all proposed to increase. These areas have all seen an increase in resources being committed to them in the last twelve months and we envisage the same in 16/17. Out of office visits, inspections and enforcement are the main reasons for the increase.
- 27.4 Gambling, Private Hire Operators, Hackney Carriage & Private Hire Drivers, Civil Marriages, Skin Piercing, Scrap Metal, Pavement Cafes, 2nd Hand Dealers, Sexual Entertainment Venues and the Variation of Sex Shops / Staff Registrations are all to remain the same in 2016/17.

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.

APPENDIX "A"

INCOME		Statutory Fee	Non Statutory	Non Fee Paying	TOTAL
FEES & CHARGES		-	80,000		- 80,000
LICENSE FEES		-	2,000		- 2,000
LIQUOR ALTERATIONS FEES		- 30,000	-		- 30,000
LIQUOR CLUB PREMISES LICENSE		- 16,000	-		- 16,000
TAXI DRIVERS		-	520,000	-	- 520,000
GAMBLING LICENSE FEES		-	45,000	-	- 45,000
HACKNEY CARRIAGES LICENSE FEES		-	130,000	-	- 130,000
LIQUOR MISC LICENSE FEES		- 10,000	- 5,000	-	- 15,000
LIQUOR PERSONAL LICENSE FEES		- 15,000	-	-	- 15,000
LIQUOR PREMISES LICENSE FEES		- 340,000	-	-	- 340,000
PRIVATE HIRE TAXIS LICENSE FEE		-	332,500	-	- 332,500
TAXI MISCELLANEOUS INCOME		-	10,000	-	- 10,000
Licensing Recharge Reserve			238,000		238,000
TOTAL INCOME	TOTAL	- 411,000	- 886,500	-	- 1,297,500
DIRECT COSTS		Statutory	Non Statutory	Non Fee Paying	
Staffing		207,273	550,069	39,860	797,202
Premises & Transport		3,900	10,350	750	15,000
Professional Fees and Subscriptions		20,302	45,746	250	66,298
Equipment & Others		2,990	7,935	575	11,500
Office Materials & Supplies		14,820	39,330	2,850	57,000
Advertising / Publicity		1,300	3,450	250	5,000
Telephone and IT		9,750	25,875	1,875	37,500
Capital Investment Costs / OHNS		25,110	55,890	-	81,000
SUB TOTAL	TOTAL	285,445	738,645	46,410	1,070,500
INDIRECT COSTS					
Corporate Overhead and Legal and Democratic Services		61,290	156,630	9,080	227,000
TOTAL COSTS	TOTAL	346,735	895,275	55,490	1,297,500
Cash Limit		- 64,265	8,775	55,490	-

APPENDIX “B”
Table of Fees for 2016-2017

		Proposed 2016/17 Fee			Proposed 2016/17 Fee			
Sex Establishments		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 Fee	PRE	POST	TOTAL
New	2,600	1,300	1,100	2,400	2,100	955	945	1,900
Renewal	2,300	1,050	950	2,000	1,900	825	875	1,700
Transfer	1,600	980	420	1,400	1,100	640	260	900
Variation	900	730	170	900	500	410	90	500
Staff Reg.	40	33	7	40	35	27	8	35
		Proposed 2016/17 Fee			Proposed 2016/17 Fee			
SEV's		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 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
		Proposed 2016/17 Fee			Proposed 2016/17 Fee			
Street Trading		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 Fee	PRE	POST	TOTAL
Mobile (Ice Cream)	236	128	118	246	190	87	113	200
Mobile (Fruit & Veg)	315	134	191	325	270	92	188	280
Football Hot Food	505	213	302	515	455	168	297	465
Football Memorabilia	100	78	32	110	75	55	30	85
Schools	40	35	15	50	32	32	10	42
Short Term Day	60	55	15	70	45	45	10	55
Short Term Week	80	70	20	90	65	60	15	75
Short Term Month	120	100	30	130	95	80	25	105
Variation	100	90	20	110	70	65	15	80
New Assistants badge	20	30	-	30	15	25	-	25
Change of details (Minor)	20	30	-	30	15	25	-	25
Replacement Badge	10	20	-	20	8	15	-	15
Replacement Certificate	10	20	-	20	8	15	-	15
Static Street Trading	19,838	11,005	9,374	20,379	17,656	9,010	9,126	18,136

	Proposed 2016/17 Fee					Proposed 2016/17 Fee				
	Animal Health		PAPER			ELECTRONIC				
	2015/16 Fee	PRE	POST	OTHER	TOTAL	2015/16 Fee	PRE	POST	OTHER	TOTAL
Pet Shop New	165	56	12	107	175	148	30	11	107	148
Pet Shop Ren.	143	56	12	85	153	126	30	11	85	126
Riding Est. New	216	56	12	158	226	199	30	11	158	199
Riding Est. Ren.	185	56	12	127	195	168	30	11	127	168
Animal Bdrs. New	211	56	12	153	221	194	30	11	153	194
Animal Bdrs. Ren.	189	56	12	131	199	172	30	11	131	172
DWA's New	190	56	12	132	200	173	30	11	132	173
DWA's Ren.	166	56	12	108	176	149	30	11	108	149
Dog Breeders New	160	56	12	102	170	143	30	11	102	143
Dog Breeders Ren.	158	56	12	100	168	141	30	11	100	141

	Proposed 2016/17 Fee					Proposed 2016/17 Fee				
	Civil Marriage Premises		PAPER			ELECTRONIC				
	2015/16 Fee	PRE	POST	OTHER	TOTAL	2015/16 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

MISC -	PAPER					ELECTRONIC				
	2015/16 Fee	PRE	POST	Other	TOTAL	2015/16 Fee	PRE	POST	Other	TOTAL
Skin Piercing / Tattooists	50	45	5		50	35	30	5		35
Skin Piercing / Tattooists	265	45	5	215	265	245	17	3	225	245
Scrap Metal Dealers Sites	350	205	145		350	310	170	140		310
Renewal	300	170	130		300	360	135	125		260
Variation	75	62	13		75	60	50	10		60
Scrap Metal Collectors	150	108	42		150	125	85	40		125
Renewal	100	70	30		100	80	50	30		80
Pavement Café	95	80	15		95	75	63	12		75
2nd hand dealers	15	10	5		15	15	15	-		15

		Proposed 2016/17 Fee			Proposed 2016/17 Fee			
Gambling Act		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 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	2015/16 Fee	PRE	POST	TOTAL	2015/16 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

Gambling Act		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 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	2015/16 Fee	PRE	POST	TOTAL	2015/16 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	2015/16 Fee	PRE	POST	TOTAL	2015/16 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	2015/16 Fee	PRE	POST	TOTAL	2015/16 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	610	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	2015/16 Fee	PRE	POST	TOTAL	2015/16 Fee	PRE	POST	TOTAL
Renewals	153	110	53	163	113	85	38	123
New	208	153	65	218	168	128	50	178
Transfer (Misc)	21	31	-	31	15	25	-	25
-								
Hackney Carriage Vehicles		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 Fee	PRE	POST	TOTAL
Renewals	153	110	53	163	113	85	38	123
New	208	153	65	218	168	128	50	178
Transfer (Misc)	21	31	-	31	15	25	-	25
-								
PH / HC Drivers		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 Fee	PRE	POST	TOTAL
New 1 Year	209	169	40	209	N/A	150	28	178
New 2 Year	269	169	100	269	N/A	150	88	238
New 3 Year	329	169	160	329	N/A	150	148	298
Knowledge	-	65	10	75	N/A	N/A	N/A	N/A
Renewal 1 Year	141	101	40	141	N/A	82	28	110
Renewal 2 Year	201	101	100	201	N/A	82	88	170
Renewal 3 Year	261	101	160	261	N/A	82	148	230
-								
Operators		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 Fee	PRE	POST	TOTAL
New 1 Year 0-50	563	243	320	563	N/A	203	320	523
New 1 Year 51+	670	243	427	670	N/A	203	427	630
New 2 Year 0-50	763	243	520	763	N/A	203	520	723
New 2 Year 51+	1,070	243	827	1,070	N/A	203	827	1,030
New 3 Year 0-50	963	243	720	963	N/A	203	720	923
New 3 Year 51+	1,470	243	1,227	1,470	N/A	203	1,227	1,430
New 4 Year 0-50	1,163	243	920	1,163	N/A	203	920	1,123
New 4 Year 51+	1,870	243	1,627	1,870	N/A	203	1,627	1,830
New 5 Year 0-50	1,363	243	1,120	1,363	N/A	203	1,120	1,323
New 5 Year 51+	2,270	243	2,027	2,270	N/A	203	2,027	2,230
Renewal 1 Year 0-50	415	205	210	415	N/A	165	210	375
Renewal 1 Year 51+	670	243	427	670	N/A	203	427	630
Renewal 2 Year 0-50	615	205	410	615	N/A	165	410	575
Renewal 2 Year 51+	1,070	243	827	1,070	N/A	203	827	1,030
Renewal 3 Year 0-50	815	205	610	815	N/A	165	610	775
Renewal 3 Year 51+	1,470	243	1,227	1,470	N/A	203	1,227	1,430
Renewal 4 Year 0-50	1,015	205	810	1,015	N/A	165	810	975
Renewal 4 Year 51+	1,870	243	1,627	1,870	N/A	203	1,627	1,830
Renewal 5 Year 0-50	1,215	205	1,010	1,215	N/A	165	1,010	1,175
Renewal 5 Year 51+	2,270	243	2,027	2,270	N/A	203	2,027	2,230
-								
MISC - Taxis		PAPER			ELECTRONIC			
Type	2015/16 Fee	PRE	POST	TOTAL	2015/16 Fee	PRE	POST	TOTAL
Replacement Plates	25	25	-	25	20	20	-	20
Replacement Badges	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 (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