



GENERAL LICENSING COMMITTEE
21 February 2013

ITEM 6

Report of the Strategic Director of
Neighbourhoods

General Licensing Fees and Charges 2013/14

SUMMARY

- 1.1 The Neighbourhoods Directorate annually reviews its fees and charges across its range of services. This is to ensure that the fees and charges reflect the cost of delivering services, that inflationary cost increases are taken into account, and that budget income targets are achieved.
- 1.2 The proposed fees and charges for 2013/14 are set out in Appendix 2. In those cases where the Council has discretion to set the fees, the default inflationary increase on the fees and charges is 3%. Where the fee increase notably varies from this the reasons are set out in the report.
- 1.3 All prices are shown inclusive of VAT where it is applicable.

RECOMMENDATION

- 2.1 To approve the increases in fees and charges for 2013/14 as set out in Appendix 2.
- 2.2 To request the Strategic Director of Resources to revise the relevant income targets to reflect the expected reduction in fees and charges.

REASONS FOR RECOMMENDATION

- 3.1 To enable the Neighbourhoods Directorate to achieve its budgeted income targets for 2013/14.

SUPPORTING INFORMATION

- 4.1 As part of the 2013/14 budget preparation, Departments within the Neighbourhoods Directorate have reviewed their fees and charges. This annual review is necessary to ensure that:
- Inflationary cost increases (calculated at 3% for 2013/14) are incorporated into the charging structure where applicable
 - Any additional costs (or efficiencies) of providing the service are incorporated
 - Fees and charges reflect the cost of delivering the service
- 4.2 The proposed general licensing fees and charges for 2013/14 are set out in Appendix 2. Some of the fees are set nationally and cannot be changed by the Council regardless of inflationary cost increases. Where the Council has the discretion to set fees and charges, most will reflect the agreed 3% inflationary increase. However, in some cases, greater increases (or decreases) have been proposed.
- 4.3 The range of animal welfare licences (such as pet shops, animal boarding establishments, animal breeding, horse riding, etc.), which have previously been subject to inflationary increases only, have been re-calculated to reflect the actual cost of the licensing process. Implementing these will mean increases of up to 200%.
- 4.4 Sex shop licences have also been reviewed in the light of recent court cases, where some local authorities have been successfully challenged over excessive licence fees. Such fees, by law, should be set at a level that reflects the actual cost of administering the licensing process. However, contrary to legal advice, many authorities took the opportunity to set high fee levels (as there is no mandatory limit). This approach was also taken by this Council's Licensing Committee, although Derby's fees remain lower than most other city authorities. Implementing the proposed changes will mean substantially reducing the current fees (£5700 for a new licence and £4380 for a renewal to £495) for the two sex shops that are licensed. The businesses affected may also be able to claim back from the Council the fees paid that were in excess of the 'reasonable' cost for a period of up to six years. In view of the significant difference in the fee levels, the department's income targets for licensing will need to be reduced.

OTHER OPTIONS CONSIDERED

5.1 None.

This report has been approved by the following officers:

Legal officer	Olu Idowu
Financial officer	Amanda Fletcher
Human Resources officer	n/a
Service Director(s)	John Tomlinson
Other(s)	n/a

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Background papers: List of appendices:	None Appendix 1 – Implications Appendix 2 – Proposed general licensing fees and charges for 2013/14
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IMPLICATIONS

Financial and Value for Money

- 1.1 The proposed fees and charges will contribute to achieving the 2013/14 income targets for the Neighbourhoods Directorate departments and deliver balanced budgets.
- 1.2 All prices are shown inclusive of VAT where it is applicable.
- 1.3 Amendment of sex shop license fees (as proposed) will reduce income, and this will need to be reflected in the departmental budgets.

Legal

- 2.1 Unless otherwise stated, the fees and charges for the items set out in Appendix 2 are not fixed in statute and are set at the discretion of the local authority.
- 2.2 In a recent court case, a local authority has been successfully challenged over excessive sex shop licence fees. Such fees, by law, should be set at a level that reflects the actual cost of administering the licensing process. Any businesses affected may be able to claim back the fees paid that were in excess of the 'reasonable' cost for a period of up to six years.

Personnel

- 3.1 None arising from this report.

Equalities Impact

- 4.1 The proposed changes will apply equally to all groups within the community and no particular group(s) will be disadvantaged.

Health and Safety

- 5.1 None arising from this report.

Environmental Sustainability

- 6.1 None arising from this report.

Property and Asset Management

- 7.1 None arising from this report.

Risk Management

- 8.1 Failure to achieve income targets would result in departments overspending.

Corporate objectives and priorities for change

- 9.1 The information set out in this report supports the corporate priorities that the Council provides good quality services that meet local needs.

Appendix 2

General Licensing Fees & Charges Review - Feb 2013

Licence / Registration / Permit	Current Fee £	Proposed Fee £	Comments
Premises Licences & Club Premises Certificates			
New, Conversion, or Variation			
Premises with rateable value of £0-£4300 Band A	100	100	Set by statute
Premises with rateable value of £4301-£33,000 Band B	190	190	Set by statute
Premises with rateable value of £33,001-£87,000 Band C	315	315	Set by statute
Premises with rateable value of £87,001-£125,000 Band D	450	450	Set by statute
Premises with rateable value of £125,001 and over Band E	635	635	Set by statute
Renewal			
Premises with rateable value of £0-£4300 Band A	70.00	70.00	Set by statute
Premises with rateable value of £4301-£33,000 Band B	180.00	180.00	Set by statute
Premises with rateable value of £33,001-£87,000 Band C	295.00	295.00	Set by statute
Premises with rateable value of £87,001-£125,000 Band D	320.00	320.00	Set by statute
Premises with rateable value of £125,001 and over Band E	350.00	350.00	Set by statute
Other Fees			

Minor variation to club certificate or premises licence	89.00	89.00	Set by statute
Copy of premises licence	10.50	10.50	Set by statute
Copy of club premises certificate	10.50	10.50	Set by statute
Change of name or address of licence holder	10.50	10.50	Set by statute
Transfer of premises licence	23.00	23.00	Set by statute
Interim authority notice	23.00	23.00	Set by statute
Notification of interest in premises	21.00	21.00	Set by statute
Change of relevant registered address of club	10.50	10.50	Set by statute
Notification of change of name or alteration of club rules	10.50	10.50	Set by statute
App to vary an individual as designated premises supervisor	23.00	23.00	Set by statute
Disapplication of DPS in community premises	23.00	23.00	Set by statute
Provisional statement	315.00	315.00	Set by statute
Temporary Event Notices			
Temporary event notice	21.00	21.00	Set by statute
Copy of temporary event notice	10.50	10.50	Set by statute
Personal Licences			
New, Renewal	37.00	37.00	Set by statute
Change of name or address	10.50	10.50	Set by statute

Copy of personal licence	10.50	10.50	Set by statute
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Exceptionally Large Events

5,000-9,999	1000.00	1000.00	Set by statute
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10,000-14,999	2000.00	2000.00	Set by statute
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15,000-19,999	4000.00	4000.00	Set by statute
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20,000-29,999	8000.00	8000.00	Set by statute
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30,000-39,999	16000.00	16000.00	Set by statute
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40,000-49,999	24000.00	24000.00	Set by statute
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50,000-59,999	32000.00	32000.00	Set by statute
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60,000-69,999	40000.00	40000.00	Set by statute
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70,000-79,999	48000.00	48000.00	Set by statute
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80,000-89,999	56000.00	56000.00	Set by statute
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90,000 and over	64000.00	64000.00	Set by statute
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Exceptionally Large Events Renewal Fee

5,000-9,999	500.00	500.00	Set by statute
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10,000-14,999	1000.00	1000.00	Set by statute
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15,000-19,999	2000.00	2000.00	Set by statute
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20,000-29,999	4000.00	4000.00	Set by statute
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30,000-39,999	8000.00	8000.00	Set by statute
40,000-49,999	12000.00	12000.00	Set by statute
50,000-59,999	16000.00	16000.00	Set by statute
60,000-69,999	20000.00	20000.00	Set by statute
70,000-79,999	24000.00	24000.00	Set by statute
80,000-89,999	28000.00	28000.00	Set by statute
90,000 and over	32000.00	32000.00	Set by statute
Motor Salvage			
Registration	50.00	50.00	Set by statute
Renewal (every 3 years)	50.00	50.00	Set by statute
Copy of register (per entry)	10.00	10.00	Set by statute
Sex Shop Licence			
New	5700	495	Decrease calculated by cost exercise
Renewal	4380	495	Decrease calculated by cost exercise
Gambling Act 2005 - Existing Casino's			
New Application allowed	n/a	n/a	Govt limit numbers - no new applications
Annual Fee	2630.00	2709	

App to vary	1300.00	1339	
App to transfer	1250.00	1288	
App for reinstatement	1250.00	1288	
App for provisional statement allowed	n/a	n/a	Govt limit numbers - no new applications
Licence application (provisional statement holders) allowed	n/a	n/a	Govt limit numbers - no new applications
Copy Licence	25.00	25	Govt set limit @ 25.00
Notification of change	50.00	50	Govt set limit @ 50.00
Gambling Act 2005 - Regional Casino			
New Application allowed	n/a	n/a	Govt limit numbers - no new applications
Annual Fee allowed	n/a	n/a	Govt limit numbers - no new applications
App to vary allowed	n/a	n/a	Govt limit numbers - no new applications
App to transfer allowed	n/a	n/a	Govt limit numbers - no new applications
App for reinstatement allowed	n/a	n/a	Govt limit numbers - no new applications

App for provisional statement allowed	n/a	n/a	Govt limit numbers - no new applications
Licence application (provisional statement holders) allowed	n/a	n/a	Govt limit numbers - no new applications
Copy Licence allowed	n/a	n/a	Govt limit numbers - no new applications
Notification of change allowed	n/a	n/a	Govt limit numbers - no new applications
Gambling Act 2005 - New Large Casino			
New Application allowed	n/a	n/a	Govt limit numbers - no new applications
Annual Fee allowed	n/a	n/a	Govt limit numbers - no new applications
App to vary allowed	n/a	n/a	Govt limit numbers - no new applications
App to transfer allowed	n/a	n/a	Govt limit numbers - no new applications
App for reinstatement allowed	n/a	n/a	Govt limit numbers - no new applications
App for provisional statement allowed	n/a	n/a	Govt limit numbers - no new applications

Licence application (provisional statement holders) allowed	n/a	n/a	Govt limit numbers - no new applications
Copy Licence allowed	n/a	n/a	Govt limit numbers - no new applications
Notification of change allowed	n/a	n/a	Govt limit numbers - no new applications
Gambling Act 2005 - New small casino			
New Application	5500.00	5665	
Annual Fee	3500.00	3605	
App to vary	3500.00	3605	
App to transfer	1800.00	1854	
App for provisional statement	5500.00	5665	
Licence application (provisional statement holders)	2750.00	2833	
Copy Licence	25.00	25	Govt set limit @ 25.00
Notification of change	50.00	50	Govt set limit @ 50.00
Gambling Act 2005 - Bingo Club			
New Application	3070.00	3162	Govt set limit at £3500.00
Annual Fee	920.00	948	Govt set limit at £1000.00
App to vary	1670.00	1720	Govt set limit at £1750.00

App to transfer	1150.00	1185	Govt set limit at £1200.00
App for reinstatement	1150.00	1185	Govt set limit at £1200.00
App for provisional statement	3070.00	3162	Govt set limit at £3500.00
Licence application (provisional statement holders)	1240.00	1277	Govt set limit at £1750.00
Copy Licence	25.00	25	Govt set limit @ 25.00
Notification of change	50.00	50	Govt set limit @ 50.00
Gambling Act 2005 - Betting premises (excluding tracks)			
New Application	2700.00	2781	Govt set limit at £3000.00
Annual Fee	570.00	587	Govt set limit at £600.00
App to vary	1425.00	1468	Govt set limit at £1500.00
App to transfer	1115.00	1148	Govt set limit at £1200.00
App for reinstatement	1115.00	1148	Govt set limit at £1200.00
App for provisional statement	2700.00	2781	Govt set limit at £3000.00
Licence application (provisional statement holders)	1115.00	1148	Govt set limit at £1200.00
Copy Licence	25.00	25	Govt set limit @ 25.00
Notification of change	50.00	50	Govt set limit @ 50.00
Gambling Act 2005 - Betting premises (tracks)			
New Application	2270.00	2338	Govt set limit at £2500.00

Annual Fee	920.00	948	Govt set limit at £1000.00
App to vary	1200.00	1236	Govt set limit at £1250.00
App to transfer	950.00	950.00	Govt set limit at £950.00
App for reinstatement	950.00	950.00	Govt set limit at £950.00
App for provisional statement	2170.00	2235	Govt set limit at £2500.00
Licence application (provisional statement holders)	1058.75	950.00	Govt set limit at £950.00
Copy Licence	23.25	24	Govt set limit at £25.00
Notification of change	43.50	45	Govt set limit at £50.00

Gambling Act 2005 - Adult Gaming Centre

New Application	1820.00	1875	Govt set limit at £2000.00
Annual Fee	920.00	948	Govt set limit at £1000.00
App to vary	1000.00	1000.00	Govt set limit at £1000.00
App to transfer	1115.00	1148	Govt set limit at £1200.00
App for reinstatement	1115.00	1148	Govt set limit at £1200.00
App for provisional statement	1820.00	1875	Govt set limit at £2000.00
Licence application (provisional statement holders)	1180.00	1200.00	Apr-13 Govt set limit at £1200.00
Copy Licence	23.25	24	Govt set limit at £25.00
Notification of change	43.50	45	Govt set limit at £50.00

Gambling Act 2005 - Family Entertainment Centres

New Application	1820.00	1875	Govt set limit at £2000.00
Annual Fee	720.00	742	Govt set limit at £750.00
App to vary	1000.00	1000.00	Govt set limit at £1000.00
App to transfer	915.00	942	Govt set limit at £950.00
App for reinstatement	915.00	942	Govt set limit at £950.00
App for provisional statement	1820.00	1875	Govt set limit at £2000.00
Licence application (provisional statement holders)	950.00	950.00	Govt set limit at £950.00
Copy Licence	23.25	24	Govt set limit at £25.00
Notification of change	43.50	45	Govt set limit at £50.00

Gambling Act 2005 - Permits

UFEC Gaming Machine Permits Application (10 years duration)	300.00	300.00	Set by Statute
Renewal (10 years duration)	300.00	300.00	Set by Statute
Transitional Application	100.00	100.00	Set by Statute
Change of name	25.00	25.00	Set by Statute
Copy of permit	15.00	15.00	Set by Statute
Variation	n/a	n/a	Set by Statute
Transfer	n/a	n/a	Set by Statute

Prize Gaming Permits

Application (10 years duration)	300.00	300.00	Set by Statute
Renewal (10 years duration)	300.00	300.00	Set by Statute
Transitional Application	100.00	100.00	Set by Statute
Change of name	25.00	25.00	Set by Statute
Copy of permit	15.00	15.00	Set by Statute
Variation	n/a	n/a	Set by Statute
Transfer	n/a	n/a	Set by Statute

Gaming Machine Permit

Transitional Application	100.00	100.00	Set by Statute
New	150.00	150.00	Set by Statute
Annual Fee	50.00	50.00	Set by Statute
Variation	100.00	100.00	Set by Statute
Transfer/Change of name	25.00	25.00	Set by Statute
Copy of permit	15.00	15.00	Set by Statute
Gaming machine permit (2 or less machines)	50.00	50.00	Set by Statute

Club Gaming Permit (10 year duration)

Renewal & Transitional Fee	100.00	100.00	Set by Statute
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New	100.00	100.00	Set by Statute
Annual Fee	50.00	50.00	Set by Statute
Variation	100.00	100.00	Set by Statute
Copy of permit	15.00	15.00	Set by Statute
Club Machine Permit (10 year duration)			
Renewal & Transitional Fee	100.00	100.00	Set by Statute
New	100.00	100.00	Set by Statute
Annual Fee	50.00	50.00	Set by Statute
Variation	100.00	100.00	Set by Statute
Copy of permit	15.00	15.00	Set by Statute
Small Society Lottery Registration			
Registration	40.00	40.00	Set by Statute
Renewal	20.00	20.00	Set by Statute
Animal Welfare Licences			
Pet Shop Licence exercise	110	327	Excl. Vet Fees/Increase calculated by cost
Cat/Dog Boarding exercise	130	327	Excl. Vet Fees/Increase calculated by cost

Dog Breeding (10 or less bitches) exercise	95.00	484	Excl. Vet Fees/Increase calculated by cost
Dog Breeding (more than 10 bitches) exercise	95.00	627	Excl. Vet Fees/Increase calculated by cost
Dangerous wild animals exercise	100.00	665	Excl. Vet Fees/Increase calculated by cost
Horse Riding Establishment (10 & under) exercise	285.00	608	Excl. Vet Fees/Increase calculated by cost
Horse Riding Establishment (over 10) exercise	285.00	665	Excl. Vet Fees/Increase calculated by cost
Permits for the distribution of free printed literature			
25 points and above - first permit	400.00	412	
25 points and above - each additional permit	100.00	103	
20-24 points - first permit	300.00	309	
20-24 points - each additional permit	75.00	77	
15-19 points - first permit	200.00	206	
15-19 points - each additional permit	50.00	52	
10-14 points - first permit	100.00	103	
10-14 points - each additional permit	25.00	26	
below 10 points - first permit	50.00	52	

below 10 points - each additional permit	15.00	15	
14 day permit - first permit	25.00	26	
14 day permit - each additional permit	15.00	15	
Health & Safety Registrations			
Skin piercing registration - Premises	54.00	109	Increase calculated by cost exercise
Skin piercing registration - Personal	54.00	204	Increase calculated by cost exercise
Tattooing – Personal	54.00	204	Increase calculated by cost exercise
Acupuncture – Personal	54.00	175	Increase calculated by cost exercise
Ear Piercing – Personal	54.00	175	Increase calculated by cost exercise
Electrolysis – Personal	54.00	185	Increase calculated by cost exercise
Semi-Permanent Skin Colour – Personal	54.00	204	Increase calculated by cost exercise