

**OXFORD CITY COUNCIL
GENERAL PURPOSES LICENSING COMMITTEE
Date of meeting – 16th September 2005**

Report of: Environmental Health Business Manager

Title: PUBLIC ENTERTAINMENT LICENCE FEES

Ward: ALL

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Key Decision: No

Lead Member: Councillor Brett, Chair, General Purposes Licensing Committee.

RECOMMENDATIONS

That Committee agrees to:

1. note that on 24th November 2005 all Public Entertainment Licences will expire and Premises Licences and Club Premises Certificate will come into effect, and
2. set an application fee of £100 for the renewal of Public Entertainment Licences that expire between 1st September and 24th November 2005.

1. The Government has now formally confirmed by Order that the 2nd appointed day under the Licensing Act 2003 will be 24th November. On that day all current Public Entertainment Licences (PELs) will expire and new Premises Licences and Club Premises Certificates will come into effect. Up until now the Council has treated renewals of PELs as lasting to the normal expiry date (1 year from renewal) or the 2nd appointed day under Licensing Act 2003 whichever is the sooner. This gave the Council flexibility in case the 2nd appointed day was extended. Up until now all applications have been charged the full fee.
2. Between 1st September and 24th November there are 18 PELs due for renewal. Any renewed licences will last at the most 11 weeks but some only a few days. Charging the full fee for a short period licence could be considered excessive. It is therefore suggested that an application fee of £100 be charged for the renewal of PELs that expire during this period. The Police and Fire Officer will still be consulted on applications.

3. The Environmental Health Business Manager already has delegated authority to renew PELs where there are no issues with the current licence. There are no anticipated issues with the renewal of these licences. If issues come to light during the processing of these applications then the application will be referred to the Public Entertainment and Other Matters Licensing Sub-Committee as usual.

Legal implications

4. The Local Government (Miscellaneous Provisions) Act 1982 gives licensing authorities discretion to determine the level of fee payable for PELs. The Act requires that the fee payable be '*reasonable*'. The Act also requires that the Police and Fire Officer be consulted.

Financial implications

5. The 2005/6 income budget for PELs was reduced from the 2004/5 budget to take account of the fact that there will be no income in 2005/6 after 2nd appointed day. This 2005/6 income target for PELs has been achieved from fees for applications received during the first part of the year.

THIS REPORT HAS BEEN SEEN AND APPROVED BY:
Environmental Health Business Manager
The Head of Legal and Democratic Services: (Jeremy Franklin)
Financial Management: (Mike Baish)

Background papers: None