

To: Licensing and Gambling Acts Committee

Date: 23 January 2017

Report of: Head of Community Services

Title of Report: Licensing Act 2003 & Gambling Act 2005:
Licence Fees & Charges for the 2017/18 financial year

Summary and Recommendations

Purpose of report: To seek agreement of the licence fees for 2016/17 where the Council has discretion over the level of fee charged.

Report Approved by:

Finance: Paul Swaffield
Legal: Daniel Smith

Policy Framework: N/A

Recommendation(s):

Committee is requested to:

- (a) agree the licence fees and charges for 2017/18 as set out in this report and recommend them to Council.

Additional papers:

Appendix One: Licensing & Gambling Acts Fees & Charges 2017/18

Introduction

1. The purpose of this report is to establish the licence fees and charges for 2017/18 where the Council has discretion over the level of fee charged. The proposed fees and charges are set out at **Appendix One**.
2. This Committee is responsible for fees under the Licensing Act 2003 and Gambling Act 2005. Fees for other types of licence will be the subject of a separate report to General Purposes Licensing Committee. All fees under the Licensing Act are set by statute.
3. The authority has discretion under the Gambling Act to set Gambling Premises Licence fees up to the statutory maximum. Fees for Gaming Machine Permits and Temporary Use Notices are set by statute.

4. The general principles when setting fees are that they must be reasonable, proportionate and not exceed the cost of the procedures and formalities under the relevant licensing scheme, including staffing, training, administration, testing, inspections, regulation, hearings and appeals.
5. It is proposed that for the 2017/18 Council year that no variation to the current fees and charges be made in order to provide financial stability to licence holders in the present economic climate.
6. A quarter hourly fee and associated charge is introduced in order to cover the costs incurred by the Licensing Authority for the viewing and certification of films, and the issue of any certificate. The viewing of films for certification can be quite a lengthy process and owing to other work priorities is done outside of standard working hours.
7. Such a viewing fee and associated charge shall be waived should the event hosting the film be for charitable and / or community events where no commercial gain is made by any person and / or business involved with the event.

Financial Implications

8. The Council is responsible for collecting licence fees for these functions. Predicted income from licence fees is included in the Council's budget.

Legal Implications

9. The power to levy fees (or otherwise) is contained in the legislation relevant to each function or in the Local Government Act 2003 in relation to discretionary services. Licensing is not a revenue raising function and fees and charges should reasonably represent the costs of carrying out the function.

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