

Agenda

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Licensing and Gambling Acts Committee

Date: **Wednesday 24 January 2018**

Time: **6.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

Jennifer Thompson, Committee Services Officer

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As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

Licensing and Gambling Acts Committee

Membership

Chair	Councillor Colin Cook	Jericho and Osney;
Vice-Chair	Councillor Mary Clarkson	Marston;
	Councillor Farida Anwar	Headington Hill and Northway;
	Councillor Ruthi Brandt	Carfax;
	Councillor Nigel Chapman	Headington Hill and Northway;
	Councillor James Fry	North;
	Councillor Angie Goff	Wolvercote;
	Councillor Rae Humberstone	Blackbird Leys;
	Councillor Dan Iley-Williamson	Holywell;
	Councillor Tom Landell Mills	St. Margaret's;
	Councillor Mark Lygo	Churchill;
	Councillor Chewe Munkonge	Quarry and Risinghurst;
	Councillor Christine Simm	Cowley;
	Councillor Dee Sinclair	Quarry and Risinghurst;
	Councillor Elizabeth Wade	St. Margaret's;

The quorum for this Committee is five Members, substitutes are not permitted.

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

3 LICENSING AND GAMBLING ACTS FEES AND CHARGES 2018/19

5 - 10

Report of the Head of Community Services

Purpose: to seek agreement of the licence fees for 2018/19 where the Council has discretion over the level of fee charged.

Recommendation:

The Committee is recommended to agree the licence fees and charges for 2018/19 as set out in the Appendix and recommend these to Council.

4 MINUTES

11 - 14

Recommendation: that the minutes of the meeting held on 16 May 2017 are approved as a true and accurate record.

5 DATES OF FUTURE MEETINGS

Meetings are scheduled on:

16 May 2018

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed “Declarations of Interest” or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council’s area; licences for land in the Council’s area; corporate tenancies; and securities. These declarations must be recorded in each councillor’s Register of Interests which is publicly available on the Council’s website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members’ Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members’ Code of Conduct says that a member “must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself” and that “you must not place yourself in situations where your honesty and integrity may be questioned”. What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member’s spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

To: Licensing and Gambling Acts Committee

Date: 24 January 2018

Report of: Head of Community Services

Title of Report: Licensing Act 2003 & Gambling Act 2005:
Licence Fees & Charges for the 2018/19 financial year

Summary and Recommendations

Purpose of report: To seek agreement of the licence fees for 2018/19 where the Council has discretion over the level of fee charged.

Policy Framework: Vibrant Sustainable Economy

Recommendation(s):

The Committee is requested to:

- (a) agree the licence fees and charges for 2018/19 as set out in this report and recommend them to Council.

Additional papers:

Appendix One: Licensing & Gambling Acts Fees & Charges 2018/19

Introduction

1. The purpose of this report is to seek agreement to the licence fees and charges for 2018/19 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 recommending 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, and hearings.

5. It is proposed that for the 2018/19 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.

Financial Implications

6. 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

7. The power to levy fees 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.

Name and contact details of author:

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Community Safety & Resilience Service Manager

Community Services

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LICENSING & GAMBLING ACTS COMMITTEE	2017/18	2018/19	Increase/	Increase/
FEES & CHARGES 2018/19	Charge	Charge	(Decrease)	(Decrease)
Licensing Act 2003				
Application fee				
Application and Variation Fees - Premises Licenses and Club Premises Certificates - Minimum	100.00	100.00	0.00	0.00
Application and Variation Fees - Premises Licenses and Club Premises Certificates - Maximum	635.00	635.00	0.00	0.00
Enhanced fee for some premises with rateable value above £87,001 - Minimum	900.00	900.00	0.00	0.00
Enhanced fee for some premises with rateable value above £87,001 - Maximum	1905.00	1905.00	0.00	0.00
Additional fee for capacity of more than 5,000 people - Minimum	1000.00	1000.00	0.00	0.00
Additional fee for capacity of more than 5,000 people - Maximum	64000.00	64000.00	0.00	0.00
Annual fee				
Premises Licenses and Club Premises Certificates - Minimum	70.00	70.00	0.00	0.00
Premises Licenses and Club Premises Certificates - Maximum	350.00	350.00	0.00	0.00
Enhanced fee for some premises with rateable value above £87,001 - Minimum	640.00	640.00	0.00	0.00
Enhanced fee for some premises with rateable value above £87,001 - Maximum	1050.00	1050.00	0.00	0.00
Additional fee for capacity of more than 5,000 people - Minimum	500.00	500.00	0.00	0.00
Additional fee for capacity of more than 5,000 people - Maximum	32000.00	32000.00	0.00	0.00
Other Application Fees				
Personal License	37.00	37.00	0.00	0.00
Transfer of Premises Licence	23.00	23.00	0.00	0.00
Change of address	10.50	10.50	0.00	0.00
Copy of licence	10.50	10.50	0.00	0.00
Temporary Event Notice	21.00	21.00	0.00	0.00
Provisional Statement	315.00	315.00	0.00	0.00

LICENSING & GAMBLING ACTS COMMITTEE	2017/18	2018/19	Increase/	Increase/
FEES & CHARGES 2018/19	Charge	Charge	(Decrease)	(Decrease)
Gambling Act 2005 - Premises				
Bingo Premises				
Application (3500 max permitted)	930.00	930.00	0.00	0.00
Annual fee (1000 max permitted)	610.00	610.00	0.00	0.00
Variation application (1750 max permitted)	1330.00	1330.00	0.00	0.00
Transfer application (1200 max permitted)	430.00	430.00	0.00	0.00
Reinstatement application (1200 max permitted)	555.00	555.00	0.00	0.00
Provisional statement application (3500 max permitted)	805.00	805.00	0.00	0.00
Copy of licence	25.00	25.00	0.00	0.00
Notification of a change	50.00	50.00	0.00	0.00
Family Entertainment Centre				
Application (2000 max permitted)	750.00	750.00	0.00	0.00
Annual fee (750 max permitted)	680.00	680.00	0.00	0.00
Variation application (1000 max permitted)	1000.00	1000.00	0.00	0.00
Transfer application (950 max permitted)	400.00	400.00	0.00	0.00
Reinstatement application (950 max permitted)	485.00	485.00	0.00	0.00
Provisional statement application (2000 max permitted)	660.00	660.00	0.00	0.00
Copy of licence	25.00	25.00	0.00	0.00
Notification of a change	50.00	50.00	0.00	0.00
Adult Gaming Centre				
Application (2000 max permitted)	750.00	750.00	0.00	0.00
Annual fee (1000 max permitted)	680.00	680.00	0.00	0.00
Variation application (2000 max permitted)	1030.00	1030.00	0.00	0.00
Transfer application (1200 max permitted)	400.00	400.00	0.00	0.00
Reinstatement application (1200 max permitted)	485.00	485.00	0.00	0.00
Provisional statement application (2000 max permitted)	660.00	660.00	0.00	0.00
Copy of licence	25.00	25.00	0.00	0.00
Notification of a change	50.00	50.00	0.00	0.00
Betting Premises (Track)				
Application (2500 max permitted)	890.00	890.00	0.00	0.00
Annual fee (1000 max permitted)	805.00	805.00	0.00	0.00
Variation application (1250 max permitted)	1250.00	1250.00	0.00	0.00
Transfer application (950 max permitted)	420.00	420.00	0.00	0.00
Reinstatement application (950 max permitted)	520.00	520.00	0.00	0.00
Provisional statement application (2500 max permitted)	730.00	730.00	0.00	0.00
Copy of licence	25.00	25.00	0.00	0.00
Notification of a change	50.00	50.00	0.00	0.00
Betting Premises (Other)				
Application (3000 max permitted)	835.00	835.00	0.00	0.00
Annual fee (600 max permitted)	600.00	600.00	0.00	0.00
Variation application (1500 max permitted)	1160.00	1160.00	0.00	0.00
Transfer application (1200 max permitted)	420.00	420.00	0.00	0.00
Reinstatement application (1200 max permitted)	520.00	520.00	0.00	0.00
Provisional statement application (3000 max permitted)	730.00	730.00	0.00	0.00
Copy of licence	25.00	25.00	0.00	0.00
Notification of a change	50.00	50.00	0.00	0.00

LICENSING & GAMBLING ACTS COMMITTEE	2017/18	2018/19	Increase/	Increase/
FEES & CHARGES 2018/19	Charge	Charge	(Decrease)	(Decrease)
Gambling Act 2005 - Permits				
Alcohol Premises Gaming Machine Permits				
Application	150.00	150.00	0.00	0.00
Existing operator application	100.00	100.00	0.00	0.00
Annual fee	50.00	50.00	0.00	0.00
Permit variation fee	100.00	100.00	0.00	0.00
Transfer of permit	25.00	25.00	0.00	0.00
Change of name on permit	25.00	25.00	0.00	0.00
Copy of permit	15.00	15.00	0.00	0.00
Notification of 2 machines	50.00	50.00	0.00	0.00
Club Gaming Permits and Club Gaming Machine Permits				
Application	200.00	200.00	0.00	0.00
Application (Club Premises Certificate holder)	100.00	100.00	0.00	0.00
Annual fee	50.00	50.00	0.00	0.00
Permit variation fee	100.00	100.00	0.00	0.00
Renewal	200.00	200.00	0.00	0.00
Renewal (Club Premises Certificate holder)	100.00	100.00	0.00	0.00
Permit variation fee	100.00	100.00	0.00	0.00
Copy of permit	15.00	15.00	0.00	0.00
Family Entertainment Centre Gaming Machine Permits				
Application	300.00	300.00	0.00	0.00
Existing operator application	100.00	100.00	0.00	0.00
Renewal	300.00	300.00	0.00	0.00
Change of name on permit	25.00	25.00	0.00	0.00
Copy of permit	15.00	15.00	0.00	0.00
Gambling Act 2005 Temporary Use Notice				
Submission of Notice	500.00	500.00	0.00	0.00
Copy of Notice	25.00	25.00	0.00	0.00
Miscellaneous Charges				
Copy of Premises/Person Entry in Licensing Register	21.00	21.00	0.00	0.00
Statement of Licensing Policy document	41.00	41.00	0.00	0.00
Statement of Gambling Policy document	41.00	41.00	0.00	0.00
Copy of Licensing Decision Notice	21.00	21.00	0.00	0.00
Current list of licensing applications	10.50	10.50	0.00	0.00
Viewing of Films requiring Certification - Per 15 Minutes	7.50	7.50	0.00	0.00
Issue of Film Certification	7.50	7.50	0.00	0.00

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Minutes of a meeting of the LICENSING AND GAMBLING ACTS COMMITTEE on Tuesday 16 May 2017

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Committee members:

Councillor Cook (Chair)

Councillor Anwar

Councillor Chapman

Councillor Lygo

Councillor Clarkson (Vice-Chair)

Councillor Brandt

Councillor Humberstone

Councillor Munkonge

Officers:

Richard Adams, Community Safety Service Manager

Allan Hibberd, Licensing Officer

Daniel Smith, Lawyer

Sarah Claridge, Committee Services Officer

Apologies:

No apologies were received

1. Election of Chair for the Council Year 2017/18

The Committee Services Officer opened the meeting.

The Licensing and Gambling Acts Committee elected Councillor Cook to be the Chair for the Council Year 2017/18.

Cllr Cook took the Chair.

2. Election of Vice-Chair for the Council Year 2017/18

The Licensing and Gambling Acts Committee elected Councillor Clarkson to be the Vice Chair for the Council Year 2017/18

3. Declarations of interest

None

4. Appointment of Sub-Committee

The Acting Head of Law and Governance submitted a report to establish licensing casework sub-committees for the 2017-18 Council year. To deal with casework flowing from the Council's responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

The Committee's legal representative presented the report.

The Licensing and Gambling Acts Committee resolves to:

1. **Appoint** as many licensing casework sub-committees of three members as there are combinations of three members in the total number of members of the Committee;
2. **Note** that the Sub-Committees' powers and duties are as set out in the Appendix 1 to this report.
3. **Agree** dates on which the Sub-Committees will meet if required.

5. Update on Licensing Authority Activity: Council Year 2016 - 2017

The Head of Community Services submitted a report on the progress made by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 during the full Council Year.

The Licensing Officer presented the report. The three gambling application were all for fruit machines in pubs.

The Committee's legal representative reminded the Committee of the changes to the Licensing Act which will take affect this year. The changes will give the Council's cumulative impact assessments a legal footing.

The Licensing and Gambling Acts Committee resolves to

1. **Note** the contents of the report; and;
2. **Make** any comments and recommendations regarding the future work of the Licensing Function

6. Minutes

Cllrs Lygo, Chapman and Humberstone arrived.

The Licensing and Gambling Acts Committee resolved to APPROVE the minutes of the meeting held on 23 January 2017 as a true and accurate record. agreed

7. Dates of future meetings

The Committee noted the next meeting was scheduled for 20 September 2017 at 6pm.

The meeting started at 6.05 pm and ended at 6.16 pm

Chair

Date: Wednesday 24 January 2018

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