

# Agenda

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## Licensing and Gambling Acts Committee

**This meeting will be held by Zoom and  
streamed to the Council's YouTube channel**

This meeting will be held on:

Date: **Thursday 4 February 2021**

Time: **6.00 pm**

Place: **Zoom - Remote meeting**

**For further information** please contact:

John Mitchell, Committee Services Officer, Committee Services Officer

☎ 01865 252217

✉ [jmitchell@oxford.gov.uk](mailto:jmitchell@oxford.gov.uk)

**Members of the public can attend to observe this meeting and.**

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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## Committee Membership

Councillor Colin Cook (Chair)  
Councillor Mark Lygo (Vice-Chair)  
Councillor Nigel Chapman  
Councillor Mary Clarkson  
Councillor Tiago Corais  
Councillor Michael Gotch  
Councillor Rae Humberstone  
Councillor Dan Iley-Williamson  
Councillor Tom Landell Mills  
Councillor Christine Simm  
Councillor John Tanner  
Councillor Sian Taylor  
Councillor Louise Upton  
Councillor Elizabeth Wade  
Councillor Dick Wolff

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

# Agenda

	<b>Pages</b>
<b>1 Apologies</b>	
<b>2 Declarations of interest</b>	
<b>3 Licensing Act 2003 and Gambling Act 2005 Licence Fees and Charges for the 2021/22 financial year</b>	7 - 12
<p>The Head of Regulatory Services and Community Safety has submitted a report to seek agreement of the licence fees for 2021/22 where the Council has discretion over the level of fee charged.</p> <p><b>Recommendation:</b> That the Licensing &amp; Gambling Acts Committee resolves to:</p> <ol style="list-style-type: none"><li><b>1. Agree</b> the licence fees and charges for 2021/22 as set out in Appendix 1 and recommend them to Council.</li></ol>	
<b>4 Review of the Statement of Licensing Policy</b>	
<p>The Head of Regulatory Services &amp; Community Safety will submit a report to seek the Committee's agreement to the revised Statement of Licensing Policy for public consultation.</p> <p>This report will follow as a supplement.</p>	
<b>5 Minutes</b>	13 - 14
<p><b>Recommendation:</b> That the minutes of the meeting held on 21 May 2020 be APPROVED as a true and accurate record.</p>	
<b>6 Dates of future meetings</b>	
<p>Meetings are scheduled on:</p> <ul style="list-style-type: none"><li>• 20 May 2021</li><li>• 27 September 2021</li><li>• 07 February 2022</li></ul> <p>All meetings start at 6.00pm</p>	

## **Information for those attending**

### **Recording and reporting on meetings held in public**

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

### **Councillors 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; licenses 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". 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 member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

**To:** Licensing & Gambling Acts Committee  
**Date:** 4 February 2020  
**Report of:** Head of Regulatory Services and Community Safety  
**Title of Report:** Licensing Act 2003 and Gambling Act 2005  
 Licence Fees and Charges for the 2021/22 financial year

Summary and recommendations	
<b>Purpose of report:</b>	To seek agreement of the licence fees for 2021/22 where the Council has discretion over the level of fee charged
<b>Corporate Priority</b>	Vibrant Sustainable Economy
<b>Policy Framework</b>	Statement of Licensing Policy, Statement of Gambling Licensing Policy
<b>Recommendation(s):</b> That the Licensing & Gambling Acts Committee resolves to:	
1. <b>Agree</b> the licence fees and charges for 2021/22 as set out in the Appendix 1 and recommend them to Council	

Appendices	
Appendix 1	Licensing & Gambling Acts Fees and Charges 2021/22

## Introduction

1. The purpose of this report is to seek agreement to the licence fees and charges for 2021/22 where the Council has discretion over the level of fee charged. The proposed fees and charges are set out at **Appendix 1**.
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 2021/22 Council year that no substantial variation to the current fees and charges is 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 issues**

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.

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LICENSING & GAMBLING ACTS COMMITTEE	2020/21	2021/22	Increase/	Increase/
FEES & CHARGES 2021/2022	Charge	Charge	(Decrease)	(Decrease)
<b>Licensing Act 2003</b>				
<b>Application fee</b>				
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
<b>Annual fee</b>				
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
<b>Other Application Fees</b>				
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	2020/21	2021/22	Increase/	Increase/
FEES & CHARGES 2021/2022	Charge	Charge	(Decrease)	(Decrease)
<b>Gambling Act 2005 - Premises</b>				
<b>Bingo Premises</b>				
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
<b>Family Entertainment Centre</b>				
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
<b>Adult Gaming Centre</b>				
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
<b>Betting Premises (Track)</b>				
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
<b>Betting Premises (Other)</b>				
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	2020/21	2021/22	Increase/	Increase/
FEES & CHARGES 2021/2022	Charge	Charge	(Decrease)	(Decrease)
<b>Gambling Act 2005 - Permits</b>				
<b>Alcohol Premises Gaming Machine Permits</b>				
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
<b>Club Gaming Permits and Club Gaming Machine Permits</b>				
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
<b>Family Entertainment Centre Gaming Machine Permits</b>				
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
<b>Gambling Act 2005 Temporary Use Notice</b>				
Submission of Notice	500.00	500.00	0.00	0.00
Copy of Notice	25.00	25.00	0.00	0.00
<b>Miscellaneous Charges</b>				
Copy of Premises/Person Entry in Licensing Register	22.00	22.00	0.00	0.00
Statement of Licensing Policy document	43.00	43.00	0.00	0.00
Statement of Gambling Policy document	43.00	43.00	0.00	0.00
Copy of Licensing Decision Notice	22.00	22.00	0.00	0.00
Current list of licensing applications	11.00	11.00	0.00	0.00
Viewing of Films requiring Certification - Per 15 Minutes	8.00	8.00	0.00	0.00
Issue of Film Certification	8.00	8.00	0.00	0.00

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## **Minutes of a meeting of the Licensing and Gambling Acts Committee on Thursday 21 May 2020**

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### **Committee members present:**

Councillor Cook (Chair)	Councillor Lygo
Councillor Chapman	Councillor Clarkson (Vice-Chair)
Councillor Corais	Councillor Gotch
Councillor Humberstone	Councillor Landell Mills
Councillor Simm	Councillor Tanner
Councillor Taylor	Councillor Wade
Councillor Wolff	

### **Officers present for all or part of the meeting:**

Anita Bradley, Monitoring Officer  
Joshua Curnow, Senior Licensing Compliance Officer  
John Mitchell, Committee and Member Services Officer

### **Apologies:**

No apologies were received

### **1. Election of Chair for the Council Year 2020-21**

The Committee Services Officer opened the meeting.

The Committee elected Councillor Cook to be the Chair for the Council Year 2020/21. Cllr Cook took the Chair.

### **2. Election of Vice-Chair for the Council Year 2020-21**

The Committee elected Councillor Clarkson to be the Vice Chair for the Council Year 2020/21.

### **3. Declarations of interest**

None.

#### **4. Appointment of Sub-Committees 2020-21**

The Head of Law and Governance had submitted a report to establish licensing casework sub-committees for the 2020-21 Council Year to deal with casework flowing from the Council's responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

It was agreed that the Committee Clerk should send all members of the Committee a separate reminder of the dates of the sub-committees.

The Committee resolved 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 were as set out in the Annex to this report; and
3. **Agree** the dates on which the Sub-Committees will meet if required.

#### **5. Minutes of the previous meeting**

The Committee resolved to:

**Approve** the minutes of the meeting held on 03 February 2020 as a true and accurate record

#### **6. Dates of future meetings**

The next meetings of the Committee are scheduled to take place on:

- 22 September 2020
- 04 February 2021.

**The meeting started at 6.00 pm and ended at 6.10 pm**

**Chair ..... Date: Tuesday 22 September 2020**