

Licence Fees and Charges 2023/2024 Pre-application advice

Timetable	
Meeting	Date
Licensing Committee	12 th January 2023
Executive/Lead Member on the Executive for (Portfolio Name) (<i>select correct option</i>)	N/A

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Licensing Committee
Lead Head of Service	John Littlemore, Head of Housing and Community Services
Lead Officer and Report Author	Sharon Bamborough
Classification	Public
Wards affected	All

Executive Summary

Further to the annual review of fees and charges which took place at the previous meeting in November 2022, a further review of the pre-application advice fees is proposed. (*Should Members approve the proposed new fee structure it will replace the fees for pre-application advice which were approved at the previous meeting and they will come in force April 2023*).

Purpose of Report

To seek Member approval of the licence fees for pre-application advice for the financial year 2022/23 where the Council has discretion over the level of fee as set out at **2.7** of the report for implementation on 1 April 2023.

This report makes the following recommendations to the Committee

1. That the fee levels as set out at **2.7** of the report for implementation on 1 April 2023, be approved (and replace the former version approved at committee in November 2022, set out at 2.6);

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1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place • We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. 	Senior Licensing Officer
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations do not materially impact on the achievement of the crosscutting objectives</p>	Senior Licensing Officer
Risk Management	Refer to paragraph 5.1 of the report'	Senior Licensing Officer
Financial	<ul style="list-style-type: none"> • We expect accepting the recommendations will result in some extra income. This income is above amounts already accounted within the Council's financial planning. 	Senior Licensing Officer
Staffing	<ul style="list-style-type: none"> • We will deliver the recommendations with our current staffing. 	Senior Licensing Officer
Legal	<ul style="list-style-type: none"> • The council has statutory powers to charge for discretionary services on a cost recovery basis. This scheme is within those statutory powers. 	Interim Team Leader (Contentious and Corporate Governance)

Information Governance	<ul style="list-style-type: none"> The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes. 	Senior Licensing Officer
Equalities	<ul style="list-style-type: none"> The recommendations do not propose a change in service therefore will not require an equalities impact assessment 	Senior Licensing Officer
Public Health	<ul style="list-style-type: none"> We recognise that the recommendations will not negatively impact on population health or that of individuals. 	Senior Licensing Officer
Crime and Disorder	There is no impact on crime and disorder in accepting the recommendations of the report	Senior Licensing Officer
Procurement	<ul style="list-style-type: none"> N/A 	Senior Licensing Officer
Biodiversity and Climate Change	<p>The implications of this report on biodiversity and climate change have been considered and are;</p> <ul style="list-style-type: none"> There are no implications on biodiversity and climate change. 	Senior Licensing Officer

2. INTRODUCTION AND BACKGROUND

2.1 The Council's fees and charges are reviewed on an annual basis as part of the budget setting process. The fees were reviewed in November 2022 and the minutes form part of the agenda.

2.2 At the time that review was being carried out, the Head of the Licensing Partnership was working on updating the pre-application advice fees but that piece of work had not been completed in time to form part of the November Fees & Charges report, therefore, the existing pre-application advice fees were included with the inflationary increase proposed.

2.3 The Head of the Licensing Partnership now asks that those pre-application fees agreed in November '22 are set aside and replaced with the new proposed fees set out below.

2.4 The reasons behind the restructuring of the pre-application advice fees are as follows:

- Having had 2 years in use, the existing fee structure is considered too complex by officers and applicants alike, leading to a low take up of the service

- By simplifying the fee structure it is hoped it will become more attractive to potential applicants and will encourage the officers to promote it
- It is hoped that if the simplified fees lead to a better take up of the service, more income will be achieved than at present.

2.5 Members are asked to consider the proposals for replacement of the pre-application advice fees and introduction of some new admin fees for which this Committee is responsible for reviewing at a local level.

2.6 **Existing Pre-application advice fees for 2023/24**

PRE-APPLICATION ADVICE (Licensing Act 2003 & Gambling Act 2005)

	2023/2024
Small Application - Up to one hour of advice regarding small licence applications, Excludes events – see below	£71
Medium Application - Up to 2 hours advice for medium size applications including a site visit Excludes event – see below	£151
Large Application - Up to 4 hours advice for large applications including multiple (if necessary) site visits Excludes events – see below	£281
Events up to 1000 capacity: Category A - up to 3 hours advice for extra-large public events includes the cost of specialist officers and site visits	£386
Events between 1001 and up to 1999 capacity - Category B – up to 7 hours advice for extra-large public events includes the cost of specialist officers and site visits	£544
Events between 2000 and up to 4999 capacity – Category C – up to up to 14 hours advice for extra-large public events includes the cost of specialist officers and site visits	£754
Extra-large events - 5000 people or more - Category D - up to 21 hours advice for extra-large public events includes the cost of specialist officers and site visits	£1121

2.7 New pre-application fees proposed:

Covers applications for:	Fee
Licensing Act 2003 <ul style="list-style-type: none">• new premises licences• full variations of premises licence• new club premises certificate (CPC)• variation of CPC• provisional statement Gambling Act 2005 <ul style="list-style-type: none">• new and variation applications	
Up to one hour of advice regarding licence applications, including assistance in completing form (hourly rate)	£75.00
site visit (to give advice) – up to one hour	£100.00
Licensing Act 2003 - Minor variations – up to 30 mins advice on applications (including assessment as to whether suitable as a minor, suggestion on wording of proposed conditions, help completing application etc)	£35.00

3. AVAILABLE OPTIONS

- 3.1 Members may decide to leave the fee levels as they are and not approve the new fee structure. This would mean the existing structure of fees would remain, which is considered quite complex and may continue the trend of poor take up of the service.
- 3.2 Members may approve the proposed fees as set at **2.7**
- 3.3 Members may require more work to be done on the proposed fee structure and give directions accordingly.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Members are requested to approve the proposed replacement fee structure as set out at **2.7** of the report in the hope that it will lead to an increase in income.

5. RISK

- 5.1 If the fee structure remains unchanged we might not achieve the full potential of income for this service.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The fees set out at **2.7** are not subject to consultation.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The fees will be charged with respect to pre-application advice from 1 April 2023 and published on our website.
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8. REPORT APPENDICES

N/A

9. BACKGROUND PAPERS

N/A

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