

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT:	Review Of Annual Licensing Fees For Financial Year 2023/2024
DIRECTORATE:	Social Care, Safeguarding and Health
MEETING:	Licensing and Regulatory Committee
Date to be considered:	31st January 2023
DIVISION/WARDS AFFECTED:	All Wards

1. PURPOSE:

1.1 To agree the Authority's licence fees for 2023-24.

2. RECOMMENDATION(S):

2.1 Approve the fees set out in Appendix A to this report, entitled "Schedule of Licence Fees for 2023-24", subject, where relevant, to any required public notice.

2.2 Any objections, duly made, regarding fees for the grant of licences for hackney carriage and private hire vehicles be brought back to Committee at the earliest opportunity for due consideration .

3. KEY ISSUES

3.1 The Authority has a broad range of licensing responsibilities including the regulation of licensed premises, taxis and hackney carriages, gambling, street trading, street collections and scrap metal dealers. Whilst some licence fees are set by Government, others are locally set at the discretion of the Authority.

3.2 The European Services Directive, along with other regulations, statutory guidance and case law underline that fees must be set on a "reasonable" cost recovery basis only and cannot be set in such a manner as to generate a profit or act as an economic deterrent to traders. In determining reasonable costs the Authority may take account of costs averaged over a reasonable period (up to three years).

3.3 Given the current resource pressures on the Authority, there is a need for clarity about the true costs of administering licences so that fees can be set, if considered appropriate, at a level sufficient to recover those costs. Members will clearly also need to be mindful of the potential burden on businesses of increasing costs, and to weigh that against potential burden of underwriting the costs of administering various licensing functions.

3.4 Officers have undertaken significant work to calculate the true costs associated with different licences based upon up to date financial data. Appendix A provides a summary of these assessments of actual cost along with the current fees.

3.5 As indicated in Appendix A, there is a slight uplift in most of the proposed discretionary fees for 2023/24. One exception is the proposed fees for street trading consents, (section 6). There is a slight decrease in three of these annual consents. Due to the low numbers of such consents, there is no detrimental impact on the overall Licensing fees and charges received.

- 3.6 In accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976, the Authority is obliged to give notice of any intention to vary the fees for the grant of licences for hackney carriage and private hire vehicles/operators. It is recommended that any objections to a variation be brought back to Committee for consideration.
- 3.7 The Gambling Act 2005 allowed Authorities to set their own fees for Premises Licences under this Act for Casinos, Bingo, Betting, Tracks, Family Entertainment Centres and Adult Gaming Centres. The fees for these types of licences are to be reviewed and set annually on the 21st May each year. These fees have a limit on how much they can be set and an assessment of those fees must also be set to recover costs only. A further report will be submitted to the Licensing and Regulatory Committee on 14th March 2023 to review the Gambling Act fees to commence 21st May 2023.

4 **REASONS**

- 4.1 The fees are set at a level that will recover the costs associated with administering them.
- 4.2 Duly made objections must be considered.

5. **RESOURCE IMPLICATIONS:**

The Schedule of fees in Appendix A are set out to ensure the recovery of reasonable costs. If fees are set below the level indicated, the Authority will be underwriting the cost of some licenses. For the reasons set out in para 3.2, the Authority cannot legally set the fees higher than the cost recovery basis set out in Appendix A.

6. **WELLBEING AND FUTURE GENERATIONS IMPLICATIONS:**

- 6.1 An evaluation has been provided in Appendix B to consider the effect of the schedule of Fees proposed for 2023-24.
- 6.2 It should be noted that Council tax receipts and Revenue Support Grants are insufficient to fund the full extent of Council services so increasing fees and charges helps sustain our services into the future for customers, as opposed to potentially withdrawing services.

7. **CONSULTEES:**

None

8. **BACKGROUND PAPERS:**

None

9. **AUTHOR:**

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APPENDIX A

SCHEDULE OF LICENCE FEES FOR 2022-23

	Current Fees 2022/2023	Proposed Fees 2023/24
1. LICENSING ACT 2003		
Premises Initial (Dependant on Business Rate)	£100.00 - £1,905.00	Fee Set By Central Government
Premises Annual (Dependant on Business Rate)	£ 70.00 - £1,050	
Personal Licence Holder	£37.00	
Temporary Event Notice	£21.00	
Theft, loss, etc of premises licence or summary	£10.50	
Provisional Statement	£315.00	
Notification of change of name and address	£10.50	
Application to vary licence to specify individual as designated premises supervisor (DPS)	£23.00	
Application for transfer of premises licence	£23.00	
Interim authority notice following death etc. of licence holder	£23.00	
Theft, loss etc. of certificate or summary	£10.50	
Notification of change of name or alteration of rules of club	£10.50	
Change of relevant registered address of club	£10.50	
Theft, loss etc. of temporary notice	£10.50	
Theft, loss of personal licence	£10.50	
Duty to notify change of name and address	£10.50	
Right of freeholder etc. to be notified of licensing matters	£21.00	
Land without rateable value	Band A	
Land without rateable value – when a building is under construction	Band C	
Application to remove the mandatory condition requiring a DPS at Community Halls	£23.00	
Application for a Minor Variation on a Premises Licence or Club Premises Certificate	£89.00	
2. SAFETY AT SPORTS GROUND CERTIFICATE		
Sports Ground Safety Certificate/Safety Certificate for a Regulated Stand SGSC/SCRS	£1,375.00	£1,375
The Amendment, Replacement, Transfer of a SGSC/SCRS	£155.00	£155
3. GAMBLING ACT 2005		
(For Premises and Permit Fees please refer to separate list)		
Lotteries		Fee Set By Central Government
Initial	£40.00	
Renewal	£20.00	
4. STREET / HOUSE COLLECTIONS		
No Fee charged under current legislation.		
5. HACKNEY CARRIAGE / PRIVATE HIRE		
(a) Hackney Carriage Vehicle - New	£236.00	£262
Hackney Carriage Vehicle – Renewal	£172.00	£196
Hackney Carriage Vehicle - Substitution (Transfer of Vehicle)	£236.00	£262
(b) Horse Drawn Hackney Carriage Vehicle – As 5(a) above.		
(c) Private Hire Vehicle – New	£227.00	£240
Private Hire Vehicle – Renewal	£177.00	£189
Private Hire Vehicle - Substitution (Transfer of Vehicle)	£227.00	£240
(d) Private Hire Operator – New	5yr £792.00	5yr £849
Private Hire Operator – Renewal	5yr £789.00	5yr £837
(e) Driver Licence (Dual Badge) – New	3yr £245.00	3yr £266
Driver Licence (Dual Badge) – Renewal	3yr £196.00	3yr £221
(f) Knowledge Test – Torfaen Training (TT)	£60.00	Set By TT
(g) Resit of Knowledge Test – Torfaen Training (TT)	£30.00	Set By TT
(h) Safeguarding Children and Vulnerable Persons Training – Torfaen Training (TT)	£35.00	Set By TT
(i) Disclosure and Barring Service Check (DBS)+£6 Processing Fee	£46.00	Set By DBS
6. STREET TRADING CONSENTS		
Annual Street Trading Consent - New	£463.00	£456
Annual Street Trading Consent – Renewal	£380.00	£371
Annual Block Street Trading Consent - New	£795.00	£796
Annual Block Street Trading Consent - Renewal	£516.00	£511
Street Trading Consent– Substitution (Replacement Vehicle)	£347.00	£347
Day Street Trading Consent – For Events (no entrance fee)	£48.00	£50
Day Block Street Trading Consent – For Events (no entrance fee)	£142.00	£146

7. SCRAP METAL DEALERS

(a) Site Licence - New	3yr	£448.00	3yr	£485
Site Licence – Renewal	3yr	£373.00	3yr	£410
Site Licence – Change of Details		£38.00		£39
(b) Collectors Licence – New	3yr	£451.00	3yr	£468
Collectors Licence - Renewal	3yr	£312.00	3yr	£329
Collectors Licence – Change of Details		£38.00		£39

8. BOATS

(a) Pleasure Boat Licence - New		£388.00		£399
Pleasure Boat Licence – Renewal		£149.00		£153
Pleasure Boat Licence – Transfer of Boat		£388.00		£399
(b) Pleasure Boatman’s Licence - New		£107.00		£109
Pleasure Boatman’s Licence – Renewal		£103.00		£105

9. SEX ESTABLISHMENTS

Sex Establishment - New		£453.00		£465
Sex Establishment – Renewal		£164.00		£168
Sex Establishment – Transfer of Premises Usage		£453.00		£465

10. HYPNOTISM

No Fee charged under current legislation.