

South Somerset District Council

Notice of Meeting



Licensing Committee

Making a difference where it counts

Tuesday 19th January 2016

10.00 am

**Council Chamber
Council Offices
Brympton Way
Yeovil
BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris, Democratic Services Officer**, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 11 January 2016.

A handwritten signature in cursive script that reads 'Ian Clarke'.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



Licensing Committee Membership

The following members are requested to attend the meeting:

Chairman: Martin Wale
Vice-chairman: David Recardo

Clare Aparicio Paul
Jason Baker
Neil Bloomfield
Dave Bulmer
Val Keitch

Jenny Kenton
Tony Lock
David Norris
Crispin Raikes
Wes Read

Garry Shortland
Alan Smith
Linda Vijeh

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses
- Environment – We want an attractive environment to live in with increased recycling and lower energy use
- Homes – We want decent housing for our residents that matches their income
- Health and Communities – We want communities that are healthy, self-reliant and have individuals who are willing to help each other

Members Questions on reports prior to the Meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

Information for the Public

The Licensing Committee shall be responsible for those functions listed in part 3 of the Constitution as being the responsibility of the Committee. This will include licensing matters referred to it by officers, in accordance with the Officer Scheme of Delegation, such as contested public entertainment licences, and applications for taxi driver licences where the officer considers the application should be determined by members. The Committee shall also be responsible for all the functions assigned to it under the Licensing Act 2003.

The Statutory Licensing Committee has responsibility for all activities under the Licensing Act 2003 and the Gambling Act 2005 except for policies and fees. Established under the Licensing Act 2003, it exercises the functions of the Licensing Authority which itself is the Council.

The Other Licensing Committee can be responsible for all other licensing matters. Established by the Council under discretionary power contained in Section 101 of the Local Government Act 1972.

It is lawful for the membership of the two committees to be the same, but they are differently constituted and run under different powers.

Meetings of the Licensing Committee are held bi-monthly at 10.00am normally on the second Tuesday of the month in the Council Offices, Brympton Way.

Licensing Committee agendas and minutes are published on the Council's website www.southsomerset.gov.uk

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

Licensing Committee

Tuesday 19 January 2016

Agenda

Preliminary Items

1. **To approve as a correct record the Minutes of the Previous Meeting held on 13th October 2015**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

4. **Public Participation at Committees**

- a) **Questions/comments from members of the public**

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern.

Items for Discussion

5. **Licensing Fees & Charges 2016-17** (Pages 5 - 21)
6. **Enforcement Update** (Pages 22 - 23)
7. **Date of Next Meeting** (Page 24)

Agenda Item 5

Licensing Fees & Charges 2016-17

Portfolio Holder: Peter Gubbins
Assistant Director: Laurence Willis, Environment
Service Manager: Nigel Marston, Licensing Manager
Lead Officer: Nigel Marston, Licensing Manager
Contact Details: Nigel.marston@southsomerset.gov.uk or 01935 462150

Purpose of the Report

To present to Licensing Committee the proposed fees for the 2016/17 financial year. The fees having been set at a level to ensure that the Council's costs in providing the Licensing Service are being recovered in full, wherever the relevant legislation permits.

Public Interest

Scrutiny Task and Finish Groups are a way of allowing elected members of South Somerset District Council to consider policy matters in depth, gathering information and evidence, before making recommendations to District Executive. This report draws upon the work carried out by such a group of members who looked at two aspects of the Council's Licensing function. Firstly, adopting a principle of total cost recovery where possible within the service and secondly, reviewing the current delegation arrangements with Town Councils. As members will be aware the report on termination of the delegation agreement with the Town Council's was presented to December's Full Council meeting and was approved. This report will therefore concentrate on the fee aspect of the work.

Recommendations

That Licensing Committee:

1. Note the further work carried out by the Licensing Manager and the Financial Services Team.
2. Agree the set of fees and charges be recommended for inclusion in the budget proposals for 2016/17.

Background

A Scrutiny Task and Finish Group was established by South Somerset District Council's Scrutiny Committee and consisted of the following elected Members:

Councillors Martin Wale (Chair)

Jason Baker

Mike Beech

Gye Dibben

Val Keitch

Tony Lock

David Norris

The Task and Finish Group was commissioned to look into 2 specific elements of the authority's Licensing Service, namely:

- the potential of introducing a principle of total cost recovery where possible and to propose amendments to the current fee structure to reflect this ; and
- reviewing the current delegation arrangements that exist between South Somerset District Council (SSDC), Wincanton Town Council (WTC) and Yeovil Town Council (YTC).

This report outlines the recommendations of the Task and Finish Group and the evidence members considered in reaching their recommendations.

In the current financial climate for local authorities, all avenues to maximise income in order to maintain service standards must be explored – reviewing Licensing fees and charges with a view to establishing total cost recovery is an important part of this ongoing work.

Review methodology:

As with all Scrutiny Task and Finish work, members first agreed their Terms of Reference, in this case, that they would:

- conduct the review as commissioned by the Scrutiny Committee;
- submit regular update reports to the Scrutiny Committee;
- Conduct detailed research and analysis in order to make well-evidenced recommendations to the Executive, Licensing Committee and Council as appropriate;
- To engage members, officers, members of the community and external witnesses in the review as appropriate.

In addition to these more general Terms of Reference, members agreed the following specific review Aims and Objectives:

- To fully understand the proposals of the Licensing Service operating on a total cost recovery basis, to include the legislative framework and ethical implications.
- If the principle of total cost recovery is accepted, then this Task and Finish Group will aim to make evidence based recommendations to the relevant decision making bodies, outlining a schedule of fees for the Licensing Service that allows for total cost recovery, where possible. Members must ensure that the authority has robust evidence to show the exact cost and the correlation between service costs and the fees charged.
- To better understand the national picture in relation to setting fees for Licensing Services, such as government guidance and legislation, and to address any issues that may improve the experience of local authorities through bodies such as the LGA.
- To look at other areas of potential income generation such as introducing charges for pre-application advice and providing a ‘check and send’ service.
- The review will also look to address the recommendations of an Internal Audit report of the Licensing Service which indicated that the practice of delegating some licensing functions to Yeovil and Wincanton Town Councils should be reviewed. The

review of this particular element should look to assess if this practice meets the needs and expectations of South Somerset District Council as well as those of our customers.

Members were clear that this review did NOT include looking at the setting of Taxi Fares – this is an entirely separate issue.

Members of the Task and Finish Group decided to conduct the review in two phases – the first of which would consider the issue of Licensing fees and charges, the second would investigate the issue of licensing functions delegated to Town Councils. Only phase one is relevant to this report.

Phase One: Establishing a Principle of total cost recovery where possible within the Licensing Service.

Service Context

The cost to the Council of the Licensing Service last financial year is £89.5k and about 21% of costs within the service are not covered by fees – the ambition of the Service Manager is to reduce this to between 5 and 10% and how to achieve this is one of the main objectives of this Task and Finish Group.

Some fees are statutory and were set in 2005 – these fees don't cover the costs of administering the service but at present, they can't be changed – Local Authorities have been consulted on these fee levels, but there was a poor response nationally to the consultation and the Government took this to mean that there was no call to amend the statutory fee levels. The Local Government Association (LGA) are currently doing some work in this area and a recommendation of this Task and Finish review is that their findings are reported to the LGA to support the ongoing lobbying of central government for a more realistic fee structure.

Where fees are not set by a statutory framework, there is some local discretion. However, fees must only cover costs and there must be no profit or surplus generated. Each regime needs clear separation.

Members were reminded of the need to be aware of the possibility of legal challenge to any proposed changes to Licensing fees and charges – any fees generated must accurately reflect the actual cost of delivering the service, fees should not be set to generate a surplus but if a surplus is generated, it must be used for service enhancement and not used to cross-subsidise other services. Consistent generation of a surplus should be reflected in reduced fees and charges to the customer.

To allow members to make sound evidenced based proposals for an amended fee structure, the Licensing Manager, working with finance officers have produced a spreadsheet for every licence to show the time taken to process, this data has been collated along with the number of licences processed. This then shows an hourly rate that can be reflected in the schedule of fees and charges. The collation of this data formed a vital part of the evidence considered

by the Task and Finish Group and will enable the authority to defend any potential challenges.

Total Cost Recovery

Members of the Task and Finish Group were supported by the Licensing Manager in this element of their work. The first meeting of the process set out the statutory context within which Licensing Fees and Charges are set.

At the first Task and Finish Group meeting, members established their support for a more rigorous approach to operating Total Cost Recovery where possible. Based on this, officers have developed a robust method for the setting of fees.

Across the Licensing regimes, the power to levy a fee is given to the Council by the relevant legislation. With the exception of the Licensing and Gambling Acts, the Council has discretion as to the maximum level of fee it may charge, but in all cases, fees must be reasonable and proportionate to the cost of the processes associated with a licensing scheme. As already mentioned elsewhere in this report, under no circumstances can the Council use fees to make a profit or act as an economic deterrent to deter certain business types from operating within its area.

In its interpretation of the relevant legislation the Council has had regard to the Provision of Services Regulations 2009 (PSR 2009) and established case law such as R (Hemming and others) v Westminster Council.

Where locally set fees are not covered by the PSR 2009 (e.g. Taxi licensing) the principles of the Regulations have still been applied to the fee construction.

Method of fee construction

A rational system of apportionment of costs to calculate the fee level for each individual type of application received and authorisation issued is proposed by the Task and Finish Group. This system of fee calculation is to be kept under constant review and amended whenever changes in procedures or processes occur.

The fee construction system contains a combination of four elements:

- Application Processing,
- Consumables,
- Administration,
- Monitoring Compliance.

Application Processing

Broadly this element of the fee construction is the time taken to process an application from initial enquiry to issue of the decision. It includes the time taken to complete the administration tasks of receiving correspondence, updating the records database with

application details and officer actions, processing of payments, production and dispatch of documents including the notice of the final determination of the application.

The time allocated to the consideration (including any inspections and/or consultations/negotiations that may be required) and determination of the application by one of the officers is also reflected in the total cost.

At present no additional cost is allocated to any application that requires determination by a Committee. This cost element is included within the fee every time there is the physical submission of an application.

Consumables

The cost allocated to this element of the fee represents any specialist materials or equipment that may be required such as the identification plates for Hackney Carriage & Private Hire Vehicles.

Not all fees carry a consumables cost as they may not require any specialist materials and all normal stationary items are already included within the on costs described earlier.

As with Application processing above this cost element makes up part of the fee every time an application is submitted

Administration

This element represents the time and costs allocated year on year to maintenance of the regime rather than those activities specific to the processing of an application. It is made up of allocations of time and costs for generic activities as well as the more detailed provision of advice & guidance to and the processing of complaints from, service users and the public/partner agencies.

Also included within this element is the time allocated to the review and maintenance of Council Policies and Officer Guidance (including relevant training for Officers and Members). Regime wide administration tasks such as fee calculation, website maintenance, servicing regime specific forums and quality control measures are also taken into account. Where an authorisation is issued for a period in excess of one year the annual administration element will be included with the fee levied.

Monitoring Compliance

This element comprises of the activities allocated to the monitoring of compliance with any authorisation issued. It is levied against any valid Licence on an annual basis. It includes dealing with complaints, pro-active monitoring (including inspections) and joint operations with partner agencies.

In accordance with case law and the Provision of Services Regulations no fee is levied in respect of enforcement action against unauthorised activities as the Council considers that

the costs of defending appeals in the magistrate's court or via judicial review can be recovered through the courts.

With all of the above elements continual training of officers and reviews of processes are undertaken to ensure that the necessary procedures are completed in as quick a time as possible without reducing the professionalism and legality of the service

Review of fee levels

The Task and Finish Group recommend that the Licensing Manager will review in detail fees and charges annually to ensure that they remain reasonable and proportionate. All proposed fee levels are scrutinised by Members through the democratic process before adoption.

Over or Under Recovery

In all cases where the Council has discretion over fee levels the Council seeks to set fees to achieve full cost recovery. Should an over or under recovery be identified the Council will redress the imbalance through future fee setting. Timescales for introducing alterations to fee levels in such circumstances will be set, where possible to minimise impact upon businesses and or local taxpayers.

SSDC Statutory Fees.

Type of Application	Current Statutory Fee	Cost to SSDC	Shortfall/Excess per application
Premise Licence Grant	190.00	497.25	-307.25
Premise Licence Variation	190.00	425.04	-235.04
Minor Variation	89.00	200.11	-111.11
Replacement Licence	10.50	25.41	-14.91
Change of Name/Address	10.50	29.74	-19.24
Vary DPS	23.00	84.50	-61.50
Transfer	23.00	84.50	-61.50
Personal Licence Grant	37.00	58.28	-21.28
Change of Address	10.50	24.09	-13.59
Temporary Event Notice	21.00	66.03	-45.03
Gambling Grant	1275.00	563.34	711.66
Gambling Variation	1275.00	301.20	973.80
Gambling Transfer	1020.00	61.94	958.06
Gambling Reinstatement	1020.00	61.94	958.06
Machine Notification	50.00	119.73	-69.73
Gambling Permit	150.00	262.14	-112.14

Society Lottery	40.00	119.73	-79.73
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SSDC Discretionary Fees

Type of Application	Current Fee	Cost to SSDC	Shortfall/Excess per application
Taxi Driver 1 Year	58.00	160.00	-102.00
Taxi Driver 3 Year	80.00	258.00	-178.00
HC Vehicle	225.00	245.00	-25.00
Private Hire Vehicle	225.00	220.00	5.00
PH Operator (3yr)(now 5yr)	85.00	820.00	-735.00
Animal Boarding	110.00	210.00	-100.00
Home Boarding	75.00	210.00	-135.00
Pet Shops	110.00	235.00	-125.00
Dangerous Wild Animals 2 yr	110.00	280.00	-170.00
Street Trading Casual	13.00	57.00	-44.00
Street Trading Permanent	1600.00	1357.00	243.00
Road Closure	55.00	211.92	-156.92
Scrap Metal Dealer	800.00	700.00	100.00
Scrap Metal Collector	660.00	660.00	0.00
Skin Piercing - Premise	95.00	120.00	-25.00
Skin Piercing - Personal	95.00	120.00	-25.00

Conclusions on current fee levels

The statutory fees (those set by Government) are not adequate to cover the Council's costs in dealing with applications and members agreed at the D/X meeting in December to lobby, through the LGA, to request a reassessment of all Statutory Fees in relation to Licensing. The non- statutory fees are also not enabling total cost recovery in dealing with the various licensing regimes. The following fees are therefore proposed in order to begin to address this issue.

Proposed Fees

Licensing					
Actual 2016-17					
Details of Licence/Fees	Net Charge for 2015-16	Vat 20%	Total Charge 2016-17	Comments	Statutory/ Non Statutory
Riding Establishments	£140.00	£0.00	£165.00		Non Statutory
Pet Shops Grant	£110.00	£0.00	£235.00		Non Statutory
Pet Shops renewal	£110.00	£0.00	£200.00		Non Statutory
Animal Boarding Establishments Grant	£110.00	£0.00	£210.00		Non Statutory
Animal Boarding Establishments renewal	£110.00	£0.00	£195.00		Non Statutory
Breeding of Dogs Grant	£110.00	£0.00	£235.00		Non Statutory
Breeding of Dogs Renewal	£110.00	£0.00	£200.00		Non Statutory
Dangerous Wild Animals Grant 2 yr	£110.00	£0.00	£280.00 plus cost of vet inspection		Non Statutory
Dangerous Wild Animals renewal	£110.00	£0.00	£260.00		Non Statutory
Zoo Licence	Actual cost to authority	£0.00	£5,000.00 plus full costs for inspections		Non Statutory
Hackney Carriage Vehicle	£225.00	£0.00	£245.00	This does not include the Lufton test fee of £53.00	Non Statutory
Private Hire Vehicle	£225.00	£0.00	£220.00	This does not include the Lufton test fee of £53.00	Non Statutory
Temporary replacement vehicle	£157.50	£0.00	£160.00	This does not include the Lufton test fee of £53.00	Non Statutory

Hackney/Private Hire Drivers Badge 1 yr	£58.00	£0.00	£160.00	<i>Does not include third party charges for DBS checks and medical.</i>	Non Statutory
Hackney/Private Hire Drivers Badge 3 yr	£80.00	£0.00	£260.00	<i>Does not include third party charges for DBS checks and medical.</i>	Non Statutory
Knowledge Test (Fee is for each test)	£25.00	£0.00	£25.00		Non Statutory
Private Hire Operators Licence - 3 years	£85.00	£0.00	£820.00		Non Statutory
Replacement Drivers Badge	£12.00	£0.00	£17.50		Non Statutory
Replacement Vehicle plate for Hackney or Private Hire	£30.00	£0.00	£30.00		Non Statutory
Transfer of Vehicle Ownership	£68.00	£0.00	£36.50		Non Statutory
Society Lottery Permit first Registration	£40.00	£0.00	£40.00		Statutory
Society Lottery Annual Renewal	£20.00	£0.00	£20.00		Statutory
Acupuncture & Tattooists	£95.00	£0.00	£120.00		Non Statutory
Street Trading (Inner Zone - the civil parish of Yeovil Town)	<i>£13 per day for permanent traders or £11 per day for casual traders</i>	£0.00	<i>£1,300 annually, £750 six monthly, £425 quarterly. Daily rate £57.00</i>		Non Statutory
Street Trading (Outer Zone - the rest of South Somerset)	<i>£1,600 annually, £900 six monthly, £500 quarterly of £11 per day for permanent traders and £13 per day for casual traders</i>	£0.00	<i>£1,300 annually, £750 six monthly, £425 quarterly. Daily rate £57.00</i>		Non Statutory

Skin Piercing Registration (includes: Ear Piercing, Cosmetic Piercing, Electrolysis, Semi Permanent Skin Colouring)	£95.00	£0.00	£120.00	Personal and Premise Registration required, £120.00 for each	Non Statutory
Scrap Metal Collector	£660.00	£0.00	£660.00	This fee is for a 3 year registration - Non Statutory	Non Statutory
Scrap Metal Site Licence	£800.00	£0.00	£700.00	This fee is for a 3 year registration - Non Statutory	Non Statutory
Sex Shop - New Licence	£10,000.00	£0.00	£10,000.00	£10,000 is the application fee, £4,000 will be refunded should there be no appeal	Non Statutory
Sex Shop - Renewal of Licence	£2,864.00	£0.00	£2,864.00		Non Statutory
Sex Shop - Transfer of Licence	£2,864.00	£0.00	£2,864.00		Non Statutory
Duplicate Licence	£20.00	£0.00	£20.00		Non Statutory
Admin charge - requests for information	£30.00	£0.00	£30.00		Non Statutory
Photocopying of documents	No charge	£0.00	50p per sheet		Non Statutory
Trailers	£23.00	£0.00	£23.50		Non Statutory
Permission to advertise on Hackney/Private Hire	£11.00	£0.00	£40.00		Non Statutory
Licensing Act 2003 Fees					
Theft, loss etc. of a premises licence or summary	£10.50	£0.00	£10.50		Statutory
Application for a provisional statement where a premises is being built	£315.00	£0.00	£315.00		Statutory

Notification of change of name or address	£10.50	£0.00	£10.50		Statutory
Application to vary licence to specify individual as premises supervisor	£23.00	£0.00	£23.00		Statutory
Application for transfer of premises licence	£23.00	£0.00	£23.00		Statutory
Interim authority notice following death etc. of licence holder	£23.00	£0.00	£23.00		Statutory
Theft, loss etc. of certificate or summary	£10.50	£0.00	£10.50		Statutory
Notification of change of name or alteration of rules of club	£10.50	£0.00	£10.50		Statutory
Change of relevant registered address of club	£10.50	£0.00	£10.50		Statutory
Temporary Event Notice	£21.00	£0.00	£21.00		Statutory
Theft, loss etc. of temporary event notice	£10.50	£0.00	£10.50		Statutory
Application of a grant or renewal of personal licence	£37.00	£0.00	£37.00		Statutory
Theft, loss of a personal licence	£10.50	£0.00	£10.50		Statutory
Notification of the change of a name and address	£10.50	£0.00	£10.50		Statutory
Notification of a freeholder of licensing matters	£21.00	£0.00	£21.00		Statutory
Grant of premises licence or club premises certificate	See Appendix A	N/A	See Appendix A	Based on Non Domestic Rateable Values *see Appendix A	Statutory
Annual Fee for Premises Licence or club premises certificate	See Appendix A	N/A	See Appendix A	Based on Non Domestic Rateable Values *see Appendix A	Statutory

Road Closure Orders	See Appendix B	N/A	See Appendix B	Based on No. of people attending event and organisation status	Discretionary
Gambling Act 2005 Fees					
Premises Licenses		N/A	See Appendix C	Fee dependant on type of activity and licence required	Discretionary within statutory maximum
Notification of 2 or less gaming machines (pubs)	£50.00	£0.00	£50.00		Statutory
Grant of Gaming Machine Permit (pubs)	£150.00	£0.00	£150.00		Statutory
Vary Gaming Machine Permit (pubs)	£100.00	£0.00	£100.00		Statutory
Transfer of Gaming Machine Permit (pubs)	£25.00	£0.00	£25.00		Statutory
Change of name of holder of Gaming Machine Permit	£25.00	£0.00	£25.00		Statutory
1st Annual Fee - Gaming Machine Permit (pubs)	£50.00	£0.00	£50.00	payable 30 days after issue of permit	Statutory
Annual Fee - Gaming Machine Permit (pubs)	£50.00	£0.00	£50.00	payable yearly on anniversary of issue of permit	Statutory
Grant/Renew of Club Gaming/Club Machine Permit	£100.00	£0.00	£100.00	to holder of a club premises certificate issued under the Licensing Act 2003. Valid for 10 years	Statutory

Grant/Renew of Club Gaming/Club Machine Permit	£200.00	£0.00	£200.00	to holder of a premises licence issued under the Licensing Act 2003. Valid for 10 years	Statutory
Grant/Renew of Club Gaming/Club Machine Permit	£200.00	£0.00	£200.00	for premises that do not hold a licence under the Licensing Act 2003. Valid for 10 years	Statutory
1st Annual Fee - Club Gaming/Club Machine Permit	£50.00	£0.00	£50.00	payable 30 days after issue of permit	Statutory
Annual Fee - Club Gaming/Club Machine Permit	£50.00	£0.00	£50.00	payable yearly on anniversary of permit	Statutory
Vary Gaming Machine Permit (pubs)/Club Gaming/Club Machine Permit	£100.00	£0.00	£100.00		Statutory
Grant/Renew Prize Gaming Permit	£300.00	£0.00	£300.00	Valid for 10 years	Statutory
Change of name of holder of Prize Gaming Permit	£25.00	£0.00	£25.00		Statutory
Grant/Renew of Family Entertainment Centre Gaming Machine Permit	£300.00	£0.00	£300.00	Valid for 10 years	Statutory
Change of name of holder of Family Entertainment Centre Gaming Machine Permit	£25.00	£0.00	£25.00		Statutory
Copy of Permit (all types under the Gambling Act 2005)	£15.00	£0.00	£15.00		Statutory
Appendix A					
Rateable values and Bands (Non Domestic Rateable Values)					
Band		Rateable Value			

A	£0 - £4,300				
B	£4301 - £33,000				
C	£33,001 - £87,000				
D	£87,001 - £125,000				
E	£125001 and above				

Premises Licences and Club Premise Certificates

(based on the rateable value of the premises as detailed in the table above)

Band	Fee
A	£100
B	£190
C	£315
D*	£450
E*	£635

* Fee multiplier: For premises exclusively or primarily used for the supply of alcohol on the premises, the fees in the above table will be increased as follows:

Band D – 2x's the fee (£900)

Band E – 3x's the fee (£1905)

Annual Fee for Premises Licences and Club Premise Certificates

Band	Fee
A	£70
B	£180
C	£295
D	£320
E	£350

Additional Fees

Additional fee to be paid for premises where there are 5000 or more persons specified on the licence			
Number	Additional Fee (New)	Additional Fee (annual charge)	
5,000 – 9,999	£1,000	£500	
10,000 – 14,999	£2,000	£1,000	
15,000 – 19,999	£4,000	£2,000	
20,000 – 29,999	£8,000	£4,000	
30,000 – 39,999	£16,000	£8,000	
40,000 – 49,999	£24,000	£12,000	
50,000 – 59,999	£32,000	£16,000	
60,000 – 69,999	£40,000	£20,000	
70,000 – 79,999	£48,000	£24,000	
80,000 – 89,999	£56,000	£28,000	
90,000 and over	£64,000	£32,000	
Appendix B - Road Closure Orders			
a) For charitable purposes, for example commemorative occasions, no fee is payable.	b) For events which are for private gain, the scale of charges below will apply.	c) For events that are primarily charitable, but where, for example, market pitches are sold and the pitch users are only present for private gain, it would be expected in such circumstances that the organisers of the event will pay the minimum fee; however please contact the Licensing Department on 01935 462462 to discuss your individual application before submission.	
Scale of Charges for Road Closures for 2015-16		Scale of Charges for Road Closures for 2016-17	
Number of people attending event	Fee	Number of people attending event	Fee
Less than 500	£60.00	Less than 500	£200.00

500 to 999	£85.00	500 to 999	£200.00
1,000 to 1,999	£110.00	1,000 to 1,999	£200.00
2,000 to 4,999	£165.00	2,000 to 4,999	£200.00
5,000 to 9,999	£220.00	5,000 to 9,999	£200.00
Over 10,000	£330.00	Over 10,000	£200.00

Fees – Advertising Costs

a) For charitable purposes, for example commemorative occasions, it is likely the cost of advertising the Order will be payable by the organisers; however this is at the discretion of the Assistant Director (Environment)

b) For events which are for private gain, the full cost of advertising the Order will be payable

c) For events that are primarily charitable, but where, for example, market pitches are sold and the pitch users are only present for private gain, it is likely the cost of advertising the Order will be payable by the organisers; however this is at the discretion of the Assistant Director (Environment)

Advertising costs, if applicable, will be invoiced to the applicant direct.

Appendix C

South Somerset District Council Fees under the Gambling Act 2005

	New Regional Casino	New Large Casino	New Small Casino	Family Entertainment Centre
Transition Fast Track	£255	£255	£255	£255
Transition Non Fast Track				£255
New Application	£12,750	£8,500	£6,800	£1,700
New application with Provisional Statement	£3,400	£2,125	£1,225	£400
Provisional Statement		£8,500	£6,800	£1,700
Transfer	£5,525	£1,830	£1,530	£800
Re-instatement	£5,525	£1,830	£1,530	£800
Variation	£6,375	£4,250	£3,400	£850
Annual Fees	£12,750	£8,500	£6,800	£1,700
Copy of premises Licence	£22	£22	£22	
Change of Circumstances	£43	£43	£43	

Financial Implications

A key element of the Council Plan is to deliver cost effective, well managed services to our residents, to achieve this, fees and charges must be set at a level which adequately covers our costs.

The proposed amendments to the fees and charges applied within the Licensing Service will be included in the budget papers for 2016/17 where all financial implications will be fully explored. The Fees and Charges Register will need to be amended (if approved) to incorporate the appropriate Licence charges.

Carbon Emissions and Climate Change Implications

None

Equality and Diversity Implications

None

Privacy Impact Assessment

None required

Background Papers

Licensing Committee 09/06/14

Scrutiny Committee 01/12/14

District Executive 03/12/14

South Somerset District Council 17/12/14

Agenda Item 6

Enforcement Update

Executive Portfolio Holder: Peter Gubbins
Assistant Director: Laurence Willis
Lead Officer: Colin Chown, Licensing Enforcement Officer
Contact Details: colin.chown@southsomerset.gov.uk or (01935)462135

Purpose of the Report

To update members on the work of the licensing enforcement team and the various issues they are currently involved with.

Recommendation

That the report is noted.

Background

Officers carry out a number of enforcement activities under the various legislative provisions that relate to licensing, in particular with regard to taxi's and private hire drivers/vehicles and scrap metal dealers. This report seeks to brief members on the current issues that are being dealt with by the enforcement team.

Report Detail

Taxis & Private Hire Vehicles

General

The Licensing Enforcement Officer carried out weekly day time checks and several late night checks during the past six months. The checks were carried out in and around the centre of Yeovil and the purpose of them was to ensure compliance with the Council's Private Hire and Hackney Carriage Policy and Bylaws.

During the previous six months, two taxi and private hire joint agency vehicle enforcement checks with the Police were completed. Advice was given to drivers on various issues, further dates have been arranged with the police throughout the next three months.

Monthly taxi checks continue to be carried out at the Pen Mill, Yeovil Junction, Crewkerne and Castle Cary railway stations in order to ensure that vehicles which tend to use the ranks in and around the main towns are also subject to ad hoc inspections.

Thirty seven taxi/private hire related complaints were received in the past six months, which resulted in the issuing of four stop/prohibition notices, two for vehicle damage and two for failure to provide proof of insurance;

The Licensing Enforcement Officer has issued penalty points on twenty one occasions for more minor issues in line with the Taxi Licensing Policy & Guidance.

Street Trading

There are seven permanent street traders; over one hundred and fifty consents for casual street trading were issued in the past six months.

Scrap Metal Dealers

The Licensing Enforcement Officer carried out bi-monthly compliance inspections on all scrap metal collectors and three monthly inspections for scrap metal site licence holders to ensure they are compliant with the requirements of the Scrap Metal Dealers Act.

Due to police restructuring the assistance of a dedicated Police Officer to accompany and assist the Licensing Enforcement Officer on these inspections is no longer available.

SSDC currently licence seventeen sites and twelve collectors.

Financial Implications

None

Implications for Corporate Priorities

Ensure safe, sustainable and cohesive communities and increase economic vitality and prosperity

Other Implications

None

Background Papers: None

Agenda Item 7

Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Licensing Committee will take place on Tuesday 12th April 2016 at 10.00am in the Council Offices, Brympton Way, Yeovil.