

Report of the Assistant Director Waste, Fleet & Transport Services to the meeting of Regulatory and Appeals Committee to be held on 22 June 2017

D

Subject:

Review of miscellaneous licence fees charged by the licensing service.

Summary statement:

This report seeks the approval of the Regulatory and Appeals Committee to maintain the current scale of miscellaneous licence fees charged by the licensing service, for the financial year 2017/18.

John Major
Assistant Director
Waste, Fleet & Transport Services

Report Contact: Tracy McLuckie
Licensing & Land Charges Manager
Phone: (01274) 432240
E-mail: licensing@bradford.gov.uk

Portfolio:

Neighbourhoods & Community Safety

Overview & Scrutiny Area:

Corporate



1. SUMMARY

- 1.1 This report seeks approval of Members to maintain the current level of fees for miscellaneous licences issued by the Council's Licensing Service, for the financial year 2017/18.

The fees relate to sex establishments, street trading consents, scrap metal dealers and zoo licences

The current scale of fees is attached at Appendix 1.

- 1.2 Maintenance of the current fee levels will ensure that the licensing service continues to recover its reasonable costs of processing licence applications, on-going compliance checks and maintenance of statutory public registers.

2. BACKGROUND

- 2.1 Current licence fees vary according to the type of licence. However they fall broadly into one of the following categories:-

- (a) those licences for which the fee is set by statute;
- (b) those licences for which there is a statutory maximum fee; and
- (c) those licences in respect of which the Council has discretion over the level of fee charged.

- 2.2 The licensing service fees are set at a level to cover the Council's reasonable costs in processing the applications and in monitoring licensed premises and licensable activities.

- 2.3 Fees for miscellaneous licences administered by the Council (which are not covered by the Licensing Act 2003 or the Gambling Act 2005) are usually reviewed on an annual basis and are the responsibility of the Regulatory & Appeals Committee.

- 2.4 A costing exercise has been undertaken for each licence type, which takes into account the full cost of administering and processing applications from receipt to issue of a licence and on-going enforcement costs.

Calculation of costs consists of a full proportional share of overheads including accommodation, telephone, ICT, printing, stationary and postage. Staff costs include salary, pension, travel and proportional senior management costs. Legal and central support costs have also been included.

3. OTHER CONSIDERATIONS

None

4 OPTIONS

- 4.1 Members are asked to consider the following options and decide which to approve:

- a) maintain current licence fees for 2017/18, as set out in Appendix 1; or

b) change the current licence fees to such other levels, on the basis of cost recovery only, which Member decide.

4.2 The scale of fees is to take effect on 1 July 2017

5. FINANCIAL & RESOURCE APPRAISAL

Maintenance of the current scale of fees would ensure that the licensing service recovers its reasonable costs in administering and enforcing the various licensing regimes within the responsibility of the service.

6. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no apparent risk management or governance issues.

7. LEGAL APPRAISAL

The Council's powers and duties with regard to setting appropriate licence fees and charges are set out in the various Acts covering the different licensing regimes.

The Provision of Services Regulations 2009 are applicable to all of the fees and charges detailed in Appendix 1. Under the Regulations charges must be reasonable and proportionate to the cost of procedures under each licensing regime.

Consideration has also been given to the Local Government Association guidance on locally set fees, issued in December 2015.

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

There are no apparent equality and diversity implications.

8.2 SUSTAINABILITY IMPLICATIONS

There are no apparent sustainability implications.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no apparent greenhouse gas emissions impacts.

8.4 COMMUNITY SAFETY IMPLICATIONS

The various licence fees charged covers the cost ensuring compliance with licence conditions and restrictions, which are attached to licences to ensure public safety.

8.5 HUMAN RIGHTS ACT

The recovery of reasonable and proper fees by the Council in connection with its general licensing activities, where these are allowed by statute, is not an infringement of Convention rights

8.6 TRADE UNION

There are no apparent trade union implications in respect of this report.

8.7 WARD IMPLICATIONS

None

9. NOT FOR PUBLICATION DOCUMENTS

None

10. RECOMMENDATIONS

That the current scale of fees be maintained for 2017/18, as set out in Appendix 1 to this report.

12. APPENDICES

1. Current scale of fees.

13. BACKGROUND DOCUMENTS

Relevant licensing legislation:

- Local Government (Miscellaneous Provisions) Act 1982
- Zoo Licensing Act 1981
- Scrap Metal Dealers Act 2014

Provision of Services Regulations 2009

Local Government Association guidance on locally set fees (Dec 2015).

Appendix 1

Licensing Team, Jacobs Well, Bradford, BD1 5RW Miscellaneous Fees 2017/18 Review

	<u>Existing</u>
1. Sex Establishment Licences – Grant	£1967
Sex Establishment Licence – Renewal (Sexual Entertainment Venues, Sex Shops and Sex Cinemas)	£682
2. Street Trading Consents – Commercial	
Half Day	£47
1 Day	£100
1 week (7 days)	£470
Annual	£2089
3. Scrap Metal Dealers	
Site Licence – Grant / Renewal	£354
Site Licence – Variation (Licence Type & Site Addition)	£164
Collectors Licence – Grant / Renewal	£204
Collectors Licence – Variation (Licence Type)	£234
Variation - Change of details only	£26
4. Zoo Licences	£204
(Grant, renewal or transfer) <u>Excluding</u> veterinary inspection fees charged during the first year of licence by the appointed Veterinary Inspector(s) and Council Inspector(s)	

LICENCES FOR WHICH NO CHARGE IS MADE

5. Street Collection Permits
6. Street Trading Consents – Charitable & Educational Promotions
7. House to House Collection Permits
8. Caravan Site Licences