

PUBLIC PROTECTION COMMITTEE: 7 June 2016

Report of the Head of Shared Regulatory Services

REVIEW OF GENERAL LICENCE FEES

1. Background

1.1 At its meeting on 3rd March 2015 the Committee authorised the introduction of the current fees for the general licensing functions detailed in the table below, which were implemented on 1st April 2015.

1.2 The purpose of this report is to approve new fees for these licensing functions.

2. Details.

2.1 The table below shows the existing fees compared with the proposed new fees.

	Existing Fee	Proposed Fee
Sex Establishment Licences:		
Sex Shop:		
Grant	£1139	£835
Renewal	£804	£613
Transfer	£522	£436
Sexual Entertainment Venue:		
Grant	£1139	£928
Renewal	£804	£706
Transfer	£522	£436
Skin Piercing:		
Premises	£93	£97
Person	£37	£43

Street Trading:		
Licence	£563	£594
Merchandise Consent	£120	£166
Food Consent	£195	£211
Mobile Consent	£83	£83
Programme seller	£32	£32
St Mary Street Market 3 months	£60	£60
St Mary Street Market 1 month	£46	£46

- 2.2 The fees have been calculated using a toolkit developed by the Wales Licensing Expert Panel. The toolkit is being used by all Welsh local authorities. The method used to calculate the fees and details of the figures are shown in Appendix A.
- 2.3 The fees for a new Sex Establishment licence are a ‘grant’ fee rather than an application fee. The Licensing Section will therefore refund a proportion of the fee (£409 in respect of sex shops and £502 in respect of Sexual Entertainment Venues) if the application is refused.

3. Legal Implications

- 3.1 Regulation 18(4) of the Provision of Services Regulations 2009 provides that charges under an authorisation scheme must be reasonable and proportionate to, and not exceed, the cost of the procedures and formalities under the scheme. The fee charged cannot exceed the cost of the procedures, i.e. the steps which an applicant for a licence has to take if he wishes his application to be granted or his licence to be renewed. A fee can include the administrative costs involved, and the costs of vetting the applicants (in the case of applications) and the cost of investigating compliance with licence terms (in the case of renewals).
- 3.2 It should be noted that certain licensing activities are specifically excluded from the 2009 Regulations; these are taxi licensing, cinema licensing and gambling licensing.

4. Financial Implications.

- 4.1 The Licensing Service is required to be self financing within the limitations of statute.
- 4.2 It is essential that the new fees are set at a level which fully funds the costs of the service insofar as permissible by statute.

5. Recommendation

- 5.1. That the proposed fees and charges outlined in the report are approved with an implementation date of 1st July 2016

Dave Holland
HEAD OF SHARED REGULATORY SERVICES

06 May 2016

This report has been prepared in accordance with procedures approved by Corporate Managers.

Background Papers: None