

**To: The Members of the Licensing Committee
(Councillors M Moss, Butcher, Davis, Freer,
Humphreys, Lewis, Morson, Payne, Pickard,
Sherratt, A Stanley, Y Stanley, Sweet, Watkins
and Wykes)**

For the information of other Members of the Council

This document can be made available in large print and electronic accessible formats if requested.

For general enquiries please contact Jenny Price, Democratic Services Officer, on 01827 719450 or via e-mail jennyprice@northwarks.gov.uk.

For enquiries about specific reports please contact the officer named in the reports.

LICENSING COMMITTEE AGENDA

30 JANUARY 2012

The Licensing Committee will meet in the Council Chamber, Council House, South Street, Atherstone on Monday 30 January 2012 at **5.00 pm**.

AGENDA

PART I - PUBLIC BUSINESS

- 1 Evacuation Procedure**
- 2 Apologies for Absence**
- 3 Declarations of Personal or Prejudicial Interests.** (Any personal interests arising from the membership of Warwickshire County Council of Councillor Sweet and any personal interests arising from the membership of the various Town/Parish Councils of Councillors Butcher (Polesworth), Davis (Atherstone), Freer (Atherstone), Lewis (Kingsbury), Morson (Dordon), M Moss (Kingsbury), Pickard (Atherstone) and Y

Stanley (Polesworth) are deemed to be declared at this meeting.

- 4 **Minutes of the meeting of the Committee held on 23 November 2011** – copy herewith to be approved as a correct record and signed by the Chairman.

**PART A
ITEMS FOR DISCUSSION AND DECISION
(WHITE PAPER)**

- 5 **Service Plan for the Licensing Section** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

The purpose of this report is to seek the Committee's approval to the 2012/13 Service Plan for the Licensing Section.

The Contact Officer for this report is Stephen Whiles (719326).

- 6 **General Fund Fees and Charges 2012/2013** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

The report covers the fees and charges for 2011/12 and the proposed fees and charges for 2012/13.

The Contact Officer for this report is Nigel Lane (719371).

- 7 **General Fund Revenue Estimates 2012/13** - Report of the Deputy Chief Executive

Summary

This report covers the revised budget for 2011/12 and an estimate of expenditure for 2012/13, together with forward commitments for 2013/14, 2014/15 and 2015/2016.

The Contact Officer for this report is Nigel Lane (719371).

- 8 **Local Government (Miscellaneous Provisions) Act 1976 – Increase In Fees For Hackney Carriage And Private Hire Vehicles** - Report of the Assistant Chief Executive and Solicitor to the Council

Summary

The report asks the Committee to consider increases in the fees charged by the Council for the issue of Hackney Carriage and Private Hire Vehicle licences and Private Hire Operator licences for the next three financial years.

The Contact Officer for this report is Stephen Whiles (719326).

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE LICENSING COMMITTEE

23 November 2011

Present: Councillor Payne in the Chair

Councillors Davis, Lewis, M Moss, Pickard, Sherratt, Watkins and Wykes

Apologies for absence were received from Councillors Butcher, Freer, Humphreys, A Stanley, Y Stanley and Sweet.

6 **Declarations of Personal or Prejudicial Interests**

Any personal interests arising from the membership of the various Town or Parish Councils of Councillors Davis (Atherstone), Lewis (Kingsbury), Morson (Dordon), M Moss (Kingsbury) and Pickard (Atherstone) were deemed to be declared at this meeting.

7 **Minutes**

The minutes of the meeting of the Committee held on 6 June 2011, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

8 **Budgetary Control Report 2011/2012 Period Ended 31 October 2011**

The Assistant Director (Finance and Human Resources) reported on the revenue expenditure and income for the period from 1 April 2011 to 31 October 2011. The 2011/12 budget and the actual position for the period, compared with the estimate at that date were detailed, together with an estimate of the out-turn position for services reporting to the Board.

Resolved:

That the report be noted.

9 **Police Reform and Social Responsibility Act 2011**

The Assistant Chief Executive and Solicitor to the Council reported on the considerable amendments being made to the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2011. Members were informed of the implications for the Council.

Resolved:

a That the changes to the Licensing Act 2003 be noted; and

- b That further reports be brought before the Committee as and when the various provisions requiring a decision from the Committee are implemented; and**

Recommended to the Executive Board

- c That the Constitution of the Council be changed to reflect the delegated powers detailed in paragraphs 3.3 and 3.6 of the report.**

10 Licensing Act 2003 – Consultation on Proposals to Deregulate Schedule One

The Assistant Chief Executive and Solicitor to the Council reported on the Government's proposal to deregulate Schedule One of the Licensing Act 2003. The Committee was informed of the main implications and invited to respond to the consultation.

Resolved:

- a That the consultation paper be noted;**
- b That the views set out in the report of the Assistant Chief Executive and Solicitor to the Council be forwarded to the Department For Culture, Media and Sport;**
- c That the Assistant Chief Executive and Solicitor to the Council be asked to respond to the consultation setting out the issues raised in his report and the Council's concern in respect of the proposals to deregulate Schedule One; and**
- d That the two Members of Parliament be informed of the Council's concern in respect of the proposals to deregulate Schedule One.**

11 Licensing Act 2003 – Consultation on Relaxation of Licensing Hours for the Queen's Diamond Jubilee

The Assistant Chief Executive and Solicitor to the Council sought views on the proposals to make a licensing hours order under section 172 of the Licensing Act 2003 to mark the occasion of the Queen's Diamond Jubilee in June 2012.

Resolved:

That the consultation on proposals to relax licensing hours for the Queen's Diamond Jubilee be noted.

12 Local Government (Miscellaneous Provisions) Act 1982 Street Trading Consent Policy

The Committee was asked to consider the adoption of a policy in respect of granting street trading consents

Recommended:

That the policy relating to the granting of street trading consent (Appendix A) be adopted as Council policy.

Chairman

Agenda Item No 5

Licensing Committee

30 January 2012

**Report of the
Assistant Chief Executive and Solicitor to
the Council**

**Service Plan for the Licensing
Section**

1 Summary

- 1.1 The purpose of this report is to seek the Committee's approval to the 2012/13 Service Plan for the Licensing Section.

Recommendation to the Committee

**That the Service Plan as set out in the Appendix to the report
be agreed.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Councillors with responsibility for the relevant areas have been involved in discussions relating to issues contained within the Appendix.

3 Report

- 3.1 Corporate Plan Key Actions and Divisional Service Plans are normally agreed in the January/February cycle of meetings and adopted by Full Council in February at the same time as the Budget.

... 3.3 The Service Plan for the Licensing Section is set out in the Appendix to this report.

- 3.3 Where there are any budget implications for another Board/Committee arising out of this work programme, those implications will be drawn to the attention of the relevant Board/Committee in the Budget report going to this cycle of meetings. Similarly, any budgetary implications for this Committee from Divisional Plans being reported to other Boards/Committees are dealt with in the Budget Report also on this agenda.

- 3.4 Once the Corporate Plan Key Actions and Divisional Service Plans have been agreed, they will be subject to the usual reporting procedures for monitoring performance as for last year, ie:-

- Monthly reports are considered by Management Team;

- A traffic light warning indicator is used:-
 - Red – target not likely to be achieved.
 - Amber – target currently behind schedule and requires remedial action in order to be achieved.
 - Green – target currently on schedule to be achieved;
- Progress reports to each Board/Committee meeting, and
- Scrutiny Board to monitor the performance of indicators and targets where the traffic light is amber and red.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 Where possible, key actions and indicators for 2012-13 will be achieved from within existing Committee resources. Details of any additional funding will be in appropriate cases, the subject of reports to the Committee.

4.2 Human Resources Implications

4.2.1 Any Human Resources implications resulting from proposals will be the subject of further reports to the Committee.

4.3 Risk Management Implications

4.3.1 The main risk is ensuring that the Council prioritises its resources to enable it to deliver its priorities. The performance monitoring arrangements set out above provide the mechanism to ensure that remedial action can be taken to review progress and ensure that priority outcomes are delivered.

4.4 Links to Council's Priorities

4.4.1 These are set out in the Appendix.

The Contact Officer for this report is Stephen Whiles (719326).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

LICENSING SERVICE PLAN 2012/13

During 2011 a systems thinking review was carried out into the licensing function. This identified a number of areas where improvements in efficiency could be made, introduced comprehensive written procedures making the process simpler for staff, improving the IT database and speeding up the process for applicants in some cases.

A review was brought against one premises under the Licensing Act 2003 on the grounds of noise. The panel removed entertainment from the premises licence. This action has resulted in a reduction in crime and disorder and public nuisance in the Borough and a resulting improvement of the quality of life for local residents. A further review on the grounds of noise and a prosecution for breach of licensing conditions are currently under way.

2012 should see the introduction of the provisions of the Police Reform and Social Responsibility Act 2011. This will have major implications for the Council as detailed in the report to Committee on 23 November 2011. The results of the Governments consultation into the deregulation of regulated entertainment, also reported to the same meeting, will also become known and could alter profoundly the current controls the Council is able to exercise in order to control noise from licensed premises.

Routine checks continued to be made by the Licensing Enforcement Officer visiting licensed premises. A number of visits were made in the evenings jointly with the Police and in some cases Trading Standards carrying out test purchases by under age children. Most premises showed a good level of compliance but some under age sales occurred and the offenders were dealt with accordingly. These premises will be visited again this year.

Regular checks were also carried out on all hackney carriages and private hire vehicles in the Borough as well as street traders.

During 2011, the Committee agreed to the adoption of a policy in respect of street trading consents and a policy in respect of the licensing of sexual entertainment venues.

SERVICE PLAN 2012/13

Smoke Free Legislation

1. No programmed inspections to be carried out. Routine checks to be carried out by all members of Environmental Health's Commercial Team when visiting Commercial Premises in connection with other core functions such as food safety, Licensing Act etc.
2. All complaints from members of the public or employees to be investigated as appropriate by the Licensing Enforcement Officer and enforcement action taken in accordance with the Licensing Enforcement Policy after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another Officer from the Environmental Health Division. Around ten complaints are anticipated.

Hackney Carriages/Private Hire Vehicles

3. All applications/renewals to be dealt with by the Licensing Administrator.
4. Each vehicle is to be MoT tested every six months. Notification of due tests to be the responsibility of the Licensing Enforcement Officer.
5. Each vehicle is to receive an unannounced inspection by the Licensing Enforcement Officer twice per annum (approximately 100 vehicles = 200 visits).
6. All complaints about hackney carriages/private hire vehicles to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another Officer from the Environmental health Division. Less than five complaints are anticipated.

Street Traders Licenses

7. All applications to be dealt with by the Licensing Enforcement Officer and Licensing Administrator with reference to the Council's street trading consent policy.
8. All licence holders to be inspected twice per annum by the Licensing Enforcement Officer.(five licenses = ten visits).

9. All complaints about illegal street trading to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another officer from the Environmental Health Division. Around ten complaints are anticipated.

Licensing Act 2003

10. All applications, variations and reviews are to be dealt with by the Licensing Enforcement Officer and Licensing Administrator in consultation as required with the Environmental Health Manager and Solicitor to the Council.
11. Visits to licensed premises will be made by the Licensing Enforcement Officer with follow up visits and enforcement action as required, after consultation with the Environmental Health Manager. Visits by the Licensing Enforcement Officer are to be focussed on 'high risk' premises where evidence or intelligence suggest there may be problems and also upon change of ownership or Designated Premises Supervisor and to new premises. Where appropriate joint visits will be made with the Police, Trading Standards, Fire officer or other responsible body. Lower risk premises may be visited by other Officers (eg Food Safety Officers) acting as 'eyes and ears' whilst performing their normal duties.
12. All complaints about licensed premises to be investigated by the Licensing Enforcement Officer and where appropriate, enforcement action to be taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another Officer from the Environmental Health Division.
13. All temporary event notices are to be dealt with by the Licensing Administrator. Around 150 temporary event notices are anticipated.
14. A multi agency meeting will be arranged every quarter by the Environmental Health Manager to discuss issues around licensed premises in the Borough and agree a co-ordinated response to any issues identified.

Gambling Act 2005

15. All new applications to be dealt with by the Licensing Enforcement Officer and Licensing Administrator.
16. All complaints about Gambling Act activities to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be carried out with another Officer from the Environmental Health Division.

Street Collections, Small Society Lotteries & House to House Collections

17. All applications to be dealt with by the Licensing Administrator.(Approximately 30 street collections, 50 house to house collections and 85 small society lotteries).
18. All complaints about illegal street collections etc to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside of normal office hours a joint inspection will be made with another Officer from the Environmental Health Division.

Agenda Item No 6

Licensing Committee

30 January 2012

**Report of the
Assistant Chief Executive and Solicitor to
the Council**

**General Fund Fees and Charges
2012/2013**

1 Summary

- 1.1 The report covers the fees and charges for 2011/12 and the proposed fees and charges for 2012/13.

Recommendation to the Board

That the schedule of fees and charges for 2012/13, set out in the report be accepted.

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 None.

3 Report

3.1 Introduction

- 3.2 At its meeting in September, the Executive Board agreed the budget strategy for 2012/16, which included an allowance for price increases of 2% equating to £2,510 additional income. This increase was assumed for all licences.

- ... 3.3 Attached for the Board's consideration at Appendix A are details of present and proposed fees and charges for the financial year 2012/13.

- 3.4 The amounts shown have been included in the revenue estimates for 2012/13. Prices have increased by 2% on Hackney Carriages and Private Hire Vehicles, Licensing and Registration, although consideration has been given to the pricing structure of other organisations. No increases have been applied to the Licensing and Gambling Authority fees, as these charges are statutory and so not set by ourselves.

4. Report Implications

4.1 Finance and Value for Money Implications

4.1.1 The pricing structure contained in this report is expected to generate additional income of £1,100. This figure is lower than the budget strategy as no increases have been applied to the Licensing and Gambling Authority fees, as these charges are statutory and so not set by ourselves. In addition to the income generated through price increases there is an additional £1,450 due to the change in the licensing customer base. This will contribute to the achievement of income targets, which are contained within the Deputy Chief Executives report on the General Fund estimates 2012/13, presented elsewhere within the agenda for this meeting. A 1% change in income generated by services reporting to this Board would result in an increase or decrease in income of £550.

4.2 Risk Management

4.2.1 Changes to fees and charges may impact on the level of demand. However, this has been considered in proposing the revised charges.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2012

	2011/12 CHARGE £	2012/13 CHARGE £	VAT RATING
ANIMAL BOARDING ESTABLISHMENT LICENCE	149.70	152.70	Outside Scope
PET SHOP LICENCE			
Up to 25m ²	113.70	116.00	Outside Scope
Up to 50m ²	149.70	152.70	"
Up to 100m ²	185.70	189.40	"
Over 100m ²	215.60	219.90	"
RIDING ESTABLISHMENT LICENCE	143.80	146.70	Outside Scope
DANGEROUS ANIMAL LICENCE	335.20	341.90	Outside Scope
DOG BREEDING LICENCE	203.65	207.70	Outside Scope
ACUPUNCTURE, TATTOOING, EAR PIERCING & ELECTROLYSIS LICENCE	137.80	140.60	Outside Scope
STREET TRADING LICENCE-Food Sales	1352.70	1379.80	Outside Scope
STREET TRADING LICENCE-Non Food Sales	669.60	683.00	"
FOOD EXPORT CERTIFICATE	58.10	59.30	Outside Scope
SEX ESTABLISHMENT LICENCE	2258.30	2303.50	Outside Scope
Transfer or variation	500.00	510.00	"
HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES			
Private hire operator's licence	115.15	117.50	Outside Scope
Vehicle licence	255.85	261.00	"
Drivers licence (Includes badge)	117.10	119.40	"
Vehicle licence transfer new vehicle	88.00	89.80	"
Vehicle licence transfer new owner	34.20	34.90	"
Replacement of driver's badge	22.80	23.30	"
Replacement of lost documents	22.80	23.30	"
Vehicle plate	32.05	32.70	"
Medical fee full (including Occupational Health fee)	103.80	105.90	"
Medical fee review (including Occupational Health fee)	103.80	105.90	"
Please note the Occupational Health fee is subject to change			
MoT retest fee	40.90	41.70	"
Fixed smoking penalty	30.90	31.50	"
Standard Criminal Records Bureau check (£26.80 plus £15.00 admin. charge)	41.50	41.80	"
Enhanced Criminal Records Bureau check (£44.00 plus £15.00 admin. charge)	58.70	59.00	"
Please note that the CRB fee is subject to change			

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2012

FEES FOR LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003
PLEASE NOTE THAT THE CHARGES BELOW ARE SUBJECT TO CHANGE

SCHEDULE 1
(regulation 3)
RATEABLE VALUES AND BANDS
The breakdown of premises by NDR rateable value on which all premises based fees are calculated

Rateable Value	Band
No rateable value to £4,300	A
£4,300 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

SCHEDULE 2
(regulation 4(2), (3) and 6(1))
APPLICATION FEE REQUIRED FOR
PREMISES LICENCES AND CLUB PREMISES CERTIFICATES

Band	Fee	Multiplied fee if primarily selling alcohol	Variation
	£	£	£
A	100.00	N/A	20.00
B	190.00	N/A	60.00
C	315.00	N/A	80.00
D	450.00	900.00	100.00
E	635.00	1,905.00	120.00

SCHEDULE 3
regulation 4(4)
ADDITIONAL FEE

Number	Additional Fee
	£
5,000 to 9,999	1,000.00
10,000 to 14,999	2,000.00
15,000 to 19,999	4,000.00
20,000 to 29,999	8,000.00
30,000 to 39,999	16,000.00
40,000 to 49,999	24,000.00
50,000 to 59,999	32,000.00
60,000 to 69,999	40,000.00
70,000 to 79,999	48,000.00
80,000 to 89,999	56,000.00
90,000 and over	64,000.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2012

FEES FOR LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003
PLEASE NOTE THAT THE CHARGES BELOW ARE SUBJECT TO CHANGE

SCHEDULE 5
(regulation 5, 7)
ANNUAL FEE
PART 1

Required by each premises licence/club certificate annually after November 2006
There are exceptions

Band	Fee	Multiplied fee if primarily selling alcohol	Variation
	£	£	£
A	70.00	N/A	20.00
B	180.00	N/A	60.00
C	295.00	N/A	80.00
D	320.00	640.00	100.00
E	350.00	1,050.00	120.00

PART 2 (see comment on schedule5)

Number	Additional Fee
	£
5,000 to 9,999	500.00
10,000 to 14,999	1,000.00
15,000 to 19,999	2,000.00
20,000 to 29,999	4,000.00
30,000 to 39,999	8,000.00
40,000 to 49,999	12,000.00
50,000 to 59,999	16,000.00
60,000 to 69,999	20,000.00
70,000 to 79,999	24,000.00
80,000 to 89,999	28,000.00
90,000 and over	32,000.00

SCHEDULE 6 (Regulation 8)
PRESCRIBED FEES FOR PERMITTED TEMPORARY ACTIVITIES,
PERSONAL LICENCES AND MISCELLANEOUS

Application or notice	Fee
	£
section 25 (theft, loss, etc. of premises licence or summary)	10.50
section 29 (application for a provisional statement where premises being built, etc.)	315.00
section 33 (notification of change of name or address)	10.50
section 37 (application to vary licence to specify individual as premises supervisor)	23.00
section 42 (application for transfer of premises licence)	23.00
section 47 (interim authority notice following death etc. of licence holder)	23.00
section 79 (theft, loss etc. of certificate or summary)	10.50
section 82 (notification of change of name or alteration of rules of club)	10.50
section 83(1) or (2) (change of relevant registered address of club)	10.50
section 100 (temporary event notice)	21.00
section 110 (theft, loss etc. of temporary event notice)	10.50
section 117 (application for a grant or renewal of personal licence)	37.00
section 126 (theft, loss etc. of personal licence)	10.50
section 127 (duty to notify change of name or address)	10.50
section 178 (right of freeholder etc. to be notified of licensing matters)	21.00
Minor Variations	89.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2012

Premises Type	Conversion	Conversion	Non-Conversion	Non-Conversion	Annual Fee	Variation	Transfer of	Reinstatement	Provisional	Change of	Copy of
	Fast-Track Application £	Non- Fast Track Application £	Application Provisional statement premises £	Application Other premises (i.e. new) £	£	£	Licence £	Fee £	Statement £	Circumstances £	Licence £
Regional Casino	0	0	6,400	12,000	12,000	6,000	5,200	5,200	12,000	50	25
New Large Casino	0	0	4,000	8,000	8,000	4,000	1,720	1,720	8,000	50	25
New Small Casino	0	0	2,400	6,400	4,000	3,200	1,440	1,440	6,400	50	25
Existing Casinos	240	1,600	0	4,000	2,400	1,600	1,080	1,080	0	50	25
Bingo Premises	240	1,400	960	2,800	800	1,400	960	960	2,800	50	25
Adult Gaming Centre	240	800	960	1,600	800	800	960	960	1,600	50	25
Betting Premises Tracks	240	1,000	760	2,000	800	1,000	760	760	2,000	50	25
Family Entertainment Centres	240	800	760	1,600	600	800	760	760	1,600	50	25
Betting Premises (other)	240	1,200	960	2,400	480	1,200	960	960	2,400	50	25

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2012

FEES UNDER THE GAMBLING ACT 2005

	TOTAL CHARGE £
LICENSED PREMISES GAMING MACHINE PERMIT	
Occasion on which fee may be payable	
Grant	150.00
Existing operator Grant	100.00
Variation	100.00
Transfer	25.00
Annual Fee	50.00
Change of name	25.00
Copy of Permit	15.00
LICENSED PREMISES AUTOMATIC NOTIFICATION PROCESS	
Occasion on which fee may be payable	
On notification	50.00
CLUB GAMING PERMITS	
Occasion on which fee may be payable	
Grant	200.00
Grant (Club Premises Certificate holder)	100.00
Existing operator Grant	100.00
Variation	100.00
Renewal	200.00
Renewal (Club Premises Certificate holder)	100.00
Annual Fee	50.00
Copy of Permit	15.00
CLUB MACHINE PERMITS	
Occasion on which fee may be payable	
Grant	200.00
Grant (Club Premises Certificate holder)	100.00
Existing operator Grant	100.00
Variation	100.00
Renewal	200.00
Renewal (Club Premises Certificate holder)	100.00
Annual Fee	50.00
Copy of Permit	15.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2012

FEES UNDER THE GAMBLING ACT 2005

	TOTAL CHARGE £
FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS	
Occasion on which fee may be payable	
Grant	300.00
Renewal	300.00
Existing operator Grant	100.00
Change of name	25.00
Copy of Permit	15.00
PRIZE GAMING PERMITS	
Occasion on which fee may be payable	
Grant	300.00
Renewal	300.00
Existing operator Grant	100.00
Change of name	25.00
Copy of Permit	15.00
SMALL LOTTERY REGISTRATION	
Occasion on which fee may be payable	
Grant	40.00
Annual Fee	20.00

Agenda Item No 7

Licensing Committee

30 January 2012

Report of the
Deputy Chief Executive

General Fund Revenue Estimates
2012/13

1 Summary

- 1.1 This report covers the revised budget for 2011/12 and an estimate of expenditure for 2012/13, together with forward commitments for 2013/14, 2014/15 and 2015/2016.

Recommendation to the Committee

- a To accept the revised budget for 2011/12; and**
- b To accept or otherwise vary the Estimates of Expenditure for 2012/13, as submitted, for them to be included in the budget to be brought before the meeting of the Executive Board on 6 February 2012.**

2 Introduction

- 2.1. In consultation with other Assistant Directors, the Assistant Director (Finance and Human Resources) has prepared an estimate of net expenditure for 2012/13 and this, together with a revised budget for 2011/12, appears in Appendices A and B. To provide a more complete picture of the spending pattern of the service, the actual figures for 2010/11 are shown.

- 2.2 At its meeting in September, the Executive Board agreed the budget strategy for 2012/16 which required savings of £1.7 million over a four year period. This required budget savings of £563,000 in 2012/13 with additional savings of £420,000, £410,000 and £300,000 in 2013/14, 2014/15 and 2015/16 respectively. No provision for growth was built into the strategy.

- 2.3 Assistant Directors were asked to identify areas where savings could be made, either by a reduction in expenditure or through the generation of additional income. These have now been incorporated into the estimates being considered and are shown in Appendix D.

- 2.4 Board requirements have been prepared, taking into account the following assumptions:

- No increase in the level of service except where Council approval has already been given

- A zero pay award for 2012/13, with an increase of 2% for 2013/14 through to 2015/16
- Increases in the Council's pension contribution rate of 1% per annum.
- A general provision for inflation of 0% in 2012/13 although where contractual obligations require a price increase in line with inflation, these have been provided. A general inflationary increase of 2% has only been given in alternate years, in order to encourage efficiencies in procurement.

2.5 An increase in income has been allowed to reflect the increases included in the fees and charges report elsewhere on this agenda.

2.6 A subjective analysis of the Board's requirement is shown below:

	Approved Budget 2011/12 £	Revised Budget 2011/12 £	Original Budget 2012/13 £
Employee Costs	48,610	25,220	25,340
Supplies and Services	6,570	6,410	6,450
Transport	2,850	4,440	4,530
Gross Expenditure	58,030	36,070	36,320
Income	(125,150)	(129,790)	(132,380)
Net Controllable Expenditure	(67,120)	(93,720)	(96,060)
Departmental Support	47,270	41,790	41,460
Central Support	47,860	54,880	54,660
Net Expenditure	28,010	2,950	60

3 Comments on the 2011/12 Revised Budget

3.1 The revised budget for 2011/12 is estimated to be £2,950; a decrease of £25,060 on the approved provision. The main reasons for variations are set out below.

3.2 **Employee costs** have decreased principally to reflect a reduction in time spent by the Principal Environmental Officer on licences and registration.

(£23,390)

3.3 **Transport** costs have increased due to an increase in the number of M.O.Ts being conducted.

£1,590

3.4 **Income** has increased as a result of more licence renewals on premises, and an increase in the number of gambling licenses. There is also a small decline in income from Hackney Carriages licenses.

(£4,640)

3.5 **Departmental and Central Support** charges have increased overall by £1,540. The reason for the decrease in departmental support relates to commercial enforcement and licensing changes in allocations. The increase in central support relates to central services change in allocations.

£1,540

4 **Comments on the 2012/13 Estimates**

4.1 The total estimated net expenditure for 2012/13 is £60; a decrease of £27,950 on the 2011/12 approved budget and a decrease of £2,890 on the revised 2011/12 budget.

4.2 Income has increased by £2,590 to reflect an inflationary increase in fees and charges.

(£2,590)

5 **Growth Items**

5.1 A provision for growth was not included in the Council's Budget Strategy, approved in September 2011 by the Executive Board. There are no growth items relating to the services covered by this committee.

6 **Income**

6.1 Changes in the levels of fees and charges for services under the responsibility of this Committee are covered in another report on tonight's agenda. Income on fees and charges is expected to contribute to the achievement of income targets.

7 **Risks to Services**

7.1 The key risk to the budgetary position of the Council from services under the control of this Committee is:

- Fee income – The levels of some licences, especially those related to alcohol licensing, street trading, pet shops and other commercial enterprises are at risk from a continuing and prolonged downturn in the economy.

... A risk analysis of the likelihood and impact of this risk is shown in Appendix C.

8 **Future Year Forecasts**

8.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the three years following 2012/13. The table below provides a subjective summary for those services reporting to this Committee:

	Forecast	Forecast	Forecast
--	-----------------	-----------------	-----------------

	Budget 2013/14 £	Budget 2014/15 £	Budget 2015/16 £
Employee Costs	25,740	26,160	26,600
Supplies and Services	6,580	6,610	6,740
Transport	4,620	4,710	4,800
Gross Expenditure	36,940	37,480	38,140
Income	(135,030)	(137,740)	(140,490)
Net Controllable Expenditure	(98,090)	(100,260)	(102,350)
Departmental Support	42,530	43,650	44,730
Central Support	56,150	57,500	58,760
Net Expenditure	590	890	1,140

The forecasts given above have used a number of assumptions, which include pay awards of 2% each year, increases in contracts of 2% each year, increases in supplies and services of 2% in 2013/14 and 2% in 2015/16.

- 8.2 These forecasts are built up using current corporate and service plans. Where additional resources have already been approved, these are also included. However these forecasts will be amended to reflect any amendments to the estimates, including decisions taken on any further corporate or service targets.

9 Report Implications

9.1 Finance and Value for Money Implications

- 9.1.1 As detailed in the body of the report.

9.2 Environment and Sustainability Implications

- 9.2.1 Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of essential services.

9.3 Risk Management Implications

- 9.3.1 There are a number of risks associated with setting a budget, as assumptions are made on levels of inflation and demand for services. To minimise the risks, decisions on these have been taken using past experience and knowledge, informed by current forecasts and trends. However, the risk will be managed through the production of regular budgetary control reports, assessing the impact of any variances and the need for any further action.

The Contact Officer for this report is Nigel Lane (719371).

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE SUMMARY
SUMMARY OF GENERAL FUND REVENUE ESTIMATES

Code	Description	Actual 2010/2011 £	Approved Budget 2011/2012 £	Revised Budget 2011/2012 £	Original Budget 2012/2013 £
4000	Licensing Authority	(47,964)	(43,520)	(49,390)	(50,670)
4001	Licences and Registration	13,282	13,190	(9,680)	(9,930)
4008	Hackney Carriages	(21,850)	(27,370)	(22,500)	(23,070)
4019	Gambling Act Authority	(13,355)	(9,420)	(12,150)	(12,390)
	Net Controllable Expenditure	(69,887)	(67,120)	(93,720)	(96,060)
	Departmental Support	50,030	47,270	41,790	41,460
	Central Support	50,048	47,860	54,880	54,660
	Licensing Committee Total	30,191	28,010	2,950	60

4000 - LICENSING AUTHORITY

Following changes to legislation, the Council took on the role of Licensing Authority for the Borough during 2004/05. It is required to process and issue licences to premises and individuals to allow the sale of alcohol and for certain events that occur within the Borough.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2010/2011	BUDGET 2011/2012	BUDGET 2011/2012	BUDGET 2012/2013
Employee Expenditure	10,451	12,460	12,290	12,260
Supplies and Services	457	1,110	910	910
Earmarked Reserves	(700)	-	-	-
GROSS EXPENDITURE	10,208	13,570	13,200	13,170
GROSS INCOME	(58,172)	(57,090)	(62,590)	(63,840)
NET CONTROLLABLE EXPENDITURE	(47,964)	(43,520)	(49,390)	(50,670)
Departmental Support	35,544	33,630	33,740	33,480
Central Support	14,816	14,180	18,580	18,580
NET EXPENDITURE	2,396	4,290	2,930	1,390

Contributes to corporate priority :

- Protecting and improving our local environment

KEY PERFORMANCE INDICATORS

Number of licences	454	455	457	455
Gross cost per licence	£133.41	£134.90	£143.37	£143.36
Net cost per licence	£5.28	£9.43	£6.41	£3.05

4001 - LICENCES AND REGISTRATION

The issuing of licences that enable applicants to undertake a range of activities including the operation of animal boarding facilities, pet shops and street trading.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2010/2011	BUDGET 2011/2012	BUDGET 2011/2012	BUDGET 2012/2013
Employee Expenditure	22,583	23,830	920	920
Supplies and Services	2,783	1,820	1,860	1,860
GROSS EXPENDITURE	25,366	25,650	2,780	2,780
GROSS INCOME	(12,084)	(12,460)	(12,460)	(12,710)
NET CONTROLLABLE EXPENDITURE	13,282	13,190	(9,680)	(9,930)
Departmental Support	11,098	10,250	4,650	4,650
Central Support	9,029	9,070	9,720	9,740
NET EXPENDITURE	33,409	32,510	4,690	4,460

Contributes to corporate priority :

- Protecting and improving our local environment

KEY PERFORMANCE INDICATORS

Number of licences	54	45	46	45
Gross cost per licence	£842.46	£999.33	£372.83	£381.56
Net cost per licence	£618.69	£722.44	£101.96	£99.11

4008 - HACKNEY CARRIAGES

The licensing and enforcement of taxis, private hire vehicles, drivers and operators, within the Borough.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2010/2011	BUDGET 2011/2012	BUDGET 2011/2012	BUDGET 2012/2013
Employee Expenditure	12,529	12,320	12,010	12,160
Supplies and Services	4,335	3,640	3,640	3,680
Transport Related Expenditure	3,658	2,850	4,440	4,530
GROSS EXPENDITURE	20,522	18,810	20,090	20,370
GROSS INCOME	(42,372)	(46,180)	(42,590)	(43,440)
NET CONTROLLABLE EXPENDITURE	(21,850)	(27,370)	(22,500)	(23,070)
Departmental Support	1,129	1,130	1,130	1,110
Central Support	22,550	21,040	22,270	22,080
NET EXPENDITURE	1,829	(5,200)	900	120

Contributes to corporate priority :

- Protecting and improving our local environment

KEY PERFORMANCE INDICATORS

Number of vehicles licences	106	104	104	104
Number of operators licences	16	13	13	13
Number of drivers licences	127	126	126	126
Gross cost per licence	£177.51	£168.64	£178.97	£179.26
Net cost per licence	£7.35	-£21.40	£3.70	£0.49

4019 - GAMBLING ACT AUTHORITY

As the Licensing Authority, the council is responsible for issuing premises, betting office and race track, bingo club, adult gaming centre, and family entertainment centre licences in the Borough. It will also issue permits for gaming machines in members' clubs and licensed premises, prize gaming and unlicensed family entertainment centres within the Borough.

DESCRIPTION	ACTUALS	APPROVED	REVISED	ORIGINAL
	2010/2011	BUDGET 2011/2012	BUDGET 2011/2012	BUDGET 2012/2013
GROSS INCOME	(13,355)	(9,420)	(12,150)	(12,390)
NET CONTROLLABLE EXPENDITURE	(13,355)	(9,420)	(12,150)	(12,390)
Departmental Support	2,259	2,260	2,270	2,220
Central Support	3,653	3,570	4,310	4,260
NET EXPENDITURE	(7,443)	(3,590)	(5,570)	(5,910)

Contributes to corporate priority :

- Protecting and improving our local environment

KEY PERFORMANCE INDICATORS

Number of Gambling licences	64	55	55	55
Gross cost per licence	£92.38	£106.00	£119.64	£117.82
Net cost per licence	-£116.30	-£65.27	-£101.27	-£107.45

Risk Analysis

	Likelihood	Potential impact on Budget
Levels of licence fee income from commercial activities declining during economic downturn	Low	Low

Savings included

Description	2012/13
Additional Licensing and Gambling Income	£8,590
Overall Total	£8,590

Agenda Item No 8

Licensing Committee

30 January 2012

**Report of the
Assistant Chief Executive and Solicitor to
The Council**

**Local Government (Miscellaneous
Provisions) Act 1976 – Increase In
Fees For Hackney Carriage And
Private Hire Vehicles**

1 Summary

- 1.1 The report asks the Committee to consider increases in the fees charged by the Council for the issue of Hackney Carriage and Private Hire Vehicle licences and Private Hire Operator licences for the next three financial years.

Recommendation to Council

The proposed increase in charges set out in the report in respect of licensing of Hackney Carriages, Private Hire Vehicles and Private Hire Operators be agreed.

2 Consultation

- 2.1 The Chairman and Deputy Chairman of the Licensing Committee have been consulted.

3 Report

- 3.1 Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to charge such fees for the grant of vehicle and operator licences such as may be sufficient to cover the costs of the service.
- 3.2 It is normal and necessary for fees charged by the Council to rise each year in line with inflation. However Section 70 requires the Council to advertise in a local newspaper drawing attention to the proposed increase.
- 3.3 A 2% increase in fees, as proposed for the coming year would raise around £850. The problem that arises is that the required advertisement would cost approximately half of that amount.
- 3.4 It is therefore proposed that a scale of increases be agreed for the next three financial years which can then be dealt with in one advertisement making a considerable saving on advertising costs and also offering a period of certainty for the trade allowing them to budget with confidence. At the end of

this period the position can be reviewed and any adjustments necessary to reflect actual inflation can be incorporated into the next round of increases. An annual increase of 2% would produce the following fees:

	Current Fee	2012/13	2013/14	2014/15
Hackney Carriage	£255.85	£261.00	£266.20	£271.50
Private Hire Vehicle	£255.85	£261.00	£266.20	£271.50
Private Hire Operator	£115.15	£117.50	£119.90	£122.30

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 The recommendations of this report will achieve the level of income projected within the Estimates Report elsewhere on the agenda and reduce expenditure on advertising.

4.2 Safer Communities Implications

4.2.1 The licensing of taxis and private hire vehicles provides a valuable safeguard for residents and visitors.

4.3 Legal and Human Rights Implications

4.3.1 There are no known adverse implications. The Council is required by law to advertise these increases and a number of Local Authorities have recently had to pay considerable amounts in compensation for failing to do so over a period of years.

4.4 Environment and Sustainability Implications

4.4.1 There are no adverse environmental implications in the report.

4.5 Human Resources Implications

4.5.1 There are no human resource implications.

4.6 Risk Management Implications

4.6.1 There are no risk implications providing the requirements of section 70 are followed.

4.7 Equalities Implications

4.7.1 There are no negative impacts of opportunity for any known group.

4.7.2 Applications will be considered in accordance with legislative requirements and Council policy and each case will be judged on its merits. Therefore there are no equality impact issues in respect to the issuing of licences.

The Contact Officer for this report is Stephen Whiles (719326).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date