

**To: The Members of the Licensing Committee
(Councillors Bowden, Butcher, Davis,
Forwood, Fox, Gordon, Lewis, Morson, Payne,
Pickard, Sherratt, Smitten, M Stanley, Welby
and Wykes)**

For the information of other Members of the Council

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

LICENSING COMMITTEE AGENDA

1 FEBRUARY 2010

The Licensing Committee will meet in the Council Chamber, Council House, South Street, Atherstone on Monday 1 February 2010 at **4.00pm**.

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 Councillors Forwood and M Stanley, and membership of the various Town/Parish Councils of Councillors Butcher (Polesworth) Davis (Atherstone), Fox (Shustoke), Lewis (Kingsbury), Sherratt (Coleshill) M Stanley (Polesworth) Smitten (Polesworth) are deemed to be declared at this meeting.

- 4 **Minutes of the meeting of the Committee held on 2 February 2009** – 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 2010 - 11 Service Plan for the Licensing Section.

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

- 6 **General Fund Fees and Charges 2010/11** – Report of the Assistant Chief Executive and Solicitor to the Council

Summary

The report covers the fees and charges for 2009/10 and the proposed fees and charges for 2010/11.

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

- 7 **General Fund Revenue Estimates 2010/11** – Report of Director of Resources

Summary

This report covers the revised budget for 2009/10 and an estimate of expenditure for 2010/11, together with forward commitments for 2011/12 and 2012/13.

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

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE LICENSING COMMITTEE

2 February 2009

Present: Councillor Sherratt in the Chair

Councillors Bowden, Butcher, Davis, Forwood, Fox, Gordon, Lewis, Morson, Payne, Smitten, M Stanley, Welby and Wykes.

An apology for absence was received from Councillor.

1 **Declarations of Personal or Prejudicial Interests**

Any personal interests arising from the membership of Warwickshire County Council of Councillors Forwood and M Stanley and membership of the various Town or Parish Councils of Councillors Butcher (Polesworth), Davis (Atherstone), Fox (Shustoke), Lewis (Kingsbury), Sherratt (Coleshill), M Stanley (Polesworth) and Smitten (Polesworth) were deemed to be declared at this meeting.

2 **Minutes**

The minutes of the meeting of the Committee held on 4 February 2008, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

3 **General Fund Fees and Charges 2009/10**

The Board was asked to consider the fees and charges for 2008/09 and the proposed fees and charges for 2009/10.

Resolved:

That the schedule of fees and charges for 2009/10, as set out in the report of the Director of Resources, be accepted.

4 **General Fund Revenue Estimates 2009/10**

The Director of Resources reported on the revised budget 2008/09 and an estimate of expenditure for 2009/10, together with forward commitments for 2010/11 and 2011/12.

Resolved:

5 **Minor Changes to the Licensing Act 2003**

The Committee was informed of changes to the Licensing Act 2003 brought about by new orders and Members were asked to consider authorizing further delegations to officers.

Recommended

- a** That the new procedures be noted; and
- b** That delegation to determine minor applications and alternative conditions for community premises where there are no relevant representations be added to the powers to the existing named officers delegations.

G Sherratt
Chairman

Agenda Item No 5

Licensing Committee

1 February 2010

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 2010 -11 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 Discussions relating to issues contained within the Appendix have taken place at Portfolio Groups.

3 Report

- 3.1 Corporate Plan and Divisional Service Plans for 2009-10 were agreed in the January/February cycle of meetings last year and adopted by Full Council in February 2009 at the same time as the 2009-10 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 arising out of this work programme, those implications will be drawn to the attention of the relevant Board 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 are dealt with in the Budget Report also on this agenda.

- 3.4 Once the Corporate Plan and Divisional Service Plans have been agreed, the reporting procedures for monitoring performance will be 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, targets and indicators for 2010-11 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 Board.

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 WORK PROGRAMME 2010/11

The Licensing function has now settled down after the introduction of a lot of major legislation over a short period of time (Licensing Act, Gambling Act, Smokefree legislation). This has allowed time for a review of the work carried out by the team and the resources required.

One of the Licensing Enforcement Officers has recently left the employment of the Authority. This leaves one Licensing Enforcement Officer and one Licensing Administrator with input from the Environmental Health Manager. By reducing the amount of interventions with each licence holder it may be possible to function at this level of staffing and to that end the vacant post has been frozen for the time being. The decision has been based on an assessment of the outputs resulting from visits and aims to target resources more effectively. Additional resilience will be provided by the other members of the Environmental Health Division who are being trained in the basic knowledge required and will carry out routine checks on licence conditions when carrying out other visits to commercial premises such as food safety, health and safety and pollution control.

WORK PROGRAMME

Smoke Free Legislation

1. No programmed inspections to be carried out. Routine checks to be carried out by all members of the 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 EHM. 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 Administrator.
5. Each vehicle is to receive an unannounced inspection by the LEO twice per annum (approximately 100 vehicles = 200 visits)
6. All complaints about hackney carriages/private hire vehicles to be investigated by the LEO and appropriate enforcement action taken after consultation with the EHM. 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 LEO and Licensing Administrator

8. All licence holders to be inspected twice per annum by the LEO.(five licenses = ten visits)
9. All complaints about illegal street trading to be investigated by the LEO and appropriate enforcement action taken after consultation with the EHM. 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 LEO and Licensing Administrator in consultation as required with the EHM and Solicitor to the Council.
11. Each licensed premises to be inspected once per annum by the LEO with follow up visits and enforcement action as required, after consultation with the EHM. (Approximately 350 visits)
12. All complaints about licensed premises to be investigated by the LEO and appropriate enforcement action to be taken after consultation with the EHM. 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.
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 EHM 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 LEO and Licensing Administrator
16. All complaints about Gambling Act activities to be investigated by the LEO and appropriate enforcement action taken after consultation with the EHM. 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 LEO and appropriate enforcement action taken after consultation with the EHM. 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

1 February 2010

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

**General Fund Fees and Charges
2010/2011**

1 Summary

- 1.1 The report covers the fees and charges for 2009/10 and the proposed fees and charges for 2010/11.

Recommendation to the Board

- a That the preferred option for Hackney Carriage and Private Hire Vehicle price increase is agreed; and**
- b That the schedule of fees and charges for 2010/11, set out in the report be accepted.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Both Councillors' Bowden and Butcher have been consulted regarding this report. Any comments received will be reported verbally to the Board.

3 Introduction

- 3.1 At its meeting in September, the Executive Board agreed the budget strategy for 2010/13, which included an allowance for price increases of 1.5% equating to £1,650 additional income. This increase was assumed for all licences.

- 3.2 After representation from the Hackney Carriage and Private Hire Vehicle operators, regarding the price increases proposed in the estimates for 2009/10 presented to the Licensing Committee in February 2009, the former Assistant Chief Executive took the decision not to implement the fee increases that were proposed.

- 3.2 There are three options for consideration with regard to the 2010/11 fees for Hackney Carriages and Private Hire Vehicles.

- The first and preferred option would be to inflate the current fees by 1.5%, which would generate an additional £540 on current market trends (this has been used in the estimates included elsewhere in the agenda for this meeting).
- The second option would be to inflate the fees by 4% which includes the deferred 2009/10 inflation of 2.5% and the current inflation rate of 1.5%. This would generate an additional £1,420 on current market trends.

- The third option would be to retain the fees at the 2008/09 rates which would cost the authority £540.

In deciding which option to approve, Members may wish to take into account the fact that the service does not currently recover all of its costs.

... 3.4 Attached for the Board's consideration at Appendix A, are details of present and proposed fees and charges for the financial year 2010/11.

3.5 The amounts shown have been included in the revenue estimates for 2010/11. Prices have increased by 1.5% 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 £730. 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. This will contribute to the achievement of income targets, which are contained within the Director of Resources' report on the General Fund estimates 2010/11, 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 £490.

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
LICENCING COMMITTEE
PROPOSED FEES AND CHARGES FROM 1 APRIL 2010

	2009/10 CHARGE £	2010/11 CHARGE £	VAT RATING
LICENCES			
Animal Boarding Establishments	143.20	145.30	Outside Scope
Pet Shops			
Up to 25m ²	108.80	110.40	Outside Scope
Up to 50m ²	143.20	145.30	"
Up to 100m ²	177.60	180.30	"
Over 100m ²	206.20	209.30	"
Riding Establishments	137.50	139.60	Outside Scope
	Plus Vet's Costs		
Dangerous Wild Animals	320.60	325.40	Outside Scope
	Plus Vet's Costs		
Dog Breeding	194.80	197.70	Outside Scope

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENCING COMMITTEE
PROPOSED FEES AND CHARGES FROM 1 APRIL 2010

	2009/10 CHARGE £	2010/11 CHARGE £			VAT RATING	
ACUPUNCTURE, TATTOOING, EAR PIERCING & ELECTROLYSIS	131.80	133.80			Outside Scope	
STREET TRADING-Food Sales	1,293.90	1,313.30			Outside Scope	
STREET TRADING-Non Food Sales	640.50	650.10			"	
FOOD EXPORT CERTIFICATE	55.60	56.40			Outside Scope	
SEX ESTABLISHMENT	2,160.10	2,192.50			Outside Scope	
HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES			Option A (1.5% Increase)**	Option B (4% Increase)	Option C 0% increase	
Private Hire Operator's Licence	110.10	111.80	114.48	110.10	Outside Scope	
Vehicle Licence	225.00	228.40	233.98	225.00	"	
Drivers Licence (Includes Badge)	112.00	113.70	116.49	112.00	"	
Vehicle Licence Transfer New Vehicle	84.10	85.40	87.46	84.10	"	
Vehicle Licence Transfer New Owner	32.70	33.20	34.02	32.70	"	
Replacement of Drivers Badge	21.80	22.10	22.68	21.80	"	
Replacement of Lost Documents	21.80	22.10	22.68	21.80	"	
Vehicle Plate	30.60	31.10	31.86	30.60	"	
Medical Fee Full (including Occupational Health fee)	99.30	100.80	103.30	99.30	"	
Medical Fee Review (including Occupational Health fee)	99.30	100.80	103.30	99.30	"	
(Please note the Occ. Health fee is subject to change)						
MOT Retest Fee	39.10	39.70	39.70	39.70	"	
Criminal Records Bureau check (£36 plus £14.70 admin. charge)	50.70	50.90	50.90	50.90	"	
(Please note the CRB fee of £36 is subject to change)						

** The inflation increase used for option A has been used when calculating 2010/11 budget estimates

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
PROPOSED FEES AND CHARGES FROM 1 APRIL 2010

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 £4300	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	2009/2010 Fee	2010/2011 Fee
	£	£
A	100.00	100.00
B	190.00	190.00
C	315.00	315.00
D	450.00	450.00
E	635.00	635.00

SCHEDULE 3

regulation 4(4)

ADDITIONAL FEE

Number	Additional fee	
	2009/2010	2010/2011 Fee
	£	£
5,000 to 9,999	1,000.00	1,000.00
10,000 to 14,999	2,000.00	2,000.00
15,000 to 19,999	4,000.00	4,000.00
20,000 to 29,999	8,000.00	8,000.00
30,000 to 39,999	16,000.00	16,000.00
40,000 to 49,999	24,000.00	24,000.00
50,000 to 59,999	32,000.00	32,000.00
60,000 to 69,999	40,000.00	40,000.00
70,000 to 79,999	48,000.00	48,000.00
80,000 to 89,999	56,000.00	56,000.00
90,000 and over	64,000.00	64,000.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
PROPOSED FEES AND CHARGES FROM 1 APRIL 2010

Appendix A

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	2009/2010 Fee	2010/2011 Fee
	£	£
A	70.00	70.00
B	180.00	180.00
C	295.00	295.00
D	320.00	320.00
E	350.00	350.00

PART 2 (see comment on schedule5)

Number	Additional fee	
	2009/2010	2010/2011 Fee
	£	£
5,000 to 9,999	500.00	500.00
10,000 to 14,999	1,000.00	1,000.00
15,000 to 19,999	2,000.00	2,000.00
20,000 to 29,999	4,000.00	4,000.00
30,000 to 39,999	8,000.00	8,000.00
40,000 to 49,999	12,000.00	12,000.00
50,000 to 59,999	16,000.00	16,000.00
60,000 to 69,999	20,000.00	20,000.00
70,000 to 79,999	24,000.00	24,000.00
80,000 to 89,999	28,000.00	28,000.00
90,000 and over	32,000.00	32,000.00

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

Application or notice	2009/2010 Fee	2010/2011 Fee
	£	£
section 25 (theft, loss, etc. of premises licence or summary)	10.50	10.50
section 29 (application for a provisional statement where premises being built, etc.)	315.00	315.00
section 33 (notification of change of name or address)	10.50	10.50
section 37 (application to vary licence to specify individual as premises supervisor)	23.00	23.00
section 42 (application for transfer of premises licence)	23.00	23.00
section 47 (interim authority notice following death etc. of licence holder)	23.00	23.00
section 79 (theft, loss etc. of certificate or summary)	10.50	10.50
section 82 (notification of change of name or alteration of rules of club)	10.50	10.50
section 83(1) or (2) (change of relevant registered address of club)	10.50	10.50
section 100 (temporary event notice)	21.00	21.00
section 110 (theft, loss etc. of temporary event notice)	10.50	10.50
section 117 (application for a grant or renewal of personal licence)	37.00	37.00
section 126 (theft, loss etc. of personal licence)	10.50	10.50
section 127 (duty to notify change of name or address)	10.50	10.50
section 178 (right of freeholder etc. to be notified of licensing matters)	21.00	21.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
PROPOSED FEES AND CHARGES FROM 1ST APRIL 2010

FEES UNDER THE GAMBLING ACT 2005

Premises Type	Conversion		Conversion		Non Conversion Application		Non Conversion Application		Annual Fee		Variation		Transfer of License		Re-Instatement Fee		Provisional Statement		Change of Circumstances		Copy of License	
	Fast-Track Application		Non- Fast Track Application		Provisional statement premises		Other premises (i.e. new)		09/10	10/11	09/10	10/11	09/10	10/11	09/10	10/11	09/10	10/11	09/10	10/11	09/10	10/11
	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
Regional Casino	0	0	0	0	6,400	6,400	12,000	12,000	12,000	12,000	6,000	6,000	5,200	5,200	5,200	5,200	12,000	12,000	50	50	25	25
New Large Casino	0	0	0	0	4,000	4,000	8,000	8,000	8,000	8,000	4,000	4,000	1,720	1,720	1,720	1,720	8,000	8,000	50	50	25	25
New Small Casino	0	0	0	0	2,400	2,400	6,400	6,400	4,000	4,000	3,200	3,200	1,440	1,440	1,440	1,440	6,400	6,400	50	50	25	25
Existing Casinos	240	240	1,600	1,600	0	0	4,000	4,000	2,400	2,400	1,600	1,600	1,080	1,080	1,080	1,080	0	0	50	50	25	25
Bingo Premises	240	240	1,400	1,400	960	960	2,800	2,800	800	800	1,400	1,400	960	960	960	960	2,800	2,800	50	50	25	25
Adult Gaming Centre	240	240	800	800	960	960	1,600	1,600	800	800	800	800	960	960	960	960	1,600	1,600	50	50	25	25
Betting Premises Tracks	240	240	1,000	1,000	760	760	2,000	2,000	800	800	1,000	1,000	760	760	760	760	2,000	2,000	50	50	25	25
Family Entertainment Centres	240	240	800	800	760	760	1,600	1,600	600	600	800	800	760	760	760	760	1,600	1,600	50	50	25	25
Betting Premises (other)	240	240	1,200	1,200	960	960	2,400	2,400	480	480	1,200	1,200	960	960	960	960	2,400	2,400	50	50	25	25

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
PROPOSED FEES AND CHARGES FROM 1ST APRIL 2010

FEES UNDER THE GAMBLING ACT 2005

	2009/10 CHARGE £	2010/11 CHARGE £
LICENSED PREMISES GAMING MACHINE PERMIT		
Occasion on which fee may be payable		
Grant	150.00	150.00
Existing operator Grant	100.00	100.00
Variation	100.00	100.00
Transfer	25.00	25.00
Annual Fee	50.00	50.00
Change of name	25.00	25.00
Copy of Permit	15.00	15.00
LICENSED PREMISES AUTOMATIC NOTIFICATION PROCESS		
Occasion on which fee may be payable		
On notification	50.00	50.00
CLUB GAMING PERMITS		
Occasion on which fee may be payable		
Grant	200.00	200.00
Grant (Club Premises Certificate holder)	100.00	100.00
Existing operator Grant	100.00	100.00
Variation	100.00	100.00
Renewal	200.00	200.00
Renewal (Club Premises Certificate holder)	100.00	100.00
Annual Fee	50.00	50.00
Copy of Permit	15.00	15.00
CLUB MACHINE PERMITS		
Occasion on which fee may be payable		
Grant	200.00	200.00
Grant (Club Premises Certificate holder)	100.00	100.00
Existing operator Grant	100.00	100.00
Variation	100.00	100.00
Renewal	200.00	200.00
Renewal (Club Premises Certificate holder)	100.00	100.00
Annual Fee	50.00	50.00
Copy of Permit	15.00	15.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
PROPOSED FEES AND CHARGES FROM 1ST APRIL 2010

FEES UNDER THE GAMBLING ACT 2005

	2009/10 CHARGE £	2010/11 CHARGE £
FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS		
Occasion on which fee may be payable		
Grant	300.00	300.00
Renewal	300.00	300.00
Existing operator Grant	100.00	100.00
Change of name	25.00	25.00
Copy of Permit	15.00	15.00
PRIZE GAMING PERMITS		
Occasion on which fee may be payable		
Grant	300.00	300.00
Renewal	300.00	300.00
Existing operator Grant	100.00	100.00
Change of name	25.00	25.00
Copy of Permit	15.00	15.00
SMALL LOTTERY REGISTRATION		
Occasion on which fee may be payable		
Grant	40.00	40.00
Annual Fee	20.00	20.00

Agenda Item No 7

Licensing Committee

1 February 2010

Report of the Director of Resources

General Fund Revenue Estimates 2010/11

1 Summary

- 1.1 This report covers the revised budget for 2009/10 and an estimate of expenditure for 2010/11, together with forward commitments for 2011/12 and 2012/13.

Recommendation to the Board

- a To accept the revised budget for 2009/10; and**
- b To accept or otherwise vary the Estimates of Expenditure for 2010/11, as submitted, for them to be included in the budget to be brought before the meeting of the Executive Board on 8 February 2010.**

2 Consultation

2.1 Portfolio Holder, Shadow Portfolio Holder and Ward Members

- 2.1.1 Both Councillors' Bowden and Butcher have been consulted regarding this report. Any comments received will be reported verbally to the Board.

3 Report

3.1 Introduction

- 3.1.1 In consultation with other Assistant Directors, the Assistant Director (Finance and Human Resources) has prepared an estimate of net expenditure for 2010/11 and this, together with a revised budget for 2009/10, appears in Appendices A and B. To provide a more complete picture of the spending pattern of the service, the actual figures for 2008/09 are shown.

- 3.1.2 At its meeting in September, the Executive Board agreed the budget strategy for 2010/13. For 2010/11, budget savings of £380,000 needed to be identified, of which £228,000 had already been found, with additional savings of £380,000 in 2011/12 and £290,000 in 2012/13. The provision for growth in 2010/11 is £75,000, with a further £125,000 in 2011/12 and £75,000 in 2012/13.

- 3.1.3 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, as detailed in section 5 of this report.

- 3.1.4 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
- Pay awards provided on the basis of 1.5% settlement with effect from 1 April 2010 and 1% for both 2011/12 and 2012/13.
- A general provision for inflation of 1.5%, although where contractual obligations require a price increase in line with inflation, these have been provided.

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

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

	Approved Budget 2009/10 £	Revised Budget 2009/10 £	Original Budget 2010/11 £
Employee Costs	34,120	33,900	34,440
Supplies and Services	9,290	6,310	6,400
Transport	2,230	2,230	2,260
Earmarked Reserves	(980)	(1,000)	(1,010)
Gross Expenditure	44,660	41,440	42,090
Income	(110,120)	(110,470)	(111,200)
Net Controllable Expenditure	(65,460)	(69,030)	(69,110)
Departmental Support	73,970	41,620	62,810
Central Support	43,220	38,240	37,190
Capital Charges	2,040	2,560	4,800
Net Expenditure	53,770	13,390	35,690

4 Capital Charges

4.1 Capital Charges within this Board relate to Information Services systems.

5 Comments on the 2009/10 Revised Budget

5.1 The revised budget for 2009/10 is estimated to be £13,390; a decrease of £40,380 on the approved provision. The main reasons for variations are set out below.

5.2 The decrease in **Supplies and Services** is mainly explained by the reduction in software maintenance charges of £2,080. In addition there are smaller reductions in budgets for professional services, books, printing and advertising.

(£2,980)

5.4 **Departmental and Central Support** charges have decreased overall by £37,330. The main reason for the decrease relates to deleted and vacant posts amongst licensing staff, amounting to £30,230. Changes in allocations from the licensing staff, along with changes from Central Services, Financial Services and Internal Audit account for a further decrease. This has been partially offset by an increase allocation from Customer Contact.

(£37,330)

6 Comments on the 2010/11 Estimates

6.1 The total estimated net expenditure for 2010/11 is £35,690; a decrease of £18,080 on the 2009/10 approved budget and an increase of £22,300 on the revised 2009/10 budget.

6.2 **Departmental and Central Support** recharges have increased by £20,140. This is largely due to the vacant licensing post in 2009/10 being filled of £21,190.

£20,140

6.3 **Capital Charges** have increased by £2,240. This relates to a new operating system being implemented for licensing.

£2,240

7 **Growth Items**

7.1 The provision for unavoidable growth included within the Council's Budget Strategy, approved in September 2009 by the Executive Board, was £75,000 for 2010/2011. There are no growth items relating to this board

8 **Income**

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

9 **Risks to Services**

9.1 The key risk to the budgetary position of the Council from services under the control of this Board 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.

10 **Future Year Forecasts**

10.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the two years following 2010/11. The table below provides a subjective summary for those services reporting to this Board:

	Forecast Budget 2011/12 £	Forecast Budget 2012/13 £
Employee Costs	35,110	35,530
Supplies and Services	6,530	6,660
Transport	2,310	2,360
Earmarked Reserves	(1,100)	(1,120)
Gross Expenditure	42,850	43,430
Income	(112,190)	(113,200)
Net Controllable Expenditure	(69,340)	(69,770)
Departmental Support	64,630	65,510
Central Support	37,530	37,980
Capital Charges	3,000	3,000
Net Expenditure	35,820	36,720

The forecasts given above have used a number of assumptions, which include pay awards of 1% for 2011/12 and 2012/13, increases in contracts of 2% and general increases in

supplies and service of 1.5%. In total net expenditure is expected to increase by 0.36% in 2011/12 and increase by 2.51% in 2012/13.

10.2 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.

11 Report Implications

11.1 Finance and Value for Money Implications

11.1.1 As detailed in the body of the report.

11.2 Environment and Sustainability Implications

11.2.1 Budgetary processes must seek to provide a forecast of revenues and expenditures and a means to enable the financial performance of the Council to be measured.

11.2.2 As a forecasting tool, the budget determines the financial position of the Council over the short to medium term. This allows the Council to manage any expected shortfall in resources whilst maintaining essential services.

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 SUMMARY

SUMMARY OF GENERAL FUND REVENUE ESTIMATES

Description	Actual 2008/2009 £	Approved Budget 2009/2010 £	Revised Budget 2009/2010 £	Original Budget 2010/2011 £
Licensing Authority	(41,060)	(39,170)	(41,360)	(41,220)
Licences and Registration	(8,595)	(9,340)	(8,460)	(8,600)
Hackney Carriages	(11,515)	(8,000)	(10,150)	(10,230)
Gambling Act Authority	(16,017)	(8,950)	(9,060)	(9,060)
Net Controllable Expenditure	(77,187)	(65,460)	(69,030)	(69,110)
Departmental Support	66,958	73,970	41,620	62,810
Central Support	38,542	43,220	38,240	37,190
Capital Charges	2,036	2,040	2,560	4,800
Licensing Committee Total	30,349	53,770	13,390	35,690

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 2008/2009	APPROVED BUDGET 2009/2010	REVISED BUDGET 2009/2010	ORIGINAL BUDGET 2010/2011
Employee Expenditure	10,213	11,150	11,030	11,170
Supplies and Services	1,435	1,620	1,070	1,080
Balance Sheet Items	(1,144)	(980)	(1,000)	(1,010)
GROSS EXPENDITURE	10,504	11,790	11,100	11,240
GROSS INCOME	(51,564)	(50,960)	(52,460)	(52,460)
NET CONTROLLABLE EXPENDITURE	(41,060)	(39,170)	(41,360)	(41,220)
Departmental Support	37,783	43,800	25,310	37,880
Central Support	15,037	16,600	15,110	15,050
Capital Charges	1,018	1,020	1,090	1,650
NET EXPENDITURE	12,778	22,250	150	13,360

Contributes to corporate priority :
- Protecting and improving our environment

KEY PERFORMANCE INDICATORS

Number of licences	292	380	380
Gross cost per licence	£239.42	£138.45	£173.21
Net cost per licence	£50.00	£0.39	£35.16

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 2008/2009	APPROVED BUDGET 2009/2010	REVISED BUDGET 2009/2010	ORIGINAL BUDGET 2010/2011
Employee Expenditure	227	920	920	920
Supplies and Services	2,446	2,480	1,740	1,770
GROSS EXPENDITURE	2,673	3,400	2,660	2,690
GROSS INCOME	(11,268)	(12,740)	(11,120)	(11,290)
NET CONTROLLABLE EXPENDITURE	(8,595)	(9,340)	(8,460)	(8,600)
Departmental Support	7,849	7,830	4,920	6,750
Central Support	5,570	6,470	6,700	6,360
Capital Charges	1,018	1,020	1,090	1,650
NET EXPENDITURE	5,842	5,980	4,250	6,160

Contributes to corporate priority :
- Protecting and improving our environment

KEY PERFORMANCE INDICATORS

Number of licences	43	46	46
Gross cost per licence	£466.74	£334.13	£379.35
Net cost per licence	£172.09	£92.39	£133.91

4008 - HACKNEY CARRIAGES & PRIVATE HIRE VEHICLES

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

DESCRIPTION	ACTUALS 2008/2009	APPROVED BUDGET 2009/2010	REVISED BUDGET 2009/2010	ORIGINAL BUDGET 2010/2011
Employee Expenditure	20,158	22,050	21,950	22,350
Supplies and Services	4,104	4,180	3,500	3,550
Transport Related Expenditure	2,240	2,230	2,230	2,260
GROSS EXPENDITURE	26,502	28,460	27,680	28,160
GROSS INCOME	(38,017)	(36,460)	(37,830)	(38,390)
NET CONTROLLABLE EXPENDITURE	(11,515)	(8,000)	(10,150)	(10,230)
Departmental Support	14,259	14,140	9,210	11,880
Central Support	8,158	9,230	11,370	11,110
Capital Charges	-	-	190	750
NET EXPENDITURE	10,902	15,370	10,620	13,510

Contributes to corporate priority :
- Protecting and improving our environment

KEY PERFORMANCE INDICATORS

Number of vehicles licences	101	95	95
Number of operators licences	17	18	18
Number of drivers licences	119	110	110
Gross cost per licence	£218.69	£217.26	£232.74
Net cost per licence	£64.85	£47.62	£60.58

4019 - GAMBLING ACT AUTHORITY

As the Licensing Authority the Council will be responsible for issuing Premises, Betting Offices and Race Tracks, Bingo Clubs, Adult Gaming Centres, and Family Entertainment Centres 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 BUDGET 2009/2010	REVISED BUDGET 2009/2010	ORIGINAL BUDGET 2010/2011
Employee Expenditure	301	-	-	-
Supplies and Services	342	1,010	-	-
GROSS EXPENDITURE	643	1,010	-	-
GROSS INCOME	(16,660)	(9,960)	(9,060)	(9,060)
NET CONTROLLABLE EXPENDITURE	(16,017)	(8,950)	(9,060)	(9,060)
Departmental Support	7,067	8,200	2,180	6,300
Central Support	9,777	10,920	5,060	4,670
Capital Charges	-	-	190	750
NET EXPENDITURE	827	10,170	(1,630)	2,660

Contributes to corporate priority :
- Protecting and improving our environment

KEY PERFORMANCE INDICATORS

Number of Gambling licences	12	13	13
Gross cost per licence	£1,688.33	£556.92	£843.85
Net cost per licence	£855.83	-£125.38	£204.62

RISK ANALYSIS

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