

**BRIDGEND COUNTY BOROUGH COUNCIL**

**LICENSING COMMITTEE**

**10 JULY 2008**

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND  
REGULATORY SERVICES**

**1.0 LICENSING FUNCTIONS: DISCRETIONARY LICENCE FEES AND CHARGES**

**1.1 Purpose of report**

1.2 To determine licensing fees and charges for 2008/2009.

**2.0 Link to Corporate Priorities**

The duties of the Council as a licensing authority are statutory in nature but many of the licensing objectives support the principal aims of the Corporate Improvement Plan and the Council's corporate priorities.

**3.0 Background**

3.1 The Licensing Committee has the power to determine fees charged in respect of those licensing functions within the purview of the Licensing Committee and to hear and determine objections relating to proposed fee revisions. A table of the current and proposed fees and charges is shown at Appendix 1.

3.2 The Council has a policy that, where permitted by legislation, the overall level of fees is set to recover the cost of providing the service. Members are requested to note however, that fees for the majority of the licensing functions are set by statute and the Council has no discretion to vary these fees.

**4.0 Budget issues**

4.1 The increases proposed for 2008/2009 are in line with the budget strategy approved by Council. An increase of 5% for licensing fees was approved by Council on 13 February 2008. The proposals include rounding up to the nearest whole £1 to ensure administrative efficiency with the exception of fees charged by third parties or other recharges.

4.2 The Adult Industry Trade Association has made representations to all local authorities that the fees being levied by local authorities in general for the grant and renewal of sex shop licences are unreasonable. The body has suggested that the fees charged should be in line with those applied under the Licensing Act 2003. As part of the budget exercise, consideration has been given to a review of this Council's fee for sex shop licences.

4.2.1 Members are advised that the fees charged for alcohol and licensed premises are set by statute and relate to the rateable value of the property. The fees are as follows:

Band	A	B	C	D	E
New premises and Variation	£100	£190	£315	£450	£635
Annual Fee	£70	£180	£295	£320	£350

4.2.2 The charging regime for sex shops is not strictly comparable to that of the Licensing Act 2003 in that once granted, the latter usually remain in force indefinitely. Premises Licence holders then pay an annual fee to cover enforcement and inspections. Sex shop licences must be renewed annually and the renewal and grant processes are identical. The fee for the grant and renewal fee must therefore recover the costs of administration and enforcement each year.

4.2.3 The proposed fee for a sex shop licence is shown at Appendix A at £625 for a grant (minimum) and £454 for renewal (minimum).

4.2.4 Because of the controversial nature of this type of premises there is potential for considerable variation in administrative costs for the grant and renewal of a licence, depending on the number of representations received in any one year. For this reason, it is proposed that the current fee structure remain in force and that the Adult Industry Trade Association is advised accordingly.

4.3 Members have also requested annual updates on street trading fees. On 5 July 2006 Members approved a policy whereby special consideration would be given to the fees charged for street trading consents to registered charities and other not for profit organisations.

4.3.1 Members were advised that any change in the trend for street trading consents would be reported to this meeting. The Committee is advised that the only applications granted have been received from the Bridgend Festivals Committee which is a not for profit organisation. There have been no applications for street markets from commercial organisations and no changes in trend in applications to date for Bridgend or Porthcawl.

4.3.2 The current policy regarding street trading in Bridgend was approved by the Committee on 24 May 2002. Whilst the guidelines were not intended to fetter the discretion of any Licensing Sub-Committee when considering an application, the main principles were that trading should be:

- Of benefit to the regeneration of Bridgend Town Centre, and
- Of benefit to the commercial vitality of the Town Centre.

4.3.3 When determining the charging tariffs for street trading consents, it is important to consider whether the cost of consents could be prohibitive to

non-profit making organisations and therefore ultimately detrimental to town centre activities and vitality. Some Councils have recognised the unique role of non-commercial markets by identifying not for profit markets, trading associated with town or community council supported events or farmer's markets for special consideration. For example, Bath and North East Somerset's published policy indicates that the Council will not require the payment of fees for the following street trading activities:

- fetes, carnivals or similar community based and run events
- non-commercial or charitable events
- farmers markets (producer-managed marketplace for local producers to sell their own produce direct to local people)
- sales of articles by householders on land contiguous with their homes

4.3.4 In conclusion, based on current trends Members are recommended to continue to give special consideration to registered charities and other not for profit organisations and continue with the current fee structure with the following clarifications:

Street Trading Consent per annum (per barrow or stall or similar)	£194	£204
Street Trading Consent per month or part thereof (per barrow or stall or similar)	£29	£30
Street Trading Consent – consent for non profit making or charitable organisations (per event irrespective of stall numbers)		£30

## 5.0 Legal Implications

5.1 The proposals recommended within the report are necessary for the administration of licensing functions.

## 6.0 Financial Implications

6.1 The proposals recommended within the report are necessary to recover the cost of providing the service.

## 7.0 Recommendation

7.1 Discretionary fee increases.

The Committee is recommended to approve the proposed fee increases, shown in Appendix 1 to be effective from 14 July 2008, with the exception of fees relating to taxi vehicle licences and operator licences which are subject to Public Notice and will become operative either 28 days following the expiration of the Public Notice, or, if objections are received, on a date to be determined by the Licensing Committee following formal consideration of the objections.

**P A Jolley**  
**Assistant Chief Executive Legal and Regulatory Services**

**Date: 4 July 2008**

**Contact Officer:** Yvonne Witchell  
Licensing and Registration Officer

**Telephone:** 01656 643105  
**e-mail:** [Yvonne.Witchell@bridgend.gov.uk](mailto:Yvonne.Witchell@bridgend.gov.uk)  
**Postal address:** Civic Offices, Angel Street, Bridgend,  
CF31 4WB

**Background Documents:**

**Street Trading consent fee scales available from [www.bathnes.gov.uk](http://www.bathnes.gov.uk)**

APPENDIX 1

<b>Discretionary Fees</b>			
<b>Category</b>	<b>2007/2008 Actual</b>	<b>2008/2009 Proposed</b>	<b>Notes</b>
Marriage Premises Approval	£1,112.00	£1,168.00	
Sex Establishment Grant (Minimum)	£595.00	£625.00	
Sex Establishment Renewal (Minimum)	£432.00	£454.00	
Hackney Carriage or Private Hire Vehicle (including 2 Vehicle "MOT" tests at basic rate)**	£218.00	£229.00	Subject to Public Notice
Hackney Carriage or Private Hire additional Vehicle "MOT" tests** (Comprises £46.00 external recharge + £5.00 administrative fee)	£51.00	£51.00	Notified that recharge for 2008/2009 will remain at £46.00. Administrative fee of £5.00 to remain but be increased next year. Subject to Public Notice
Special vehicles (including stretch limousines) including relevant Vehicle "MOT" tests**	£273.00	£287.00	Subject to Public Notice
Deposit on Vehicle Licence plate	£25.00	£26.00	
Grant of Hackney Carriage/Private Hire Driver licence (inc Driver Awareness Course and cost of CRB check)	£96.00	£101.00	

Renewal of Hackney Carriage/Private Hire Driver licence	£39.00	£41.00	
Hackney Carriage/Private Hire Driver Awareness Course referral	£26.00	£27.00	
Hackney Carriage/Private Hire Driver/Operator Criminal Records Bureau Search – cost to be met by applicant	as advised by CRB		Currently £31.00
Hackney Carriage/Private Hire Driver DVLA check – cost to be met by applicant	as advised by DVLA		Currently £5.00
Replacement licences/photocard badges	£10.00	£10.00	
Cancellation of Vehicle “MOT” test within one working day or non-attendance at test (Comprises £46.00 external recharge + £5.00 administrative fee)	£51.00	£51.00	See above re test fees
Transfer of Hackney Carriage/Private Hire Vehicle ownership	£38.00	£40.00	
Part “MOT” re-test of Vehicle minimum	£20.00	£20.00	External fee
Private Hire Vehicle Operator licence**	£141.00	£148.00	Subject to Public Notice -
Street Trading Consent – per barrow, stall or similar	£194.00	£204.00	
Street Trading Consent – per month or part thereof per barrow or stall or similar	£29.00	£30.00	

Street Trading Consent – annual consent for non profit making or charitable organisations per event	£31.00	£30.00	
Street Trading Licence Plate Deposit – payable in addition to Consent fee	£25.00	£26.00	
Sports Ground Certificate (Minimum fee)	£1,081.00	£1,135.00	
Sports Ground regulated stand (per stand) (Minimum fee)	£377.00	£396.00	
Sports Ground certificate variation, transfers and consent to non-specified activities (Minimum fee)	£75.00	£79.00	
Bingo Club New application	£1,760.00	£1,848.00	Subject to statutory maximum of £3,500
Bingo Club Annual Fee	£520.00	£546.00	Subject to statutory maximum of £1000
Bingo Club Application to vary	£995.00	£1,045.00	Subject to statutory maximum of £1,750
Bingo Club Application to transfer	£700.00	£735.00	Subject to statutory maximum of £1200
Bingo Club Application for re-instatement	£700.00	£735.00	Subject to statutory maximum of £1200
Bingo Club Application for provisional statement	£1,760.00	£1,848.00	Subject to statutory maximum of £3500

Bingo Club Licence application for provisional statement holders	£700.00	£735.00	Subject to statutory maximum of £1200
Betting premises (excluding Tracks) New application	£1,550.00	£1,628.00	Subject to statutory maximum of £3000
Betting premises (excluding Tracks) Annual Fee	£400.00	£420.00	Subject to statutory maximum of £600
Betting premises (excluding Tracks) Application to Vary	£840.00	£882.00	Subject to statutory maximum of £1500
Betting premises (excluding Tracks) Application to Transfer	£700.00	£735.00	Subject to statutory maximum of £1200
Betting premises (excluding Tracks) Application for re-instatement	£700.00	£735.00	Subject to statutory maximum of £1200
Betting premises (excluding Tracks) Application for provisional statement	£1,550.00	£1,628.00	Subject to statutory maximum of £3000
Betting premises (excluding Tracks) Licence application for provisional statement holders	£700.00	£735.00	Subject to statutory maximum of £1200
Tracks New application	£1,330.00	£1,397.00	Subject to statutory maximum of £2500
Tracks Annual Fee	£420.00	£441.00	Subject to statutory maximum of £1000
Tracks Application to vary	£730.00	£767.00	Subject to statutory maximum of £1250

Tracks Application to transfer	£550.00	£578.00	Subject to statutory maximum of £950
Tracks Application for re-instatement	£550.00	£578.00	Subject to statutory maximum of £950
Tracks Application for provisional statement	£1,330.00	£1,397.00	Subject to statutory maximum of £2500
Tracks Licence application for provisional statement holders	£550.00	£578.00	Subject to statutory maximum of £950
Family Entertainment Centres New application	£1,050.00	£1,103.00	Subject to statutory maximum of £2000
Family Entertainment Centres Annual Fee	£415.00	£436.00	Subject to statutory maximum of £750
Family Entertainment Centres Application to vary	£590.00	£620.00	Subject to statutory maximum of £1000
Family Entertainment Centres Application to transfer	£550.00	£578.00	Subject to statutory maximum of £950
Family Entertainment Centres Application for re-instatement	£550.00	£578.00	Subject to statutory maximum of £950
Family Entertainment Centres Application for provisional statement	£1,050.00	£1,103.00	Subject to statutory maximum of £2000
Family Entertainment Centres Licence application for provisional statement holders	£550.00	£578.00	Subject to statutory maximum of £950

Adult Gaming Centres New application	£1,050.00	£1,103.00	Subject to statutory maximum of £2000
Adult Gaming Centres Annual Fee	£420.00	£441.00	Subject to statutory maximum of £1000
Adult Gaming Centres Application to vary	£590.00	£620.00	Subject to statutory maximum of £1000
Adult Gaming Centres Application to transfer	£700.00	£735.00	Subject to statutory maximum of £1200
Adult Gaming Centres Application for re- instatement	£700.00	£735.00	Subject to statutory maximum of £1200
Adult Gaming Centres Application for provisional statement	£1,050.00	£1,103.00	Subject to statutory maximum of £2000
Adult Gaming Centres Licence application for provisional statement holders	£700.00	£735.00	Subject to statutory maximum of £1200
Copy Licence for all the above categories	£25.00	£25.00	Subject to statutory maximum of £25.00
Notification of Change for all the above Gambling categories	£50.00	£50.00	Subject to statutory maximum of £50.00
Gambling Temporary Use Notice (TUN)	£180.00	£189.00	Subject to statutory maximum of £500.00
Copy Gambling Temporary Use Notice	£10.50	£11.00	Subject to statutory maximum of £25.00