

Statutory Licensing Committee

10 January 2024

Time 10.00 am **Public Meeting?** YES **Type of meeting** Licensing
Venue Committee Room 3 - 3rd Floor - Civic Centre

Membership

Chair Cllr Zee Russell (Lab)
Vice-chair Cllr Rashpal Kaur (Lab)

Labour

Cllr Greg Brackenridge
Cllr Asha Mattu
Cllr Gillian Wildman
Cllr Sally Green
Cllr Val Evans
Cllr Jane Francis
Cllr Tersaim Singh

Conservative

Cllr Jonathan Crofts
Cllr Bob Maddox

Quorum for this meeting is three Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Donna Cope, Democratic Services Officer
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	Apologies for absence
2	Declarations of interest
3	Minutes of previous meeting (Pages 3 - 8) [To approve the minutes of the previous meeting held on 22 November 2023 as a correct record].
4	Matters arising [To discuss any matters arising from the minutes of the previous meeting].
5	Review of Fees and Charges under the Licensing Act 2003 and the Gambling Act 2005 for the year 2024-2025 (Pages 9 - 16) [To approve the proposed fees and charges for 2024-2025].

Attendance

Members of the Statutory Licensing Committee

Cllr Zee Russell (Chair)
Cllr Rashpal Kaur (Vice-Chair)
Cllr Greg Brackenridge
Cllr Gillian Wildman
Cllr Sally Green
Cllr Jane Francis
Cllr Tersaim Singh
Cllr Jonathan Crofts
Cllr Bob Maddox

Employees

Greg Bickerdike	Licensing Manager
Paul Dosanjh	Service Manager - Trading Standards and Licensing Act
Ajoypal Simon	Section Leader Licensing
Ronald Sempebwa	Solicitor
Donna Cope	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
Apologies were received from Councillor Asha Mattu.
- 2 Declarations of interest**
Councillor Greg Brackenridge declared a non-pecuniary interest in respect of agenda item 24.
- 3 Minutes of previous meeting**
Resolved:
That the minutes of the meeting of the Statutory Licensing Committee held on 14 June 2023 be confirmed as a true record and signed by the Chair.

- 4 **Matters arising**
There were no matters arising.
- 5 **Minutes of meeting Friday, 28 April 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 28 April 2023 be confirmed as a true record and signed by the Chair.
- 6 **Minutes of meeting Friday, 28 April 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 28 April 2023 be confirmed as a true record and signed by the Chair.
- 7 **Minutes of meeting Thursday, 25 May 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 25 May 2023 be confirmed as a true record and signed by the Chair.
- 8 **Minutes of meeting Monday, 12 June 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 12 June 2023 be confirmed as a true record and signed by the Chair.
- 9 **Minutes of meeting Thursday, 15 June 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 15 June 2023 be confirmed as a true record and signed by the Chair.
- 10 **Minutes of meeting Thursday, 29 June 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 29 June 2023 be confirmed as a true record and signed by the Chair.
- 11 **Minutes of meeting Monday, 3 July 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 3 July 2023 be confirmed as a true record and signed by the Chair.
- 12 **Minutes of meeting Tuesday, 4 July 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 4 July 2023 be confirmed as a true record and signed by the Chair.

- 13 **Minutes of meeting Thursday, 6 July 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 6 July 2023 be confirmed as a true record and signed by the Chair.
- 14 **Minutes of meeting Monday, 10 July 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 10 July 2023 be confirmed as a true record and signed by the Chair.
- 15 **Minutes of meeting Tuesday, 18 July 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 18 July 2023 be confirmed as a true record and signed by the Chair.
- 16 **Minutes of meeting Thursday, 20 July 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 20 July 2023 be confirmed as a true record and signed by the Chair.
- 17 **Minutes of meeting Monday, 31 July 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 31 July 2023 be confirmed as a true record and signed by the Chair.
- 18 **Minutes of meeting Tuesday, 15 August 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 15 August 2023 be confirmed as a true record and signed by the Chair.
- 19 **Minutes of meeting Wednesday, 30 August 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 30 August 2023 be confirmed as a true record and signed by the Chair.
- 20 **Minutes of meeting Thursday, 31 August 2023 of Statutory Licensing Sub-Committee**
Resolved:
That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 31 August 2023 be confirmed as a true record and signed by the Chair.

21 **Minutes of meeting Monday, 18 September 2023 of Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 18 September 2023 be confirmed as a true record and signed by the Chair.

22 **Minutes of meeting Tuesday, 26 September 2023 of Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 26 September 2023 be confirmed as a true record and signed by the Chair.

23 **Minutes of meeting Wednesday, 11 October 2023 of Statutory Licensing Sub-Committee**

Resolved:

That the minutes of the meeting of the Statutory Licensing Sub-Committee held on 11 October 2023 be confirmed as a true record and signed by the Chair.

24 **Authorisation to Seek Consultation on Draft Statement Of Licensing Policy**

Paul Dosanjh, Service Manager - Trading Standards and Licensing Act, presented the report: Authorisation to Seek Consultation on Draft Statement of Licensing Policy, and highlighted the key points. The report sought Committee's authorisation to circulate for comment and consideration both the draft Statement of Licensing Policy 2019-2024 and the Cumulative Impact Policy. The policies would then be submitted to the Committee, with any suggested amendments, for its agreement prior to approval at Full Council in 2024.

The Vice Chair, Councillor Rashpal Kaur moved the recommendations and Councillor Greg Brackenridge seconded the recommendations.

Resolved:

That Members of the Statutory Licensing Committee:

1. Approved a 12 week consultation on the draft Statement of Licensing Policy (including the Cumulative Impact Policy) 2024-2029 to arrive at a final draft for consideration by the Committee prior to its consideration and adoption at full Council.

25 **Amendment to Scheme of Delegations**

Paul Dosanjh, Service Manager - Trading Standards and Licensing Act, presented the Amendment to Scheme of Delegations report, highlighting the key points. The report sought formal endorsement of the decision made by the Chair of Statutory Licensing Committee, in consultation with Commercial Regulation Manager, to make a single amendment to the scheme of delegations previously approved at Statutory Licensing Committee on 14 June 2023.

The Vice Chair, Councillor Rashpal Kaur moved the recommendations and Councillor Gillian Wildman seconded the recommendations.

Resolved:

That Members of the Statutory Licensing Committee:

1. Approved an amendment to the scheme of delegation 2023-2024.

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CITY OF WOLVERHAMPTON COUNCIL	Statutory Licensing Committee 10 January 2024
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Report title	Review of Fees and Charges under the Licensing Act 2003 and the Gambling Act 2005 for the year 2024-2025	
Wards affected	All	
Accountable director	John Roseblade, Director of Resident Services	
Originating service	Licensing Services	
Accountable employee	Paul Dosanjh Tel Email	Service Manager, Trading Standards & Licensing Act 01902 556056 paul.dosanjh@wolverhampton.gov.uk
Report to be/has been considered by	None	

Recommendations for decision:

The Statutory Licensing Committee is recommended to:

1. Note the non-discretionary fees and charges set by statute in relation to the Licensing Act 2003 set out in **Appendix 1**.
2. Approve the proposed fees and charges set out in **Appendix 2** in relation to the Gambling Act 2005 with effect from 1 April 2024 over which the Council has fee setting powers.
3. Note other fees and charges for permits set by the Secretary of State in relation to the Gambling Act 2005 over which the Council has no local control.

1.0 Purpose

- 1.1 To submit for consideration proposed fees and charges for 2024-2025 in relation to certain licences and activities regulated by the Statutory Licensing Committee.

2.0 Background

- 2.1 The Council is empowered under statute to levy fees for the issue of licences and permits under the control of City of Wolverhampton Council.
- 2.2 The Council policy is to review its fees on an annual basis and to amend the cost of service provision to attain a cost-neutral service provision. This is typically adjusted on a three-year rolling basis. The budget is assessed and adjusted to ensure the fees and charges are revised to reflect, for example, inflationary increases or to address legislation changes and to include all other costs of providing the service. There are a number of licences where the fees and charges are set by statute.
- 2.3 Under the Licensing Act 2003, fees and other charges are set by statute and cannot be amended. There is a capped maximum fee set by statute under the Gambling Act 2005 for premises licences.

3.0 Proposals for 2024-2025

3.1 Licensing Act

- 3.2 Fees and charges for premises, clubs, personal licences, temporary event notices and other fees in relation to the Licensing Act 2003 are set by statute when enacted in November 2005. These proposed fees are shown at **Appendix 1** to this report. These fees remain unchanged since last year's report.
- 3.3 Councillors should note that applications made under Sections 17, 34, 71 and 84 of the Licensing Act 2003 which relate to the provision of Regulated Entertainment within Educational Institutions i.e. School or College or premises that are or form part of a Church Hall, Chapel Hall or similar building or Village Hall, Parish Hall or Community Hall or other similar building are exempt from payment of fees.

3.4 Gambling Act

- 3.5 Gambling Act premises licence fees are set at the capped maximum limit. This has been implemented by this authority having calculated the cost of provision of the service. These fees are shown at **Appendix 2** to this report. These fees remain unchanged since last years' report.
- 3.6 Under the Gambling Act 2005, fees for permits, small society registrations etc are non-discretionary fees set by statute.

4.0 Financial implications

- 4.1 The fees and charges for the Licensing Act 2003 premises and ancillary permits and notices are set in Statute and therefore cannot be amended.
- 4.2 Fees under the Gambling Act 2005 are set at the capped limit for premises. The proposed fees for 2024-2025 are unchanged from 2023-2024. The fees for incidental permits and notices are set in statute.

[SB/20122023/T]

5.0 Covid implications

- 5.1 The premises and businesses that hold these types of licences have been adversely affected by Covid-19 including lockdowns and restrictive business practices and are now affected by difficult trading conditions. However, the cost to the council for provision of the licence have not reduced. It is however recognised that many businesses experienced financial difficulties during the pandemic and now through a cost-of-living crisis. It is therefore proposed to continue to allow the cost of licence renewals to be spread over a short term.
- 5.2 The payment terms agreed, must include full settlement by the end of the applicable financial year and shall be agreed by the Head of Service or Service Manager.

6.0 Legal implications

- 6.1 The legal implications are considered within the main body of the report.

[RS/18/12/2023-5]

7.0 Equalities implications

- 7.1 There are no equalities implications arising from this report.

8.0 Climate change and environmental implications

- 8.1 There are no climate change and environmental implications arising from this report.

9.0 Schedule of background papers

- 9.1 These fee tables are a direct copy of the fees and charges agreed for 2023/2024.
- 9.2 Statutory Licensing Committee – 19 January 2022 - Review of Fees and Charges under the Licensing Act 2003 and the Gambling Act 2005 for the year 2023-2024

10.0 Appendices

10.1 Appendix 1 – Proposed Fees in Relation to the Licensing Act (2003) 2024-2025

10.2 Appendix 2 – Proposed Fees in Relation to the Gambling Act (2005) 2024-2025

Proposed Fees in Relation to the Licensing Act (2003) 2024-2025

Premises banding based on rateable value	Fees £ (initial application)	Annual fees £ (renewal)
A	100	70
B	190	180
C	315	295
D	450	320
E	635	350

Additional Fees Based Upon Occupancy Figures

Occupancy Figures	£
5,000 to 9,999	500
10,000 to 14,999	1,000
15,000 to 19,999	2,000
20,000 to 29,999	4,000
30,000 to 39,999	8,000
40,000 to 49,999	12,000
50,000 to 59,999	16,000
60,000 to 69,999	20,000

Application or Notice	£
section 25 (theft, loss, etc. of premises licence or summary)	10.5
section 29 (application for a provisional statement where premises being built, etc.)	315
section 33 (notification of change of name or address)	10.5
section 37 (application to vary licence to specify individual as premises supervisor)	23
section 42 (application for transfer of premises licence)	23
section 47 (interim authority notice following death etc. of licence holder)	23
section 79 (theft, loss etc. of certificate or summary)	10.5
section 82 (notification of change of name or alteration of rules of club)	10.5
section 83(1) or (2) (change of relevant registered address of club)	10.5
section 100 (temporary event notice)	21
section 110 (theft, loss etc. of temporary event notice)	10.5
section 117 (application for a grant or renewal of personal licence)	37
section 126 (theft, loss etc. of personal licence)	10.5
section 127 (duty to notify change of name or address)	10.5
section 178 (right of freeholder etc. to be notified of licensing matters)	21

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Proposed Fees in Relation to the Gambling Act (2005) 2024-2025

Category of Premises License	Application Fee in Respect of Conversion of Provisional Statement	Application Fee in Respect of New Premises Licences	Annual Fee YEAR 2	Fee for Application to Vary Licence	Fee for Application to Transfer a Licence	Fee for Application for Reinstatement of a Licence	Fee for Application for Provisional Statement	Fee for Notification of a change of Circumstance (Statutory Fee)	Fee for Application for Copy of Licence (Statutory Fee)	Fee for giving notification of a Temporary Use Notice (Maximum)	Fee for requesting a copy of a Temporary Use Notice (Maximum)
	Maximum £	Maximum £	Maximum £	Maximum £	Maximum £	Maximum £	Maximum £	£	£	(Maximum)	(Maximum)
New Small Casino Premises	3,000	8,000	5,000	4,000	1,800	1,800	8,000	50	25	500	25
Converted Casino Premises	N/A	N/A	3,000	2,000	1,350	1,350	N/A	50	25	500	25
Bingo Premises	1,200	3,500	1,000	1,750	1,200	1,200	3,500	50	25	500	25
Adult Gaming Centre Premises	1,200	2,000	1,000	1,000	1,200	1,200	2,000	50	25	500	25
Betting Premises (Track)	950	2,500	1,000	1,250	950	950	2,500	50	25	500	25
Family Entertainment Centre	950	2,000	750	1,000	950	950	2,000	50	25	500	25
Betting Premises (Other)	1,200	3,000	600	1,500	1,200	1,200	3,000	50	25	500	25

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