

CITY OF
WOLVERHAMPTON
COUNCIL

Statutory Licensing Committee

20 March 2019

Report title	Review of Fees and Charges under the Licensing Act 2003 and the Gambling Act 2005 for the year 2019-2020	
Wards affected	All	
Accountable director	Ross Cook, Service Director of City Environment	
Originating service	Licensing Services	
Accountable employee	Michelle James	Licensing Policy Manager
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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 fees and charges set out in **Appendix 2** in relation to the Gambling Act 2005 with effect from 1 April 2019 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 2019-2020 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 2019-2020

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 fees are shown at **Appendix 1** to this report. These fees remain unchanged since last years' 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 2019-2020 are unchanged from 2018-2019. The fees for incidental permits and notices are set in statute. [MK/12032019/E]

5.0 Legal implications

- 5.1 The legal implications are considered within the main body of the report. [SH/06032019/C]

6.0 Equalities implications

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

7.0 Environmental implications

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

8.0 Human resources implications

- 8.1 There are no human resources implications arising from this report.

9.0 Corporate landlord implications

- 9.1 There are no corporate landlord implications arising from this report.

10.0 Schedule of background papers

- 10.1 These fee tables are a direct copy of the fees and charges agreed for 2018/2019.

11.0 Appendices

- 11.1 Appendix 1 - Licensing Act fees and charges
Appendix 2 – Gambling Act fees and charges