

# Regulatory Committee

## 10 January 2024

<b>Report Title</b>	Review of Fees and Charges for General Licensing and Miscellaneous Matters for 2024-2025	
<b>Wards affected</b>	All	
<b>Accountable Director</b>	John Roseblade, Director of Resident Services	
<b>Originating service</b>	Licensing Services	
<b>Accountable employee</b>	Paul Dosanjh & Licensing Act Tel Email	Service Manager: Trading Standards  01902 556056 <a href="mailto:Paul.Dosanjh@wolverhampton.gov.uk">Paul.Dosanjh@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	None	

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### Recommendation for decision:

The Regulatory Committee is recommended to:

1. Approve the proposed fees and charges for General Licensing as set out in Appendices 1, 2 and 3 with effect from 1 April 2024.

## **1.0 Purpose**

- 1.1 To submit for consideration proposed fees and charges for 2024-2025 in relation to certain licences and licensed activities that are regulated by the Regulatory Committee.

## **2.0 Background**

- 2.1 The Council is empowered under statute to levy fees for the issue of local licences and permits.
- 2.2 The Council policy is to review its fees on an annual basis and introduce increases or decreases in line with the cost of providing the service. There is a requirement to pay due regard to the Council's social and economic policies.

## **3.0 Proposals for 2024-2025**

### **3.1 General licensing**

- 3.2 Certain licences, permits and registrations are subject to local control for fees and charges.
- 3.3 The additional fees and charges for acupuncture, tattooing, electrolysis, semi-permanent skin colouring and cosmetic piercing were approved by Councillors at the 10 July 2019 Licensing Committee. It is proposed that the existing fees and charges for acupuncture, tattooing, electrolysis, semi-permanent skin colouring and cosmetic piercing remain unchanged. These are detailed at Appendix 1.
- 3.4 It is proposed that the existing fees and charges for General Licensing for the current year 2023-2024 remain unchanged for the coming year 2024-2025 with the exception of the distribution of printed matter for two days, the Safety at Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987. These are detailed at Appendix 2.
- 3.5 One of three changes to the fees in Appendix 2 is the increase in the charge from zero to £25 for the distribution of free printed matter for two days for new businesses. This is a low charge that is not meant to discourage applicants for example, new businesses advertising opening events. It does however provide the opportunity for the Authority to recover the costs of administering the application process that often raises queries from applicants which often require advice and guidance from Licensing officers.
- 3.6 The second change in Appendix 2 is the uprating of the hourly rate for officers for both the Safety of Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987. This is as a result of the mechanism that is used to determine the hourly rate which is included in the Commercial Regulation Cost Recovery Policy which was approved by Cabinet Resources Panel on 16 November 2022.
- 3.7 The scrap metal fees included at the end of Appendix 2 are for information only as the setting of those fees is an executive function.

- 3.8 It is proposed that the Animal Welfare fees agreed by Councillors at committee on 28 November 2018 remain unchanged for the coming year 2024-2025. These are detailed at Appendix 3. Members should be aware of the intention to more thoroughly examine the fee structure in this area in the future. Any proposals for change will be brought to this Committee for approval.
- 3.9 The report also gives the Committee the opportunity to approve the correction of some typographical errors which appeared in the previous reports. Specifically, the charges for premises and practitioner registration for acupuncture, tattooing etc. in Appendix 1 were wrongly included as £105, whereas the correct fees were £201 and £271 which were approved at Non-Statutory Licensing Committee on 10 July 2019. These have been correctly charged ever since and not increased.
- 3.10 Similarly in Appendix 2 (2 (iii)) the fee for sexual entertainment venue (SEV) should read as £3,330 and not £3,380. Once again, the correct fees which were properly approved and have been correctly charged ever since approval.

#### **4.0 Financial implications**

- 4.1 Any impact on budgets arising as a result of the proposed fees and charges will be incorporated into budget setting process. It is important to be aware that additional income from increases in fees and charges is uncertain, as the resulting impact upon demand that will arise from changes in fees and charges cannot be predicted with certainty, although this is considered during the fee setting process. The impact of these changes to fees and charges will be examined closely as part of the revenue budget monitoring arrangements.
- 4.2 Should the Licensing Committee agree with the recommendations in this report the proposed discretionary fees and charges will ensure a cost-neutral service.
- 4.3 The premises and businesses that hold these types of licences had been adversely affected by Covid-19 including lockdowns and restrictive business practices. These businesses are now being affected by general economic conditions however, the costs involved with providing a licence have not reduced. It is however recognised that many businesses continue to find trading conditions difficult and, therefore, it is proposed to continue the scheme whereby the cost of licence renewals to can be spread over a 3-6 month period, where necessary.

[SB/10122023/S]

#### **5.0 Legal implications**

- 5.1 Generally, the Council is able to recover the cost of issuing and administering a licence. Unless controlled by statute, the Council will set fees and this will normally be on a cost recovery basis only. This will have been considered in previous reports.
- 5.2 Dependent on appropriate legislation, there is often a requirement to publish a change in fees, and it is deemed reasonable to publish before any changes are to take effect.

- 5.3 Section 6(1)(b) of the Safety of Sports Grounds Act 1975 (the Act) enables the Secretary of State to make regulations authorising Local Authorities to determine fees for safety certificate applications and these regulations include The Safety of Sports Grounds Regulations 1987 (the Regulations).
- 5.4 Regulation 8 provides that “a local authority may determine the fee to be charged in respect of an application for the issue, amendment, replacement or transfer of a safety certificate but such a fee shall not exceed an amount commensurate with the work actually and reasonably done by or on behalf of the local authority in respect of the application.”

[RS/18/12/2023-2]

## **6.0 Equalities implications**

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

## **7.0 Climate change and environmental implications**

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

## **8.0 Schedule of background papers**

- 8.1 Non-Statutory Licensing Committee – 19 January 2022 – Review of Fees and Charges for General Licensing and Miscellaneous Matters for 2022-2023.
- 8.2 Non-Statutory Licensing Committee-10 July 2019-Addition to Fees and Charges for Acupuncture, Tattooing, Electrolysis, Semi-Permanent Skin Colouring and Cosmetic Piercing 2019 – 2020
- 8.3 Cabinet (Resources) Panel-16 October 2022- Policy to enable cost recovery of Enforcement Action in Licensing