

AGENDA ITEM NO. 5

DUDLEY METROPOLITAN BOROUGH

LICENSING AND SAFETY COMMITTEE

14TH MARCH 2006

REPORT OF THE DIRECTOR OF LAW AND PROPERTY AND THE DIRECTOR OF FINANCE

REVISION OF LICENCE FEES

PURPOSE

1. To consider the revision of fees for licences and consents (other than those where the fees are imposed by statute and in respect of cinemas) administered by the Committee

BACKGROUND

2. The fees for the various licences and permits administered by the Committee were last revised with effect from April 2005.
3. Fees received in respect of all licences or consents, are currently refunded if the application is withdrawn or refused.
4. In considering the revision of licence fees, the Sub-Committee may wish to compare the fees charged by the Council with those of neighbouring Councils. A table showing these comparisons is attached as Appendix 1.
5. Column (1) in Table A below shows the fees currently charged.

Column (2) in Table A shows the effect on fees of an inflation increase of 2%.

Column (3) shows the effect on fees of an increase of inflation plus 1%.

Column (4) shows the effect on fees of an increase of inflation plus 2%.

Column (5) shows the effect on fees of an increase of inflation plus 3%.

TABLE A

Licences	(1) Fees currently charged	(2) Inflation 2.00%	(3) Inflation +1.00% = 3%	(4) Inflation +2.00% = 4%	(5) Inflation +3.00% = 5%
	£	£	£	£	£
Street Trading Consent - 1st site	300.00	306.00	309.00	312.00	315.00
Street Trading Consent - additional site	300.00	(Previously agreed by Committee 2003/2004 increased to £400.00)			
Sex Establishments	3192.00	3256.00	3288.00	3320.00	3352.00
Motor Salvage Vehicle Licence	50.00	51.00	52.00	52.00	53.00

6. The Council is only permitted to charge licensing fees up to the amount that can be ascertained as being the cost of administering the licensing function. This includes enforcement, the administrative and ancillary costs of issuing the licence and the ancillary costs relating to members meeting to determine certain licensing applications.
7. An extensive comparison of fees exercise was undertaken by the Licensing Officer as part of the Best Value Review process. This exercise highlighted differences in fees across approximately 30 neighbouring authorities. Dudley's licensing fees bore favourable comparison with all other authorities. It is important however, to note that the Best Value Review Team took the view that the fee comparison exercise did not reflect both quality and public safety issues.
8. Street Trading fees were analysed by the Licensing Officer during 2004, together with the Finance Directorate.
9. It was agreed that the total cost to the Council for the enforcement and administration of Street Trading Consents are £500.00 per annum.
10. It was also agreed that the Council should increase the fees for Street Trading over a transitional period as follows:-

2005/06	-	£300
2006/07	-	£400
2007/08	-	£500

PROPOSAL

11. That the Sub-Committee review the fees for those licences and consents set out in paragraph 5 of this report to take effect from 1st April 2006.

FINANCE

12. The financial implications in respect of the above options are as follows:

Option 1:

Present fee level increased by inflation (2%)

	£'000s	£'000s
Cost of Licence Administration		478
Less: Income:		
Hackney Carriage Licences	318	
Street Trading	3	
Betting and Gaming	8	
Public Entertainments	00	
Liquor	144	474

Net cost of Licensing Administration		4

Option 2:

Present fee level increased by inflation plus 1% (3%)

	£'000s	£'000s
Cost of Licence Administration		478
Less: Income:		
Hackney Carriage Licences	321	
Street Trading	3	
Betting and Gaming	9	
Public Entertainments	00	
Liquor	145	478

Net cost of Licensing Administration		00

Option 3:

Present fee level increased by inflation plus 2% (4%)

	£'000s	£'000s
Cost of Licence Administration		478
Less: Income:		
Hackney Carriage Licences	324	
Street Trading	3	
Betting and Gaming	9	
Public Entertainments	00	
Liquor	147	483

Net cost (surplus) of Licensing Administration		(5)

Option 4:

Present fee level increased by inflation plus 3% (5%)

	£'000s	£'000s
Cost of Licence Administration		478
Less: Income:		
Hackney Carriage Licences	327	
Street Trading	3	
Betting and Gaming	9	
Public Entertainments	00	
Liquor	148	487

Net cost (surplus) of Licensing Administration		(9)

13. The net cost of licence administration is included in the Legal and Property Services budget for 2004/2005. Option 1 would leave a shortfall on the cost of administration which would have to be met from a Council subsidy of the service costs.

LAW

14. Part III and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 regulates the grant of street trading consents.

EQUALITY IMPACT

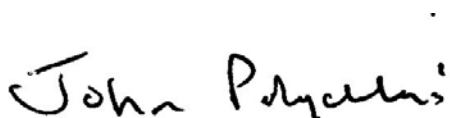
15. The proposals take into account of the Council's policy in relation to equal opportunities.

RECOMMENDATION

16. That the Committee review the current fees charged with effect from 1st April 2006.

BACKGROUND PAPERS

17. None.



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DIRECTOR OF LAW AND PROPERTY



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DIRECTOR OF FINANCE

Contact Officer: Mrs J Elliott - Ext 5377

LICENCE/PERMIT	DUDLEY	WOLVERHAMPTON	SANDWELL	BIRMINGHAM
Street Traders	First Site - £300.00 Additional Site - £300.00	Fee set on application varies on site.	Fee set on application varies on site.	
Sex Establishments	£3192.00	Initial single £4010.00 Initial joint £6010.00	£5200.00	
Renewal	£3192.00	Renewal single £3225 Renewal joint £4840	£5200.00	N/A
Transfer	£3192.00	6 month licence 50% of above plus £320.00 - transfer	£1300.00	
Motor Vehicle Salvage Licence	£50.00	£76.00	£70.00	