

MEETING OF LICENSING AND SAFETY COMMITTEE

WEDNESDAY 19TH FEBRUARY, 2014

**AT 5.30 PM
IN THE COMMITTEE ROOM 2
AT THE COUNCIL HOUSE
DUDLEY**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

JOE JABLONSKI
ASSISTANT PRINCIPAL OFFICER (DEMOCRATIC SERVICES)
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External – 01384 815243
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You can view information about Dudley MBC on
www.dudley.gov.uk

IMPORTANT NOTICE

MEETINGS IN DUDLEY COUNCIL HOUSE

Welcome to Dudley Council House

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

Our Ref:

JJ/JJ

Your Ref:

Please Ask For:

Mr J Jablonski

Telephone No:

01384 815243

11th February, 2014

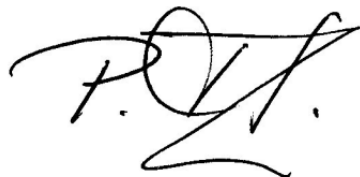
Dear Councillor,

Meeting of Licensing and Safety Committee –19th February, 2014

You are requested to attend a meeting of the Licensing and Safety Committee to be held on Wednesday, 19th February, 2014, commencing at 5.30pm in Committee Room 2 at the Council House, Dudley, to consider the business set out in the agenda below.

The agenda is available on the Council's Website www.dudley.gov.uk and follow the links to Councillors in Dudley and Committee Management Information System.

Yours sincerely



Director of Corporate Resources

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. DECLARATIONS OF INTEREST

To receive declarations of interest in accordance with the Members' Code of Conduct.

3. MINUTES

To approve as a correct record and sign the minutes of the meeting of the Committee held on 23rd May, 2013 (copy attached).

4. REVISION OF LICENCE FEES 2014 (PAGES 1 - 14)

To consider a report of the Director of Corporate Resources

5. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE RULE 11.8 (IF ANY)

To:- Members of the Licensing and Safety Committee: -

Councillor Bills (Chair);

Councillor Russell (Vice-Chair)

Councillors Mrs Ameson, Blood, Cowell, K.Finch, Perks, Roberts, Sykes,
Taylor, Mrs H Turner and Woodall

LICENSING AND SAFETY COMMITTEE

Thursday, 23rd May, 2013 at 6 pm
in Committee Room 2, The Council House, Dudley

PRESENT: -

Councillor Bills (Chair)

Councillor Russell (Vice Chair)

Councillors Mrs Ameson, Blood, Cowell, K.Finch, Perks, Roberts, Sykes, Taylor, Mrs Turner and J Woodall.

Officer: -

Mr J Jablonski (Directorate of Corporate Resources)

1. DECLARATIONS OF INTEREST

No member made a declaration of interest in accordance with the Members' Code of Conduct.

2 MINUTES

RESOLVED

That the minutes of the Special Meeting of the Committee held on 7th March, 2013, be approved as a correct record and signed.

3. APPOINTMENT OF SUB COMMITTEES

A report of the Director of Corporate Resources was submitted on the appointment of four Licensing Sub-Committees for the municipal year 2013/14.

Details of the proposed membership of Licensing Sub-Committees for 2013/14 were circulated at the meeting. The Chair informed the Committee of the rationale behind the proposed sub-committee memberships listed in the details circulated.

RESOLVED

- (1) That four Licensing Sub-Committees, numbered 1 to 4, be established to deal with all licensing functions requiring member determination in accordance with the functions allocated to the Licensing and Safety Committee as set out in the Council's Constitution.
- (2) That the membership of the Sub-Committees for 2013/14, as set out in the details circulated at the meeting, be as follows;-

Sub-Committee 1 –
Councillors Bills *, Blood and Mrs Ameson

Sub-Committee 2 –
Councillors Russell *, Cowell and Taylor

Sub-Committee 3 –
Councillors K.Finch *, Sykes and Mrs Turner

Sub-Committee 4 –
Councillors Roberts *, Perks and Wodall

with those members whose name appears with an asterisk acting as the Chair of the respective Sub-Committee.

- (3) That the substitution arrangements set out in the Council's Procedure rules be noted and be applied to Licensing Sub-Committees subject to an eligibility requirement that any named substitute must be;-
 - (a) appointed to the Licensing and Safety Committee;
 - (b) otherwise eligible to serve on any given occasion; and
 - (c) notified to the Director of Corporate Resources prior to the commencement of the meeting in question and that Democratic Services be responsible for arranging substitutes for Sub-Committees.

The meeting ended at 6.12 pm.

CHAIR

Licensing and Safety Committee – 19th February 2014

Report of the Director of Corporate Resources

Revision of Licence Fees

Purpose of Report

1. To consider the revision of fees for licences and consents (other than those where the fees are imposed by statute in respect of liquor, licensing, gambling machine permits and lotteries and amusements).

Background

2. The fees for the various licences and permits administered by the Committee were last revised with effect from April 2013.
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 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) and (3) show the effect on fees of various increases between 2% and 5%. The budget for 2014/15 (see paragraph 7) has been set based on cost inflation and estimated activity levels; a 2% overall increase will be sufficient to achieve this.

TABLE A

LICENCES	(1) Fees currently charged (Maximum fees set by the Government in brackets)	(2) Increase @ 2%	(3) Increase @ 5%
	£	£	£
STREET TRADING CONSENT – 1ST SITE	589.00	601.00	618.00
STREET TRADING CONSENT – ADDITIONAL SITE	589.00	601.00	618.00
SEX ESTABLISHMENTS/SEXUAL ENTERTAINMENT VENUE	4,043.00		
	(Currently under review following Court Judgement)		
SCRAP METAL			
Site	325.00	332.00	341.00
2 Sites	550.00	561.00	578.00
3 Sites	800.00	816.00	840.00
Collector	140.00	143.00	147.00
Variation	75.00	77.00	79.00
Copy Licence	25.00	26.00	26.00
EXISTING CASINO			
New Application			
Annual Fee	2,739.00 (3,000.00)	2794.00	2876.00
Application to Vary	1,868.00 (2,000.00)	1905.00	1961.00
Application to Transfer	1,258.00 (1,350.00)	1283.00	1321.00
Application for Reinstatement	1,258.00 (1,350.00)	1283.00	1321.00
Application Provisional Statement	N/A		
Licence application Provisions Statement Holder	N/A		
Copy Licence	25.00 (25.00)		
Notification of Change	50.00 (50.00)		
NEW SMALL CASINO			
New Application	7,472.00 (8,000.00)	7621.00	7846.00
Annual Fee	4,670.00 (5,000.00)	4763.00	4904.00
Application to Vary	3,735.00 (4,000.00)	3810.00	3922.00
Application to Transfer	1,682.00 (1,800.00)	1716.00	1766.00

Application for Reinstatement	1,682.00 (1,800.00)	1716.00	1766.00
Application Provisional Statement	7,472.00 (8,000.00)	7621.00	7846.00
Licence application Provisional Statement Holders	2,802.00 (3,000.00)	2858.00	2942.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00
NEW LARGE CASINO			
New Application	9,339.00 (10,000.00)	9526.00	9806.00
Annual Fee	9,339.00 (10,000.00)	9526.00	9806.00
Application to Vary	4,670.00 (5,000.00)	4763.00	4904.00
Application to Transfer	2,006.00 (2,150.00)	2046.00	2106.00
Application for Reinstatement	2,006.00 (2,150.00)	2046.00	2106.00
Application Provisional Statement	9,339.00 (10,000.00)	9526.00	9806.00
Licence application Provisional Statement Holders	4,670.00 (5,000.00)	4763.00	4904.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00
REGIONAL CASINO			
New Application	14,003.00 (15,000.00)	14283.00	14703.00
Annual Fee	14,003.00 (15,000.00)	14283.00	14703.00
Application to Vary	7,035.00 (7,500.00)	7176.00	7387.00
Application to Transfer	6,070.00 (6,500.00)	6191.00	6374.00
Application for Reinstatement	6,070.00 (6,500.00)	6191.00	6374.00
Application Provisional Statement	14,003.00 (15,000.00)	14283.00	14703.00
Licence application Provisional Statement Holders	7,472.00 (8,000.00)	7621.00	7846.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00

BINGO CLUB			
New Application	3,269.00 (3,500.00)	3334.00	3432.00
Annual Fee	748.00 (1,000.00)	763.00	785.00
Application to Vary	1,629.00 (1,750.00)	1662.00	1710.00
Application to Transfer	1,120.00 (1,200.00)	1142.00	1176.00
Application for Reinstatement	1,120.00 (1,200.00)	1142.00	1176.00
Application Provisional Statement	3,269.00 (3,500.00)	3334.00	3432.00
Licence application Provisional Statement Holders	1,120.00 (1,200.00)	1142.00	1176.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00
BETTING EXCLUDING TRACK			
New Application	2,802.00 (3,000.00)	2858.00	2942.00
Annual Fee	600.00 (600.00)	600.00	600.00
Application to Vary	1,400.00 (1,500.00)	1428.00	1470.00
Application to Transfer	1,120.00 (1,200.00)	1142.00	1176.00
Application for Reinstatement	1,120.00 (1,200.00)	1142.00	1176.00
Application Provisional Statement	2,802.00 (3,000.00)	2858.00	2942.00
Licence application Provisional Statement Holders	1,120.00 (1,200.00)	1142.00	1176.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00
TRACKS			
New Application	1,400.00 (2,500.00)	1428.00	1470.00
Annual Fee	934.00 (1,000.00)	953.00	981.00
Application to Vary	1,157.00 (1,250.00)	1180.00	1215.00
Application to Transfer	886.00 (950.00)	904.00	930.00
Application for Reinstatement	886.00 (950.00)	904.00	930.00

Application Provisional Statement	2,335.00 (2,500.00)	2382.00	2452.00
Licence application Provisional Statement Holders	886.00 (950.00)	904.00	930.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00
FAMILY ENTERTAINMENT CENTRES			
New Application	1,868.00 (2,000.00)	1905.00	1961.00
Annual Fee	684.00 (750.00)	698.00	718.00
Application to Vary	934.00 (1,000.00)	953.00	981.00
Application to Transfer	886.00 (950.00)	904.00	930.00
Application for Reinstatement	886.00 (950.00)	904.00	930.00
Application Provisional Statement	1,868.00 (2,000.00)	1905.00	1961.00
Licence application Provisional Statement Holders	886.00 (950.00)	904.00	930.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00
ADULT GAME CENTRE			
New Application	1,868.00 (2,000.00)	1905.00	1961.00
Annual Fee	748.00 (1,000.00)	763.00	785.00
Application to Vary	934.00 (1,000.00)	953.00	981.00
Application to Transfer	1,120.00 (1,200.00)	1142.00	1176.00
Application for Reinstatement	1,120.00 (1,200.00)	1142.00	1176.00
Application Provisional Statement	1,868.00 (2,000.00)	1905.00	1961.00
Licence application Provisional Statement Holders	1,120.00 (1,200.00)	1142.00	1176.00
Copy Licence	25.00 (25.00)	25.00	25.00
Notification of Change	50.00 (50.00)	50.00	50.00

6. The Council is only permitted to set licensing fees up to the amount that can be ascertained as being the cost of administering the licensing function. However this does not apply to liquor licensing fees, which are set by the Secretary of State for Culture, Media and Sport. The cost of administering includes enforcement, the administrative and ancillary costs of issuing the licence and the ancillary costs relating to members meeting to determine certain licensing applications.

Finance

7. This report is financial in nature with any financial implications referred to in the background above.

The budget 2014/15 has been set as follows; the cost of licence administration includes enforcement and administrative costs of processing the licence but does not include any costs relating to Members.

	£'000s	£'000s
Cost of Licence Administration		691
Less:		
Income:		
Hackney Carriage Licences	(533)	
Street Trading	(10)	
Betting and Gaming	(4)	
Liquor	(235)	
Public Entertainment	(7)	
Gambling	(31)	
Scrap Metal	(8)	(828)
Net (surplus) of Licensing Administration		(137)

Law

8. Part III and schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 regulates the grant of street trading consents.
9. The Gambling Act 2005 part 8 212 and the Gambling Premises Licence fees (England and Wales) Regulations 2007 make provision for the fees payable to the Council.
10. The Gambling Act 2005 part 8 212 2 (c) provides for the publication of fees from time to time.

Equality Impact

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

12. The Gambling Act 2005 will impact on children and young people through the licensing of Family Entertainment Centres.
13. There has been no consultation or involvement of children and young people in developing these proposals.

Recommendation

14. That the Committee review the current fees charged with effect from 1st April 2014.



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DIRECTOR OF CORPORATE RESOURCES

Contact Officer: Mrs. L Rouse
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Email: liz.rouse@dudley.gov.uk

List of Background Papers

APPENDIX 1

LICENCE/PERMIT	DUDLEY	WOLVERHAMPTON	SANDWELL	BIRMINGHAM
STREET TRADERS	£589.00	As per site between £400.00 - £12,300.00 Annual Fee £400.00 – £3,075.00	Dependant on site – fee on application	<u>City Centre –per month</u> Decorative Carts - £624.00 Pitch under 1.39sq.m - £252.00 Pitch 1.39 to 2.78sq.m - £380.00 Kiosk - £185.00 <u>Suburbs – per month</u> Pitch under 1.39sq.m - £158.00 Pitch 1.39 to 2.78 sq.m - £221.00 All football sites - £765.00
ADDITIONAL SITE	£589.00	-	-	-
SEX ESTABLISHMENTS	£4,043.00	Initial Single: £5,040.00 Initial Joint: £7,560.00	£6378.00	£7,585.00
RENEWAL	£4,043.00	Renewal Single: £4,050.00 Renewal Joint: £6,080.00	£4,991.00	£4,070.00
TRANSFER		£400.00	£1,776.00	£1,215.00
SEXUAL ENTERTAINMENT VENUE	£4,043.00	£7,560.00	£2,575.00	£7,585.00
Renewal	£4,043.00	£6,080.00	£2,575.00	£4,070.00
Transfer			£1,030.00	£1,215.00
Variation				£4,070.00
Minor Variation				£649.00

LICENCE/PERMIT	DUDLEY	WOLVERHAMPTON	SANDWELL	BIRMINGHAM
SCRAP METAL				
1 SITE	£325.00	1 ST Site	1 st Site	1 st Site
2 SITES	£550.00	£450.00	£329.00	£1,236.00
3 SITES	£800.00	Additional	Plus £50.00	2 Sites
COLLECTOR	£140.00	Sites £250.00	per site	£2,258.00
VARIATION	£ 75.00	per site	Collector	3 Sites
COPY LICENCE	£25.00	Collector	£237.00	£3,281.00
		£160.00		Collector
				£298.00
EXISTING CASINOS				
New Application	N/A			£2,074.00
Annual Fee	£2,739.00	£3,000.00 (max)	£1,109.00	£415.00
Application to Vary	£1,868.00	£2,000.00 (max)	£832.00	£2,000.00
Application to Transfer	£1,258.00	£1,350.00 (max)	£555.00	£693.00
Application for Reinstatement	£1,258.00	£1,350.00 (max)	£555.00	£693.00
Application Provisional Statement	N/A	N/A		£2,000.00
Copy Licence	£25.00	£25.00	£19.00	£25.00
Notification of Change	£50.00	£50.00	£29.00	£50.00
NEW SMALL CASINO				
New Application	£7,472.00	£8,000.00 (max)		
Annual Fee	£4,670.00	£5,000.00 (max)		
Application to Vary	£3,735.00	£4,000.00 (max)		
Application to Transfer	£1,682.00	£1,800.00 (max)		

LICENCE/PERMIT	DUDLEY	WOLVERHAMPTON	SANDWELL	BIRMINGHAM
Application to Reinstatement	£1,682.00	£1,800.00 (max)		
Application Provisional Statement	£7,472.00	£8,000.00 (max)		
Licence Application Provisional Statement Holders	£2,802.00			
Copy Licence	£25.00	£25.00		
Notification of Change	£50.00	£50.00		
NEW LARGE CASINO				
New Application	£9,339.00			
Annual Fee	£9,339.00			
Application to Vary	£4,670.00			
Application to Transfer	£2,006.00			
Application for Reinstatement	£2,006.00			
Application Provisional Statement	£9,339.00			
Licence Application Provisional Statement Holders	£4,670.00			
Copy Licence	£25.00			
Notification of Change	£50.00			

LICENCE/PERMIT	DUDLEY	WOLVERHAMPTON	SANDWELL	BIRMINGHAM
REGIONAL CASINO				
New Application	£14,003.00			
Annual Fee	£14,003.00			
Application to Vary	£7,035.00			
Application to Transfer	£6,070.00			
Application for Reinstatement	£6,070.00			
Application Provisional Statement	£14,003.00			
Licence Application Provisional Statement Holders	£ 7,472.00			
Copy Licence	£25.00			
Notification of Change	£50.00			
BINGO CLUB				
New Application	£3,269.00	£3,500.00 (max)	£1,663.00	£2,074.00
Annual Fee	£748.00	£1,000.00 (max)	£444.00	£415.00
Application to Vary	£1,629.00	£1,750.00 (max)	£722.00	£1,750.00
Application to Transfer	£1,120.00	£1,200.00 (max)	£500.00	£693.00
Application for Reinstatement	£1,120.00	£1,200.00 (max)	£500.00	£693.00
Application Provisional Statement	£3,269.00	£3,500.00 (max)	£1,663.00	£2,074.00

LICENCE/PERMIT	DUDLEY	WOLVERHAMPTON	SANDWELL	BIRMINGHAM
Licence Application Provisional Statement Holders	£1,120.00			
Copy Licence	£25.00	£25.00	£19.00	£25.00
Notification of Change	£50.00	£50.00	£29.00	£50.00
BETTING EXCLUDING TRACKS				
New Application	£2,802.00	£3,000.00 (max)	£1,109.00	£2,074.00
Annual Fee	£600.00 (max)	£600.00 (max)	£278.00	£337.00
Application to Vary	£1,400.00	£1,500.00 (max)	£555.00	£1,500.00
Application to Transfer	£1,120.00	£1,200.00 (max)	£444.00	£386.00
Application for Reinstatement	£1,120.00	£1,200.00 (max)	£444.00	£386.00
Application Provisional Statement	£2,802.00	£3,000.00 (max)	£1,109.00	£2,074.00
Licence Application Provisional Statement Holders	£1,120.00			
Copy Licence	£25.00	£25.00	£19.00	£25.00
Notification of Change	£50.00	£50.00	£29.00	£50.00
TRACKS				
New Application	£1,400.00	£2,500.00 (max)	£1,109.00	£2,074.00
Annual Fee	£934.00	£1,000.00 (max)	£444.00	£415.00
Application to Vary	£1,157.00	£1,250.00 (max)	£555.00	£1,250.00
Application to Transfer	£886.00	£950.00 (max)	£444.00	£693.00

LICENCE/PERMIT	DUDLEY	WOLVER- HAMPTON	SANDWELL	BIRMINGHAM
Application for Reinstatement	£886.00	£950.00 (max)	£444.00	£693.00
Application Provisional Statement	£2,335.00	£2,500.00 (max)	£1,109.00	£2,074.00
Licence Application Provisional Statement Holders	£886.00			
Copy Licence	£25.00	£25.00	£19.00	£25.00
Notification of Change	£50.00	£50.00	£29.00	£50.00
FAMILY ENTERTAINMENT CENTRES				
New Application	£1,868.00	£2,000.00 (max)	£665.00	£2,000.00
Annual Fee	£684.00	£750.00 (max)	£333.00	£337.00
Application to Vary	£934.00	£1,000.00 (max)	£444.00	£1,000.00
Application to Transfer	£886.00	£950.00 (max)	£389.00	£386.00
Application for Reinstatement	£886.00	£950.00 (max)	£389.00	£386.00
Application Provisional Statement	£1,868.00	£2,000.00 (max)	£665.00	£2,000.00
Licence Application Provisional Statement Holders	£886.00			
Copy Licence	£25.00	£25.00	£19.00	£25.00
Notification of Change	£50.00	£50.00	£29.00	£50.00

LICENCE/PERMIT	DUDLEY	WOLVERHAMPTON	SANDWELL	BIRMINGHAM
ADULT GAME CENTRE				
New Application	£1,868.00	£2,000.00 (max)	£832.00	£2,000.00
Annual Fee	£748.00	£1,000.00 (max)	£444.00	£337.00
Application to Vary	£934.00	£1,000.00 (max)	£444.00	£1,000.00
Application to Transfer	£1,120.00	£1,200.00 (max)	£500.00	£386.00
Application for Reinstatement	£1,120.00	£1,200.00 (max)	£500.00	£386.00
Application Provisional Statement	£1,868.00	£2,000.00 (max)	£832.00	£2,000.00
Licence Application Provisional Statement Holders	£1,120.00			
Copy Licence	£25.00	£25.00	£19.00	£25.00
Notification of Change	£50.00	£50.00	£29.00	£50.00