

**To: The Members of the Licensing Committee  
(Councillors Jenns, Clews, N Dirveiks,  
Hanratty, Henney, Ingram, Jarvis, Lewis,  
Morson, Singh, Smith, Smitten, E Stanley, M  
Stanley and A Wright)**

**For the information of other Members of the Council**

This document can be made available in large print and electronic accessible formats if requested.

For general enquiries please contact Jenny Price, Democratic Services Officer, on 01827 719450 or via e-mail [jennyprice@northwarks.gov.uk](mailto:jennyprice@northwarks.gov.uk).

For enquiries about specific reports please contact the officer named in the reports.

## **LICENSING COMMITTEE AGENDA**

**5 FEBRUARY 2019**

The Licensing Committee will meet in the Council Chamber, The Council House, South Street, Atherstone, Warwickshire on Tuesday 5 February 2019 at 6.30pm.

### **AGENDA**

#### **PART I - PUBLIC BUSINESS**

- 1 Evacuation Procedure**
- 2 Apologies for Absence**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

- 4 **Minutes of the meeting of the Committee held on 30 January 2018**  
– copy herewith to be approved as a correct record and signed by the Chairman.

5 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members. Questions should be submitted by 9.30am 2 working days prior to the meeting. Participants are restricted to five minutes each. If you wish to put a question to the meeting please contact the Democratic Services Team on 01827 719221 or 719450 or email [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk).

## **ITEMS FOR DISCUSSION AND DECISION (WHITE PAPER)**

- 6 **Service Plan for the Licensing Section** - Report of the Corporate Director - Environment

**Summary**

The purpose of this report is to seek the Committee's approval to the 2018/19 Service Plan for the Licensing Section.

The Contact Officer for this report is Stephen Whiles (719326).

- 7 **General Fund Fees and Charges 2019/2020** - Report of the Corporate Director - Environment

**Summary**

The report covers the fees and charges for 2018/19 and the proposed fees and charges for 2019/20.

The Contact Officer for this report is Nigel Lane (719371).

- 8 **General Fund Revenue Estimates 2019/20** - Report of the Corporate Director – Resources

**Summary**

This report covers the revised budget for 2018/19 and an estimate of expenditure for 2019/20, together with forward commitments for 2020/21, 2021/22 and 2022/23.

The Contact Officer for this report is Nigel Lane (719371).

- 9 **The Animal Welfare (Licensing Of Activities Involving Animals) (England) Regulations 2018** -- Report of the Corporate Director - Environment

**Summary**

The report explains the changes introduced by the legislation and asks the Committee to approve additional fees required under the Regulations.

The Contact Officer for this report is Stephen Whiles (719326).

- 10 **The Animal Welfare (Licensing Of Activities Involving Animals) (England) Regulations 2018 – Fees 2019/20** -- Report of the Corporate Director - Environment

**Summary**

The report sets out a proposed new fee structure for the issue of licences under the Regulations.

The Contact Officer for this report is Stephen Whiles (719326).

JERRY HUTCHINSON  
Chief Executive

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE LICENSING COMMITTEE

30 January 2018

Present: Councillor Jenns in the Chair

Councillors Clews, N Dirveiks, Hanratty, Henney, Ingram, Lewis, Morson, Singh, Smith, Smitten, E Stanley and A Wright

An apology for absence was received from Councillor Moss.

#### 5 **Disclosable Pecuniary and Non-Pecuniary Interests**

Councillor Clews declared a pecuniary interest in Minute 8 – General Fund Fees and Charges 2018/2019 by virtue of holding a Home Boarders Licence and took no part in the discussion or voting thereon.

#### 6 **Minutes**

The minutes of the meeting of the Committee held on 21 June 2017, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 7 **Service Plan for the Licensing Section**

The Assistant Chief Executive and Solicitor to the Council sought the Committee's approval of the 2018/19 Service Plan for the Licensing Section.

##### **Resolved:**

**That the Service Plan as set out in the Appendix to the report of the Assistant Chief Executive and Solicitor to the Council, be agreed.**

#### 8 **General Fund Fees and Charges 2018/2019**

The Committee was asked to consider the proposed fees and charges for 2018/19.

##### **Resolved:**

**That the schedule of fees and charges for 2018/19, as set out in the report be accepted.**

#### 9 **General Fund Revenue Estimates 2018/19**

The revised budget for 2017/18 and an estimate of expenditure for 2018/19, together with forward commitments for 2019/20, 2020/21 and 2021/22 were presented to the Committee.

**Resolved:**

- a The revised budget for 2017/18, be accepted; and**

**Recommendation to Executive Board:**

- b That the Estimates of Expenditure for 2018/19, as submitted in the report of the Deputy Chief Executive be included in the budget to be brought before the meeting of the Executive Board on 12 February 2018.**

A Jenns  
Chairman

**Agenda Item No 6**

**Licensing Committee**

**5 February 2019**

**Report of the  
Corporate Director - Environment**

**Service Plan for the Licensing  
Section**

**1 Summary**

- 1.1 The purpose of this report is to seek the Committee's approval to the 2019/20 Service Plan for the Licensing Section.

**Recommendation to the Committee**

**That the Service Plan as set out in the Appendix to the report be agreed.**

**2 Report**

- 2.1 Corporate Plan Targets and Divisional Service Plans are normally agreed in the January/February cycle of meetings and adopted by Full Council in February at the same time as the Budget.

- ... 2.2 The Service Plan for the Licensing Section is set out in the Appendix to this report.

- 2.3 Where there are any budget implications for another Board/Committee arising out of this work programme, those implications will be drawn to the attention of the relevant Board/Committee in the Budget report going to this cycle of meetings. Similarly, any budgetary implications for this Committee from Divisional Plans being reported to other Boards/Committees are dealt with in the Budget Report also on this agenda.

- 2.4 Once the Corporate Plan Targets and Divisional Service Plans have been agreed, they will be subject to the following reporting procedures for monitoring performance:-

- Monthly reports are considered by Management Team;
- A traffic light warning indicator is used:-
  - Red – target not likely to be achieved.
  - Amber – target currently behind schedule and requires remedial action in order to be achieved.
  - Green – target currently on schedule to be achieved;
- Progress reports to each Board/Committee meeting.

### 3 Report Implications

#### 3.1 Finance and Value for Money Implications

3.1.1 Where possible, Targets and indicators for 2019-20 will be achieved from within existing Committee resources. Details of any additional funding will be in appropriate cases, the subject of reports to the Committee.

#### 3.2 Risk Management Implications

3.3.1 The main risk is ensuring that the Council prioritises its resources to enable it to deliver its priorities. The performance monitoring arrangements set out above provide the mechanism to ensure that remedial action can be taken to review progress and ensure that priority outcomes are delivered.

#### 3.3 Other Report Implications

3.5.1 Any further implications resulting from proposals will be the subject of further reports to the Committee.

#### 3.4 Links to Council's Priorities

3.4.1 These are set out in the Appendix.

The Contact Officer for this report is Stephen Whiles (719326).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

## **LICENSING SERVICE PLAN 2019/20**

The past year saw the departure of the Licensing Enforcement Officer but a new Officer was appointed to the post quite quickly and has settled into the role very well.

As part of the re-structure of Environmental Health the Licensing function has been added to the remit of the Environmental Health Officer who transferred in from the Housing Division following the loss of her private sector housing duties. This team now cover domestic nuisance, licensing and pest control.

Both of these officers have completed the licensing practitioners course and the new structure will create greater resilience in the licensing function.

The Council has approved a new gambling policy coming into force in January 2019 and lasting for three years.

From October 2018 there have been new Regulations covering the licensing of activities involving animals, such as animal boarding, breeding of dogs, performing animals etc. These Regulations have repealed all of the old Regulations so that all the relevant legislation (apart from Zoos and Dangerous Wild Animals) is now in one set of Regulations. These duties are to be transferred from the Environmental Protection section to the Licensing Section as will duties under the Scrap Metal Dealers Act. The Licensing Section now has more resources whilst the Environmental Protection section have a lot of new workload coming on stream from HS2 and the increase in planning applications across the borough.

Other notable events have been the successful prosecution and revocation of the licence of an animal boarding establishment for failure to comply with their licence conditions. The premises licence of a pub in Coleshill was reviewed following a number of violent incidents and complaints of anti social behaviour resulting in a cut in licensing hours and the imposition of further conditions on the licence.

During the coming year Officers will continue to review existing policies and determine where new policies are needed and bring these to the Licensing Committee for consideration.

### SERVICE PLAN 2019/20

#### Smoke Free Legislation

1. No programmed inspections to be carried out. Routine checks to be carried out by all members of Environmental Health's Commercial Team when visiting Commercial Premises in connection with other core functions such as food safety, Licensing Act etc.



2. All complaints from members of the public or employees to be investigated as appropriate by the Licensing Enforcement Officer and enforcement action taken in accordance with the Licensing Enforcement Policy after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another Officer from the Environmental Health Division. Around ten complaints are anticipated.

#### Hackney Carriages/Private Hire Vehicles

3. All applications/renewals to be dealt with by the Licensing Administrator
4. Each vehicle is to be MoT tested every six months. Notification of due tests to be the responsibility of the Licensing Enforcement Officer.
5. Each vehicle is to receive at least one unannounced inspection by the Licensing Enforcement Officer.
6. All complaints about hackney carriages/private hire vehicles to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another Officer from the Environmental Health Division. Less than five complaints are anticipated.

#### Street Traders Licenses

7. All applications to be dealt with by the Licensing Enforcement Officer and Licensing Administrator with reference to the Council's street trading consent policy.
8. All licence holders to be inspected twice per annum by the Licensing Enforcement Officer.
9. All complaints about Illegal Street trading to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another officer from the Environmental Health Division. Around ten complaints are anticipated.

#### Licensing Act 2003

10. All applications, variations and reviews are to be dealt with by the Licensing Enforcement Officer and Licensing Administrator in consultation as required with the Environmental Health Manager and Solicitor to the Council.
11. Visits to licensed premises will be made by the Licensing Enforcement Officer with follow up visits and enforcement action as required, after consultation with the Environmental Health Manager. Visits by the Licensing Enforcement Officer are to be focussed on 'high risk' premises where evidence or intelligence suggest there may be problems and also upon change of ownership or Designated Premises Supervisor and to new premises. Where appropriate joint visits will be made with the Police, Trading Standards, Fire Officer or other responsible body.

Lower risk premises may be visited by other Officers (eg Food Safety Officers) acting as 'eyes and ears' whilst performing their normal duties.

12. All complaints about licensed premises to be investigated by the Licensing Enforcement Officer and where appropriate, enforcement action to be taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be made with another Officer from the Environmental Health Division
13. All temporary event notices are to be dealt with by the Licensing Administrator. Around 150 temporary event notices are anticipated.
14. A multi agency meeting will be arranged bi monthly by the Environmental Health Manager to discuss issues around licensed premises in the Borough and agree a co-ordinated response to any issues identified.

#### Gambling Act 2005

15. All new applications to be dealt with by the Licensing Enforcement Officer and Licensing Administrator
16. All complaints about Gambling Act activities to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside normal office hours a joint inspection will be carried out with another Officer from the Environmental Health Division.
17. Gambling permits issued when the Act first came into force are renewable after ten years and these renewals began in 2017. All applications for renewal will result in an audit of the premises concerned to check on levels of compliance.

#### Street Collections, Small Society Lotteries & House to House Collections

18. All applications to be dealt with by the Licensing Administrator.(Approximately 30 street collections, 50 house to house collections and 85 small society lotteries)
19. All complaints about illegal street collections etc to be investigated by the Licensing Enforcement Officer and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside of normal office hours a joint inspection will be made with another Officer from the Environmental Health Division.

#### Animal Welfare Licenses

20. All applications and applications for renewals will be dealt with by the technical officers and licensing officers in the Environmental Health Division.
21. All licence holders are to be inspected on application for a new licence or a renewal. Other inspections will be carried out where there is reason due to intelligence or a history of non compliance.
22. All complaints about animal welfare to be investigated by the technical officers and licensing officers in the Environmental Health Division and appropriate enforcement action taken after consultation with the Environmental Health

Manager. Where complaints relate to activities outside of normal office hours a joint inspection will be made with another Officer from the Environmental Health Division.

### Special Treatments

23. All applications for registration will be dealt with by the Senior Environmental Health Officer (Commercial).
24. All premises are to be inspected on application for a new registration. Other inspections will be carried out where there is reason due to intelligence or a history of non compliance.
25. All complaints about special treatments to be investigated by the Senior Environmental Health Officer (Commercial) and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside of normal office hours a joint inspection will be made with another Officer from the Environmental Health Division.

### Scrap Metal Dealers

25. All applications for licences will be dealt with by the Licensing Officers.
26. All complaints about scrap metal dealers will be investigated by the Licensing Enforcement Officer and/or Senior Pollution Control Officer/Pollution Control Officer in conjunction with the Environment Agency and Police where necessary and appropriate enforcement action taken after consultation with the Environmental Health Manager. Where complaints relate to activities outside of normal office hours a joint inspection will be made with another Officer from the Environmental Health Division and/or Police and Environment Agency.
27. At least one joint operation will be carried out with the Police to check on compliance of licensed scrap metal collectors and take enforcement action against any unlicensed operators found. **PI**
28. Holders of scrap metal site licences will receive inspections in conjunction with the Police and further follow up visits as required to ensure compliance with the legislation. Visits will be made on the basis of intelligence.

## Agenda Item No 7

### Licensing Committee

5 February 2019

#### Report of the Corporate Director - Environment

#### General Fund Fees and Charges 2019/2020

### 1 Summary

- 1.1 The report covers the fees and charges for 2018/19 and the proposed fees and charges for 2019/20.

#### **Recommendation to the Committee**

**That the schedule of fees and charges for 2019/20, as set out in Appendix A, be accepted.**

### 2 Introduction

- 2.1 At its meeting held in September, the Executive Board agreed the budget strategy for 2019/23, which included price inflation increases of £290.

### 3 Fees and Charges Proposed for 2019/2020

- 3.1 Attached for the Committee's consideration at Appendix A are details of present and proposed fees and charges for the financial year 2019/20. The amounts shown have been included in the revenue estimates for 2019/20.

- 3.2 Licences and Registration fees for Animal Welfare (Licensing of Activities Involving Animals) have been reviewed in light of implementing the new Regulations which have been set out in another report on this agenda.

- 3.2.1 Licences will now be issued for one, two or three years depending on the compliance with the Regulations, with a further application fee which covers the Council's costs.

- 3.3 Following changes made by the Deregulation Act 2015, from 1 October 2015 Hackney carriage and Private Hire driver's licences are issued on a three yearly basis and Private Hire Operators every five years. A review of all taxi and private hire fees was undertaken in assessing the changes, and revised fees were agreed by this Committee on 27 July 2015, effective from 1 October 2015. These fees will be reviewed during the first part of 2019 and the proposed fees will be sent out to this committee for approval for implementation as soon as possible.

3.4 No increases have been applied to the Licensing and Gambling Authority fees, as these charges are statutory and so not set by ourselves.

#### 4 **Report Implications**

##### 4.1 **Finance and Value for Money Implications**

4.1.1 The pricing structure contained in this report is expected to generate additional income of £1,940 above the 2018/19 revised budget for 2019/20, comprising of price increases of £290 and changes in customer base of £1,650.

4.1.2 This will contribute to the achievement of income targets, which are contained within the Corporate Director – Resources report on the General Fund estimates 2019/20, presented elsewhere within the agenda for this meeting. A 1% change in income generated by services reporting to this Board would result in an increase or decrease in income of £150.

##### 4.2 **Risk Management**

4.2.1 Changes to fees and charges may impact on the level of demand. However, this has been considered in proposing the revised charges.

The Contact Officer for this report is Nigel Lane (719371).

#### **Background Papers**

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>

**NORTH WARWICKSHIRE BOROUGH COUNCIL****LICENSING COMMITTEE****FEES AND CHARGES FROM 1 APRIL 2019**

	<b>2018/2019 TOTAL CHARGE £</b>	<b>2019/2020 TOTAL CHARGE £</b>	<b>VAT RATING</b>
<b>LICENCE FOR THE BOARDING OF CATS AND DOGS</b>			
<b>Boarding Premises</b>			
Application fee	230.80	120.00	Outside Scope
Renewal	176.20	N/A	"
Licence fee 1 year	N/A	60.00	Outside Scope
Licence fee 2 year	N/A	120.00	"
Licence fee 3 year	N/A	180.00	"
Variation	52.50	75.00	"
<b>Home Boarders</b>			
Application fee	122.60	60.00	Outside Scope
Renewal	94.80	N/A	"
Licence fee 1 year	N/A	40.00	Outside Scope
Licence fee 2 year	N/A	80.00	"
Licence fee 3 year	N/A	120.00	"
Variation	52.50	40.00	"
<b>PET SHOP LICENCE</b>			
Up to 25m <sup>2</sup>			
New application	188.50	N/A	Outside Scope
Renewal	133.90	N/A	"
Up to 50m <sup>2</sup>			
New application	230.70	N/A	"
Renewal	176.10	N/A	"
Up to 100m <sup>2</sup>			
New application	273.30	N/A	"
Renewal	218.70	N/A	"
Over 100m <sup>2</sup>			
New application	308.50	N/A	"
Renewal	253.70	N/A	"
<b>LICENCE FOR THE SALE OF ANIMALS AS PETS</b>			
Application fee	N/A	120.00	Outside Scope
Licence fee 1 year	N/A	60.00	"
Licence fee 2 year	N/A	120.00	"
Licence fee 3 year	N/A	180.00	"
Variation	N/A	75.00	"
<b>RIDING ESTABLISHMENT LICENCE</b>			
New application	196.70	N/A	Outside Scope
Renewal	169.40	N/A	"
<b>LICENCE FOR THE HIRING OUT OF HORSES</b>			
Application fee	N/A	120.00 + vet's fee	Outside Scope
Licence fee 1 year	N/A	60.00 + vet's fee	"
Licence fee 2 year	N/A	120.00 + vet's fee	"
Licence fee 3 year	N/A	180.00 + vet's fee	"
Variation	N/A	75.00 + vet's fee (if necessary)	"

**NORTH WARWICKSHIRE BOROUGH COUNCIL****LICENSING COMMITTEE****FEES AND CHARGES FROM 1 APRIL 2019**

	<b>2018/2019 TOTAL CHARGE £</b>	<b>2019/2020 TOTAL CHARGE £</b>	<b>VAT RATING</b>
<b>DANGEROUS WILD ANIMAL LICENCE</b>			
New application	196.70	200.60	Outside Scope
Renewal	169.40	172.80	"
<b>ZOO LICENCE (4-yearly)</b>			
Grant or renewal	460.80	470.00	Outside Scope
Transfer	107.10	109.20	"
Variation	107.10	109.20	"
Re-issue or replacement	26.80	27.30	"
<b>DOG BREEDING LICENCE</b>			
Application fee	294.40	120.00 + vet's fee	Outside Scope
Licence fee 1 year	N/A	60.00	"
Licence fee 2 year	N/A	120.00	"
Licence fee 3 year	N/A	180.00	"
Renewal	239.80	N/A	"
Variation	54.60	75.00	Outside Scope
<b>LICENCE FOR THE KEEPING OR TRAINING OF ANIMALS FOR EXHIBITION</b>			
Application fee	N/A	120.00	Outside Scope
Licence fee 3 year	200.00	180.00	"
Revisit following appeal against "star rating" (does not apply if "star rating" goes up on revisit)	100.00	N/A	"
Revisit requested to re-score by businesses that have made improvements	100.00	N/A	"
Variation	75.00	75.00	"
<b>ACUPUNCTURE, TATTOOING, COSMETIC PIERCING, SEMI-PERMANENT SKIN COLOURING &amp; ELECTROLYSIS LICENCE</b>			
	162.20	165.40	Outside Scope
<b>HYPNOTISM PERMIT</b>			
	Free	Free	N/A

**NORTH WARWICKSHIRE BOROUGH COUNCIL****LICENSING COMMITTEE****FEES AND CHARGES FROM 1 APRIL 2019**

	<b>2018/2019 TOTAL CHARGE £</b>	<b>2019/2020 TOTAL CHARGE £</b>	<b>VAT RATING</b>
<b>STREET TRADING LICENCE</b>			
Food sales	1,592.20	1,624.00	Outside Scope
Non food sales	788.20	804.00	"
<b>SEX ESTABLISHMENT LICENCE</b>			
Transfer or variation	2,658.10 588.50	2,711.30 600.30	Outside Scope "
<b>SCRAP METAL LICENCE (3-yearly)</b>			
Site	321.50	327.90	Outside Scope
Collector	192.90	196.80	"
<b>HACKNEY CARRIAGE &amp; PRIVATE HIRE VEHICLES</b>			
Private hire operator's licence (5 yearly)	276.98	276.98	Outside Scope
Hackney Carriage licence (annual)	271.90	271.90	"
Private Hire Vehicle licence (annual)	271.90	271.90	"
Drivers licence (Includes badge) (3 yearly)	230.12	230.12	"
Vehicle licence transfer new vehicle	92.80	92.80	"
Vehicle licence transfer new owner	35.60	35.60	"
Replacement of driver's badge	23.80	23.80	"
Replacement of lost documents	23.80	23.80	"
Vehicle plate	33.40	33.40	"
Medical fee full (including Occupational Health fee)	108.00	108.00	"
Medical fee review (including Occupational Health fee)	108.00	108.00	"
Please note that the Occupational Health fee is subject to change			
MoT retest fee	42.50	42.50	"
Failure to attend an MOT appointment	30.00	30.00	
Standard Disclosure and Barring Service check (£26.00 plus £16.70 admin. charge)	42.70	42.70	"
Enhanced Disclosure and Barring Service check (£44.00 plus £16.70 admin. charge)	60.70	60.70	"
Please note that the DBS fee is subject to change			



**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**LICENSING COMMITTEE**

**FEES AND CHARGES FROM 1 APRIL 2019**

**FEES FOR LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003**

**PLEASE NOTE THAT THE CHARGES BELOW ARE SUBJECT TO CHANGE**

**SCHEDULE 1**

(regulation 3)

**RATEABLE VALUES AND BANDS**

The breakdown of premises by NDR rateable value on which all premises based fees are calculated

<b>Rateable Value</b>	<b>Band</b>
No rateable value to £4,300	A
£4,300 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

**SCHEDULE 2**

(regulation 4(2), (3) and 6(1))

**APPLICATION FEE REQUIRED FOR**

**PREMISES LICENCES AND CLUB PREMISES CERTIFICATES  
AND VARIATIONS TO LICENCES/CLUB PREMISES CERTIFICATES**

<b>Band</b>	<b>Fee</b>		
	<b>NET CHARGE</b>	<b>VAT RATING</b>	<b>TOTAL CHARGE 20% VAT</b>
	<b>£</b>		<b>£</b>
A	100.00	Outside Scope	100.00
B	190.00	"	190.00
C	315.00	"	315.00
D	450.00	"	450.00
E	635.00	"	635.00

<b>Band</b>	<b>Multiplied fee if primarily selling alcohol</b>		
	<b>NET CHARGE</b>	<b>VAT RATING</b>	<b>TOTAL CHARGE 20% VAT</b>
	<b>£</b>		<b>£</b>
A	N/A	Outside Scope	N/A
B	N/A	"	N/A
C	N/A	"	N/A
D	900.00	"	900.00
E	1,905.00	"	1,905.00

**SCHEDULE 3**

regulation 4(4)

**ADDITIONAL FEE**

<b>Number of persons</b>	<b>Additional Fee</b>		
	<b>NET CHARGE</b>	<b>VAT RATING</b>	<b>TOTAL CHARGE 20% VAT</b>
	<b>£</b>		
5,000 to 9,999	1,000.00	Outside scope	1,000.00
10,000 to 14,999	2,000.00	"	2,000.00
15,000 to 19,999	4,000.00	"	4,000.00
20,000 to 29,999	8,000.00	"	8,000.00
30,000 to 39,999	16,000.00	"	16,000.00
40,000 to 49,999	24,000.00	"	24,000.00
50,000 to 59,999	32,000.00	"	32,000.00
60,000 to 69,999	40,000.00	"	40,000.00
70,000 to 79,999	48,000.00	"	48,000.00
80,000 to 89,999	56,000.00	"	56,000.00
90,000 and over	64,000.00	"	64,000.00

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**LICENSING COMMITTEE**

**FEES AND CHARGES FROM 1 APRIL 2019**

**FEES FOR LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003**

**PLEASE NOTE THAT THE CHARGES BELOW ARE SUBJECT TO CHANGE**

**SCHEDULE 5**

(regulation 5, 7)

**ANNUAL FEE**

**PART 1**

Required by each premises licence/club certificate annually after November 2006

There are exceptions

Band	Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE 20% VAT
	£		£
A	70.00	Outside Scope	70.00
B	180.00	"	180.00
C	295.00	"	295.00
D	320.00	"	320.00
E	350.00	"	350.00

Band	Multiplied fee if primarily selling alcohol		
	NET CHARGE	VAT RATING	TOTAL CHARGE 20% VAT
	£		£
A	N/A	Outside Scope	N/A
B	N/A	"	N/A
C	N/A	"	N/A
D	640.00	"	640.00
E	1,050.00	"	1,050.00

**PART 2 (see comment on schedule5)**

Number	Additional Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE 20% VAT
	£		£
5,000 to 9,999	500.00	Outside Scope	500.00
10,000 to 14,999	1,000.00	"	1,000.00
15,000 to 19,999	2,000.00	"	2,000.00
20,000 to 29,999	4,000.00	"	4,000.00
30,000 to 39,999	8,000.00	"	8,000.00
40,000 to 49,999	12,000.00	"	12,000.00
50,000 to 59,999	16,000.00	"	16,000.00
60,000 to 69,999	20,000.00	"	20,000.00
70,000 to 79,999	24,000.00	"	24,000.00
80,000 to 89,999	28,000.00	"	28,000.00
90,000 and over	32,000.00	"	32,000.00

**SCHEDULE 6 (Regulation 8)**

**PRESCRIBED FEES FOR PERMITTED TEMPORARY ACTIVITIES,  
PERSONAL LICENCES AND MISCELLANEOUS**

Application or notice	Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE 20% VAT
	£		£
section 25 (theft, loss, etc. of premises licence or summary)	10.50	Outside Scope	10.50
section 29 (application for a provisional statement where premises being built etc.)	315.00	"	315.00
section 33 (notification of change of name or address)	10.50	"	10.50
section 37 (application to vary licence to specify individual as premises supervisor)	23.00	"	23.00
section 42 (application for transfer of premises licence)	23.00	"	23.00
section 47 (interim authority notice following death etc. of licence holder)	23.00	"	23.00
section 79 (theft, loss etc. of certificate or summary)	10.50	"	10.50
section 82 (notification of change of name or alteration of rules of club)	10.50	"	10.50
section 83(1) or (2) (change of relevant registered address of club)	10.50	"	10.50
section 100 (temporary event notice)	21.00	"	21.00
section 110 (theft, loss etc. of temporary event notice)	10.50	"	10.50
section 117 (application for a grant of personal licence)	37.00	"	37.00
section 126 (theft, loss etc. of personal licence)	10.50	"	10.50
section 127 (duty to notify change of name or address)	10.50	"	10.50
section 178 (right of freeholder etc. to be notified of licensing matters)	21.00	"	21.00
Minor variations	89.00	"	89.00
Section 410(application to vary premises licence to include alternative licence condition) where the only variation sought is the inclusion of the alternative licence condition	23.00	"	23.00

**NORTH WARWICKSHIRE BOROUGH COUNCIL**  
**LICENSING COMMITTEE**  
**FEES AND CHARGES FROM 1 APRIL 2019**

**FEES UNDER THE GAMBLING ACT 2005**

<b>Premises Type</b>	<b>Conversion</b>	<b>Conversion</b>	<b>Non-Conversion</b>	<b>Non-Conversion</b>	<b>Annual Fee</b>	<b>Variation</b>	<b>Transfer of</b>	<b>Reinstatement</b>	<b>Provisional</b>	<b>Change of</b>	<b>Copy of</b>
	<b>Fast-Track</b>	<b>Non- Fast</b>	<b>Application</b>	<b>Application</b>			<b>Licence</b>	<b>Fee</b>	<b>Statement</b>	<b>Circumstances</b>	<b>Licence</b>
	<b>Application</b>	<b>Track</b>	<b>Provisional</b>	<b>Other premises</b>							
	<b>£</b>	<b>Application</b>	<b>statement</b>	<b>(i.e. new)</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
		<b>£</b>	<b>premises</b>								
			<b>£</b>								
Regional Casino	0.00	0.00	6,400.00	12,000.00	12,000.00	6,000.00	5,200.00	5,200.00	12,000.00	50.00	25.00
New Large Casino	0.00	0.00	4,000.00	8,000.00	8,000.00	4,000.00	1,720.00	1,720.00	8,000.00	50.00	25.00
New Small Casino	0.00	0.00	2,400.00	6,400.00	4,000.00	3,200.00	1,440.00	1,440.00	6,400.00	50.00	25.00
Existing Casinos	240.00	1,600.00	0.00	4,000.00	2,400.00	1,600.00	1,080.00	1,080.00	0.00	50.00	25.00
Bingo Premises	240.00	1,400.00	960.00	2,800.00	800.00	1,400.00	960.00	960.00	2,800.00	50.00	25.00
Adult Gaming Centre	240.00	800.00	960.00	1,600.00	800.00	800.00	960.00	960.00	1,600.00	50.00	25.00
Betting Premises Tracks	240.00	1,000.00	760.00	2,000.00	800.00	1,000.00	760.00	760.00	2,000.00	50.00	25.00
Family Entertainment Centres	240.00	800.00	760.00	1,600.00	600.00	800.00	760.00	760.00	1,600.00	50.00	25.00
Betting Premises (other)	240.00	1,200.00	960.00	2,400.00	480.00	1,200.00	960.00	960.00	2,400.00	50.00	25.00
Temporary use notice	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	250.00	0.00	0.00

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**LICENSING COMMITTEE**

**FEES AND CHARGES FROM 1 APRIL 2019**

**FEES UNDER THE GAMBLING ACT 2005**

	<b>TOTAL CHARGE £</b>
<b>LICENSED PREMISES GAMING MACHINE PERMIT</b>	
<b>Occasion on which fee may be payable</b>	
Grant	150.00
Existing operator Grant	100.00
Variation	100.00
Transfer	25.00
Annual Fee	50.00
Change of name	25.00
Copy of Permit	15.00
<b>LICENSED PREMISES AUTOMATIC NOTIFICATION PROCESS</b>	
<b>Occasion on which fee may be payable</b>	
On notification	50.00
<b>CLUB GAMING PERMITS</b>	
<b>Occasion on which fee may be payable</b>	
Grant	200.00
Grant (Club Premises Certificate holder)	100.00
Existing operator Grant	100.00
Variation	100.00
Renewal	200.00
Renewal (Club Premises Certificate holder)	100.00
Annual Fee	50.00
Copy of Permit	15.00
<b>CLUB MACHINE PERMITS</b>	
<b>Occasion on which fee may be payable</b>	
Grant	200.00
Grant (Club Premises Certificate holder)	100.00
Existing operator Grant	100.00
Variation	100.00
Renewal	200.00
Renewal (Club Premises Certificate holder)	100.00
Annual Fee	50.00
Copy of Permit	15.00
<b>FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS</b>	
<b>Occasion on which fee may be payable</b>	
Grant	300.00
Renewal	300.00
Existing operator Grant	100.00
Change of name	25.00
Copy of Permit	15.00
<b>PRIZE GAMING PERMITS</b>	
<b>Occasion on which fee may be payable</b>	
Grant	300.00
Renewal	300.00
Existing operator Grant	100.00
Change of name	25.00
Copy of Permit	15.00
<b>SMALL LOTTERY REGISTRATION</b>	
Grant	40.00
Annual Fee	20.00

## Agenda Item No 8

### Licensing Committee

5 February 2019

#### Report of the Corporate Director - Resources

#### General Fund Revenue Estimates 2019/20

### 1 Summary

- 1.1 This report covers the revised budget for 2018/19 and an estimate of expenditure for 2019/20, together with forward commitments for 2020/21, 2021/22 and 2022/23.

#### **Recommendation to the Committee**

- a To accept the revised budget for 2018/19; and**
- b To accept or otherwise vary the Estimates of Expenditure for 2019/20, as submitted, for them to be included in the budget to be brought before the meeting of the Executive Board on 11 February 2019.**

### 2 Introduction

- 2.1 In consultation with other Directors, the Corporate Director - Resources has prepared an estimate of net expenditure for 2019/20 and this, together with a revised budget for 2018/19, appears in Appendices A and B. To provide a more complete picture of the spending pattern of the service, the actual figures for 2017/18 are shown.
- 2.2 At its meeting in September, the Executive Board agreed the budget strategy for 2019-2023 which required savings of £1.25 million over a four year period. This required budget savings of £200,000 in 2019/20 with additional savings of £450,000 in 2020/21 and £300,000 in 2021/22 and 2022/23 respectively. Some limited growth was built into the strategy in specific areas.
- 2.3 Directors were asked to identify areas where savings could be made, either by a reduction in expenditure or through the generation of additional income. No savings have been identified for this Board.

2.4 A subjective analysis of the Committee's requirement is shown below:

	<b>Approved Budget 2018/19 £</b>	<b>Revised Budget 2018/19 £</b>	<b>Original Budget 2019/20 £</b>
Employee Costs	23,870	23,680	24,790
Premises	50	50	50
Supplies and Services	6,900	6,900	6,290
Transport	5,940	5,940	5,940
<b>Gross Expenditure</b>	<b>36,760</b>	<b>36,570</b>	<b>37,070</b>
Income	(116,380)	(116,660)	(118,600)
<b>Net Controllable Expenditure</b>	<b>(79,620)</b>	<b>(80,090)</b>	<b>(81,530)</b>
Departmental Support	37,770	37,270	37,090
Central Support	35,190	43,830	45,620
<b>Net Expenditure</b>	<b>(6,660)</b>	<b>1,010</b>	<b>1,180</b>

2.5 There are no capital charges relating to budgets within this report.

### 3 **Comments on the 2018/19 Revised Budget**

3.1 The revised budget for 2018/19 is estimated to be £1,010, an increase of £7,670 on the approved position. The main variations are set out below.

#### 3.2 **Licensing Authority** **£2,940**

3.2.1 A reduced number of Premises Licence renewals due to the current harsh economic climate for Public Houses.

#### 3.3 **Licences and Registration** **(£2,190)**

3.3.1 There has been an increase in income from the new Animal Welfare licence, one off income from acupuncture and skin piercing licences and scrap metal site licences (renewable every 3 years).

#### 3.4 **Departmental and Central Support Services** **£8,140**

3.4.1 Central support costs have increased by £8,640 mainly due to a change in the work plan of Internal Audit.

### 4 **Comments on the 2019/20 Estimates**

4.1 The 2019/20 estimate has been prepared, taking into account the following assumptions:

- A 2% pay award from 1 April 2019 and the revised pay structure;
- An increase in income to reflect the increases included in the fees and charges report elsewhere on the agenda.

4.2 The estimated budget for 2019/20 is £1,180; an increase in costs of £7,840 on the 2018/19 approved budget and an increase in cost of £170 on the revised 2018/19 budget. The main variations are set out below.

4.3 **Licences and Registration** **(£1,380)**

4.3.1 Income is expected to increase with the Scrap Metal (collectors) licences (renewable every 3 years) due for renewal in 2019/20.

4.4 **Departmental and Central Support Services** **£1,610**

4.4.1 Departmental support costs have increased due to pay award and increments.

5 **Income**

5.1 Changes in the levels of fees and charges for services under the responsibility of this Board are covered in another report on tonight's agenda. Income on fees and charges is expected to contribute to the achievement of income targets.

6 **Risks to Services**

6.1 The key risk to the budgetary position of the Council from services under the control of this Board is:

	Likelihood	Potential impact on Budget
Fee income – The levels of some licences, especially those related to alcohol licensing, street trading, pet shops and other commercial enterprises are at risk from a downturn in the economy.	Low	Low

7 **Future Year Forecasts**

7.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the three years following 2019/20. The table below provides a subjective summary for those services reporting to this Board:

	<b>Forecast Budget 2020/21</b> £	<b>Forecast Budget 2021/22</b> £	<b>Forecast Budget 2022/23</b> £
Employee Costs	25,380	25,980	26,600
Premises	50	50	50
Supplies and Services	6,290	7,170	6,420
Transport	5,940	6,060	6,060
<b>Gross Expenditure</b>	<b>37,660</b>	<b>39,260</b>	<b>39,130</b>
Income	(104,560)	(116,500)	(118,560)
<b>Net Controllable Expenditure</b>	<b>(66,900)</b>	<b>(77,240)</b>	<b>(79,430)</b>
Departmental Support	37,900	38,740	39,580
Central Support	46,640	47,760	48,850
<b>Net Expenditure</b>	<b>17,640</b>	<b>9,260</b>	<b>9,000</b>

- 7.2 The forecasts given above have used a number of assumptions, which include pay awards of 2% in 2019/20 to 2022/23, increases in contracts and general increases in supplies and services of 2% in 2021/22.
- 7.3 Hackney Carriages and Scrap Metal (site and collectors) licences are only renewed every three to five years which means that the income will fluctuate between financial years.
- 7.4 These forecasts are built up using current corporate and service plans. Where additional resources have already been approved, these are also included. However, these forecasts will be amended to reflect any amendments to the estimates, including decisions taken on any further corporate or service targets.

## **8 Report Implications**

### **8.1 Finance and Value for Money Implications**

- 8.1.1 As detailed in the body of the report.

### **8.2 Environment and Sustainability Implications**

- 8.2.1 Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of essential services.

### **8.3 Risk Management Implications**

- 8.3.1 There are a number of risks associated with setting a budget, as assumptions are made on levels of inflation and demand for services. To minimise the risks, decisions on these have been taken using past experience and knowledge, informed by current forecasts and trends. However, the risk will be managed through the production of regular budgetary control reports, assessing the impact of any variances and the need for any further action.

The Contact Officer for this report is Nigel Lane (719371).



**NORTH WARWICKSHIRE BOROUGH COUNCIL**  
**LICENSING COMMITTEE SUMMARY**  
**SUMMARY OF GENERAL FUND REVENUE ESTIMATES**

<b>Code</b>	<b>Description</b>	<b>Actual 2017/2018 £</b>	<b>Approved Budget 2018/2019 £</b>	<b>Revised Budget 2018/2019 £</b>	<b>Original Budget 2019/2020 £</b>
4000	Licensing Authority	(34,271)	(40,150)	(37,210)	(36,780)
4001	Licences and Registration	(10,579)	(9,240)	(11,430)	(12,810)
4008	Hackney Carriages	(10,136)	(20,860)	(21,620)	(22,110)
4019	Gambling Act Authority	(9,602)	(9,370)	(9,830)	(9,830)
	<b>Net Controllable Expenditure</b>	<b>(64,588)</b>	<b>(79,620)</b>	<b>(80,090)</b>	<b>(81,530)</b>
	<b>Departmental Support</b>	<b>40,497</b>	<b>37,770</b>	<b>37,270</b>	<b>37,090</b>
	<b>Central Support</b>	<b>34,776</b>	<b>35,190</b>	<b>43,830</b>	<b>45,620</b>
	<b>Licensing Committee Total</b>	<b>10,685</b>	<b>(6,660)</b>	<b>1,010</b>	<b>1,180</b>

**4000 - LICENSING AUTHORITY**

The Council is the Licensing Authority for the Borough. It is required to process and issue licences to premises and individuals to allow the sale of alcohol and for certain events that occur within the Borough.

DESCRIPTION	ACTUALS 2017/2018	APPROVED BUDGET 2018/2019	REVISED BUDGET 2018/2019	ORIGINAL BUDGET 2019/2020
Employee Expenditure	18,410	13,230	13,670	14,050
Supplies and Services	1,085	1,320	1,320	1,370
<b>GROSS EXPENDITURE</b>	<b>19,495</b>	<b>14,550</b>	<b>14,990</b>	<b>15,420</b>
GROSS INCOME	(53,766)	(54,700)	(52,200)	(52,200)
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>(34,271)</b>	<b>(40,150)</b>	<b>(37,210)</b>	<b>(36,780)</b>
Departmental Support	24,421	21,670	21,710	21,540
Central Support	11,891	11,900	14,960	15,650
<b>NET EXPENDITURE</b>	<b>2,041</b>	<b>(6,580)</b>	<b>(540)</b>	<b>410</b>

Contributes to corporate priority :

- Improving leisure and wellbeing opportunities
- creating safer communities

**KEY PERFORMANCE INDICATORS**

Number of licences	475	450	432	432
Gross cost per licence	£117.49	£106.93	£119.58	£121.78
Net cost per licence	£4.30	-£14.62	-£1.25	£0.95

**4001 - LICENCES AND REGISTRATION**

The issuing of licences that enable applicants to undertake a range of activities including the operation of animal boarding facilities, pet shops and street trading.

DESCRIPTION	ACTUALS 2017/2018	APPROVED BUDGET 2018/2019	REVISED BUDGET 2018/2019	ORIGINAL BUDGET 2019/2020
Employee Expenditure	1,780	-	-	-
Supplies and Services	1,008	1,700	1,700	1,750
<b>GROSS EXPENDITURE</b>	<b>2,788</b>	<b>1,700</b>	<b>1,700</b>	<b>1,750</b>
GROSS INCOME	(13,367)	(10,940)	(13,130)	(14,560)
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>(10,579)</b>	<b>(9,240)</b>	<b>(11,430)</b>	<b>(12,810)</b>
Departmental Support	7,711	8,430	7,660	8,260
Central Support	8,347	8,460	11,590	11,990
<b>NET EXPENDITURE</b>	<b>5,479</b>	<b>7,650</b>	<b>7,820</b>	<b>7,440</b>

Contributes to corporate priority :

- Supporting employment and business
- creating safer communities

**KEY PERFORMANCE INDICATORS**

Number of licences	73	70	92	89
Gross cost per licence	£258.16	£265.57	£227.72	£247.19
Net cost per licence	£75.05	£109.29	£85.00	£83.60

**4008 - HACKNEY CARRIAGES**

The licensing and enforcement of taxis, private hire vehicles, drivers and operators, within the Borough.

DESCRIPTION	ACTUALS 2017/2018	APPROVED BUDGET 2018/2019	REVISED BUDGET 2018/2019	ORIGINAL BUDGET 2019/2020
Employee Expenditure	12,679	10,640	10,010	10,740
Premises	-	50	50	50
Supplies and Services	3,929	3,880	3,880	3,170
Transport Related Expenditure	6,385	5,940	5,940	5,940
<b>GROSS EXPENDITURE</b>	<b>22,993</b>	<b>20,510</b>	<b>19,880</b>	<b>19,900</b>
GROSS INCOME	(33,129)	(41,370)	(41,500)	(42,010)
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>(10,136)</b>	<b>(20,860)</b>	<b>(21,620)</b>	<b>(22,110)</b>
Departmental Support	7,040	6,530	6,730	6,140
Central Support	13,771	14,010	16,400	17,080
<b>NET EXPENDITURE</b>	<b>10,675</b>	<b>(320)</b>	<b>1,510</b>	<b>1,110</b>

Contributes to corporate priority :

- Supporting employment and business
- creating safer communities

**KEY PERFORMANCE INDICATORS**

Number of vehicles licences	98	99	90	90
Number of operators licences	16	11	14	16
Number of drivers licences	128	114	120	125
Gross cost per licence	£181.01	£183.26	£192.01	£186.67
Net cost per licence	£44.11	-£1.43	£6.74	£4.81

**4019 - GAMBLING ACT AUTHORITY**

As the Licensing Authority, the Council is responsible for issuing premises, betting office and race track, bingo club, adult gaming centre, and family entertainment centre licences in the Borough. It will also issue permits for gaming machines in members' clubs and licensed premises, prize gaming and unlicensed family entertainment centres within the Borough.

DESCRIPTION	ACTUALS 2017/2018	APPROVED BUDGET 2018/2019	REVISED BUDGET 2018/2019	ORIGINAL BUDGET 2019/2020
Employee Expenditure	227	-	-	-
<b>GROSS EXPENDITURE</b>	<b>227</b>	<b>-</b>	<b>-</b>	<b>-</b>
GROSS INCOME	(9,829)	(9,370)	(9,830)	(9,830)
<b>NET CONTROLLABLE EXPENDITURE</b>	<b>(9,602)</b>	<b>(9,370)</b>	<b>(9,830)</b>	<b>(9,830)</b>
Departmental Support	1,325	1,140	1,170	1,150
Central Support	767	820	880	900
<b>NET EXPENDITURE</b>	<b>(7,510)</b>	<b>(7,410)</b>	<b>(7,780)</b>	<b>(7,780)</b>

Contributes to corporate priority :

- Supporting employment and business
- creating safer communities

**KEY PERFORMANCE INDICATORS**

Number of Gambling licences	83	88	83	83
Gross cost per licence	£27.94	£22.27	£24.70	£24.70
Net cost per licence	-£90.48	-£84.20	-£93.73	-£93.73

## **Agenda Item No 9**

### **Licensing Committee**

**5 February 2019**

**Report of the  
Corporate Director - Environment**

**The Animal Welfare (Licensing Of  
Activities Involving Animals)  
(England) Regulations 2018**

#### **1 Summary**

- 1.1 The report explains the changes introduced by the legislation and asks the Committee to approve additional fees required under the Regulations.

#### **Recommendation to the Board**

**That the report be noted and the suggested fees contained in section 3.3 be approved.**

#### **2 Consultation**

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

#### **3 Introduction**

- 3.1 These Regulations, made under the Animal Welfare Act 2006, repeal a raft of outdated legislation in respect of the licensing of the sale of animals as pets, the provision of boarding for cats and dogs, hiring out horses, breeding dogs and the keeping or training of animals for exhibition. The licensing of the keeping or training of animals for exhibition is a function new to the authority having previously been carried out at County level and known as a 'performing animals licence'. The Regulations do not include the licensing of zoos or dangerous wild animals which remain with their existing legislation.
- 3.2 The key features of the new Regulations are:
- The local authority must appoint one or more suitably qualified inspectors to inspect any premises on which licensable activity is or is to be carried out.
  - Following that inspection, grant or renew the operator's licence if satisfied that the licence conditions will be met.
  - In considering whether the licence conditions will be met, a local authority must consider whether the applicant is a fit and proper person to be an operator of that activity.

- Licences can be issued for one, two or three years based on a performance rating system known as 'star rating'. The more compliant the business, the longer the period of the licence. In the case of keeping or training animals for exhibition all licences will be for three years on the basis that these activities have hitherto been subject to a simple registration system.
- Emphasis for animal welfare is put on the management arrangements and on the suitability of the environment for the particular needs of the animal. For the first time there are specific conditions relating to each activity which will apply across the whole of England.
- The local authority may charge such fees as it considers necessary and include consideration of the application, the licence holder's compliance and enforcement in relation to unlicensed operators. It is proposed to remain with the current fee structure for now and to recalculate fees, if necessary, in the light of experience. Certain new fees will be required, see Para 3.3 below.
- Specific training qualifications have been introduced for both businesses and inspectors. There are periods of grace to allow time for the qualifications to be obtained.
- Licenses can be varied, suspended or revoked if the licence conditions are not being complied with, there has been a breach of the Regulations or it is necessary to protect the welfare of an animal.
- An appeals process is established for both alterations to the licence and the performance rating.
- Where the business has a web site it must display the licence holder's name and the licence number.
- Local authorities must complete an annual return to the Secretary Of State
- The Council cannot issue a licence in any circumstances other than those described in the regulations.

3.3 - Additional fees are required for some activities, these are listed below with the suggested fee level.

<b>SUBJECT</b>	<b>SUGGESTED FEE</b>
Keeping or training animals for exhibition (3 year licence)	£200.00
Revisit following appeal against 'star rating'	£100.00 (Does not apply if the 'star rating' goes up on revisit)
Revisit requested to re-score by businesses that have made improvements	£100.00
Application to vary a licence	£75.00

## 4 Report Implications

### 4.1 Finance and Value for Money Implications

4.1.1 Regulation 13 sets out what a local authority may charge fees for:

- (a) The costs of consideration of an application, including any inspection relating to that consideration.

- (b) The reasonable anticipated costs of consideration of a licence holder's compliance with the Regulations and the licence conditions. This includes the cost of any further inspections related to compliance.
- (c) The reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator.
- (d) The reasonable anticipated costs of the local authority compiling and submitting the data required by the Secretary of State

It is recommended that the existing fees for these activities be reviewed in light of experience of implementing the Regulations and a new fee structure introduced beginning the financial year 2019/2020

## **4.2 Safer Communities Implications**

4.2.1 There are no safer communities implications contained in the report.

## **4.3 Legal, Data Protection and Human Rights Implications**

4.3.1 There are no legal, data protection or human rights implications arising from the report which will not be dealt with by following normal procedures.

## **4.4 Environment, Sustainability and Health Implications**

4.4.1 There are no environment, sustainability or health implications contained in the report.

## **4.5 Human Resources Implications**

4.5.1 The Regulations will impose additional workload, however the Environmental Health Team has recently been restructured with staff transferring from the Housing Division and additional resource has been allocated to the licensing function and it is not anticipated that any further resources will be required.

## **4.6 Risk Management Implications**

4.6.1 There are no risk management implications contained in the report.

## **4.7 Equalities Implications**

4.7.1 There are no negative impacts of opportunity for any known group contained in the report.

## **4.8 Links to Council's Priorities**

4.8.1 Improving leisure and wellbeing opportunities.  
Supporting employment and business

The Contact Officer for this report is Stephen Whiles (719326).

### **Background Papers**

Local Government Act 1972 Section 100D, as substituted by the Local Government Act,  
2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

## **Agenda Item No 10**

### **Licensing Committee**

**5 February 2019**

**Report of the  
Corporate Director - Environment**

**The Animal Welfare (Licensing Of  
Activities Involving Animals)  
(England) Regulations 2018 – Fees  
2019/20**

#### **1 Summary**

- 1.1 The report sets out a proposed new fee structure for the issue of licences under the Regulations.

#### **Recommendation to the Board**

**That the report be noted and the proposed fee structure in paragraph 3.1.4 be adopted**

#### **2 Consultation**

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

#### **3 Report**

- 3.1 The details of the new Regulations have been set out in another report currently before this meeting.
- 3.1.1 That report recommended that the existing fees for these activities be reviewed in light of experience of implementing the Regulations and a new fee structure introduced beginning the financial year 2019/2020.
- 3.1.2 The model being adopted by most local authorities is a separate application fee and a licence fee. The application fee is not refundable and covers the Council's costs in processing the application and carrying out the licence inspection. Upon grant of the licence a further fee is charged which covers the Council's costs in carrying out at least one annual compliance visit and the costs of enforcement against unlicensed operators.
- 3.1.3 Licences may be issued for one, two or three years depending upon the level of compliance with the Regulations. Those businesses that are most compliant with the Regulations will therefore benefit from lower overall costs. For example, a business gaining a three year licence will pay one application



fee and a three year licence fee. A business that only gets a one year licence over the same period will pay three application fees and three licence fees. It is hoped that this financial incentive will help to drive up standards in the industry. All licences for keeping or training animals for exhibition are three year to reflect the fact that previously this activity only required a simple registration.

3.1.4 The following fee structure is recommended for Members consideration

Type of licence	Application fee	Licence fee 1 year	Licence fee 2 year	Licence fee 3 year	Fee to vary licence
Dog Breeding	£120 + vets fees on initial application	£60	£120	£180	£75
Keeping or training animals for exhibition	£120			£180	£75
Provision Of Boarding For Cats and Dogs	£120	£60	£120	£180	£75
Home Boarding	£60	£40	£80	£120	£40
Hiring Out Horses	£120 + vets fee	£60 + vets fee	£120 + vets fee	£180 + vets fee	£75 + vets fee if necessary
The Sale Of Animals As Pets	£120	£60	£120	£180	£75

For businesses with multiple activities e.g. dog breeding and sale of pets the higher of the two fees plus 50% of the second fee for application and licence fees. (Separate applications at full price will be considered at the request of the operator)

Revisit for appeal against a star rating - £100 (waived if the rating goes up)

Revisit to re-score at the request of the business - £100

## 4 Report Implications

### 4.1 Finance and Value for Money Implications

#### 4.1.1 Regulation 13 sets out what a local authority may charge fees for:

- (a) The costs of consideration of an application, including any inspection relating to that consideration.

- (b) The reasonable anticipated costs of consideration of a licence holder's compliance with the Regulations and the licence conditions. This includes the cost of any further inspections related to compliance.
- (c) The reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator.
- (d) The reasonable anticipated costs of the local authority compiling and submitting the data required by the Secretary of State.

The proposed fees will be reviewed each year to ensure that the Council is recovering its full costs and conversely that businesses are not being overcharged.

#### **4.2 Safer Communities Implications**

- 4.2.1 There are no safer communities implications contained in the report.

#### **4.3 Legal, Data Protection and Human Rights Implications**

- 4.3.1 There are no legal, data protection or human rights implications arising from the report which will not be dealt with by following normal procedures.

#### **4.4 Environment, Sustainability and Health Implications**

- 4.4.1 There are no environment, sustainability or health implications contained in the report.

#### **4.5 Human Resources Implications**

- 4.5.1 The Regulations will impose additional workload, however the Environmental Health Team has recently been restructured with staff transferring from the Housing Division and additional resource has been allocated to the licensing function and it is not anticipated that any further resources will be required

#### **4.6 Risk Management Implications**

- 4.6.1 There are no risk management implications contained in the report.

#### **4.7 Equalities Implications**

- 4.7.1 There are no negative impacts of opportunity for any known group contained in the report.

#### **4.8 Links to Council's Priorities**

- 4.8.1 Improving leisure and wellbeing opportunities.
- 4.8.2 Supporting employment and business

The Contact Officer for this report is Stephen Whiles (719326).