



Please ask for Graham Ibberson
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The Chair and Members of Licensing
Committee

7 December 2022

Dear Councillor,

Please attend a meeting of the LICENSING COMMITTEE to be held on WEDNESDAY, 14 DECEMBER 2022 at 10.00 am in Committee Room 1, Town Hall, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 6)
4. Review of Licence and Registration Fees 2023/24 (Pages 7 - 14)

Yours sincerely,

A handwritten signature in black ink, appearing to read "Graham Ibberson".

Head of Regulatory Law and Monitoring Officer

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APPEALS AND REGULATORY COMMITTEE

Wednesday, 15th December, 2021

Present:-

Councillor A Murphy (Chair)

Councillors Perkins
Bellamy
Bingham
Flood

Councillors Rayner
Redihough
Rogers

*Matters dealt with under the Delegation Scheme

46 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

47 **APOLOGIES FOR ABSENCE**

Apologies for absence was received from Councillors P Innes, Miles, S Niblock and Perry.

48 **MINUTES**

RESOLVED

That the minutes of the meeting of the Appeals and Regulatory Committee held on 3 November, 2021 be approved as a correct record and signed by the Chair.

49 **PROGRAMME OF STREET COLLECTIONS 2021 FOR 2022
COLLECTIONS**

The Licensing Officer presented a report to determine the programme of street collections for 2022, including a provisional programme of collections, a brief summary of the nature of each charity and details of collections held in previous years.

***RESOLVED –**

That the programme of street collections for 2022 be determined as follows:

| | |
|--------------|-----------------------------|
| 1 February | RSPCA |
| 5 March | RSPCA |
| 24 March | Cancer Research UK Barnsley |
| 28 April | Cancer Research UK Barnsley |
| 30 April | RSPCA |
| 12 May | Cancer Research UK Barnsley |
| 21 May | RSPCA |
| 26 May | Cancer Research UK Barnsley |
| 9 June | Cancer Research UK Barnsley |
| 30 June | RSPCA |
| 28 July | Cancer Research UK Barnsley |
| 30 July | RSPCA |
| 4 August | Cancer Research UK Barnsley |
| 3 September | RSPCA |
| 22 September | Cancer Research UK Barnsley |
| 13 October | Cancer Research UK Barnsley |
| 20 October | RSPCA |
| 12 November | RSPCA |
| 19 November | Edale Mountain Rescue Team |

| | |
|-------------|-----------------------------|
| 1 December | Cancer Research UK Barnsley |
| 10 December | RSPCA |
| 15 December | Cancer Research UK Barnsley |
| 17 December | RSPCA |

50 **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY -
CCTV**

The Licensing Manager presented a report on the Hackney Carriage and Private Hire Licensing Policy – CCTV and sought approval to commence consultation on its content.

In July 2020 the government published its document Statutory Taxi and Private Hire Vehicle Standards, attached at Appendix A of the officer's report, which included guidance on the implementation of CCTV in taxis and private hire vehicles. The Standards document requires Licensing Authorities to consider the installation of CCTV matter and consult on it.

***RESOLVED –**

- (1) That consultation be authorised to ascertain the views of the trade and other consultees on whether or not there should be implementation of CCTV in taxis and private hire vehicles
- (2) That the design of the consultation be brought back to a future meeting of the Appeals and Regulatory Committee for approval.

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REVIEW OF LICENCE AND REGISTRATION FEES 2023/24

MEETING: LICENSING COMMITTEE

DATE: Date to be fixed

REPORT BY: LICENSING MANAGER

WARDS: ALL

COMMUNITY FORUMS: ALL

1.0 **PURPOSE OF REPORT**

1.1 To seek approval for revised licence and registration fees for 2023/24.

2.0 **RECOMMENDATION**

Approval is given to an increase in fees and charges as outlined in Appendix A from 1 April 2023.

3.0 **BACKGROUND**

3.1 In accordance with the Council's financial regulations it is necessary for all fees to be annually reviewed.

3.2 The services relate to the regulation, control and administration of the following areas:

- Gambling Act 2005
- Sexual Entertainment Venues – Local Government (Miscellaneous Provisions) Act 1982

3.3 For the Gambling Act, central government set a ceiling for fees and charges, these are outlined at Appendix A.

3.4 Fees for the Licensing Act 2003 are set nationally and cannot be altered by the Council.

- 3.5 Members are reminded that these are statutory services and as such are not subject to market forces. The Council has discretion about the setting of fees. Members are able to increase the fee for a sexual entertainment venue.
- 3.6 In accordance with the Medium-Term Financial Strategy, fees and charges are required to be reviewed on an annual basis to ensure that the cost of providing the service is recovered.

The Medium-Term Financial Plan is constructed on the basis that additional income will be generated from fees and charges. The process being followed for the review of income to be realised includes an assessment of each fee to identify how it meets the Councils strategic purposes and the level of increase that is proposed as well as taking account of present economic conditions. The fees have been based on a robust estimate of the impact of cost increases and demand within the services and the Councils overall financial position. This includes assessing the affordability of any of these increases to our residents and customers. Cost pressures and changes in demand include:

- Increases in energy costs
- Inflationary increases (October CPI 11.1%) resulting in increases in supplier costs and materials
- NJC Pay Claim for 2022-23 which has resulted in a higher than budgeted for pay increase for staff and a higher than anticipated budget for the 2023-24 Pay Claim
- Any specific service issues around cost increases or service usage

- 3.7 Projected income from budgets is expected to be:
- Gambling - £15,000
 - General licensing - £92,000

4.0 **SCOPE**

- 4.1 An increase is required for all fees and charges in the current circumstances. A summary of proposed fees is provided at Appendix C, which sets out the fees and charges that were agreed in 2022/23 and the proposed increase; the figures have been rounded up or down to assist with cash handling.

- 4.2 Legal precedents dictate that licensing authorities should not make a profit from the delivery of these services. At present these budgets are showing a deficit of £12,180 once the recent pay award is included.
- 4.3 This deficit is made up of both controllable and non-controllable expenditure, as the majority is a recharge from the licensing administration cost code.

5.0 FINANCIAL IMPLICATIONS

- 5.1 At present these budgets have averaged out to where there is a growing deficit, an increase in line with those proposed at Appendix A will return them to a cost neutral position.

7.0 RECOMMENDATION

- 7.1 Approval is given to an increase in fees and charges, as outlined in Appendix A, from 1 April 2023.

Further information on this report can be obtained from the licensing manager,
Trevor Durham at trevor.durham@chesterfield.gov.uk

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APPENDIX A

| Class of premises licence | New application (col. 4) | Annual Fee (col 5) | Initial application for provisional statement (col 3) | Vary licence | Transfer and reinstatement of a licence (col 7&8) | Provisional statement (col 9) | Notes |
|---------------------------------|--------------------------|--------------------|---|--------------|---|-------------------------------|---------------|
| Regional casino | | | | | | | |
| | Current fee | 15,000 | 14,956 | 7,775 | 4,196 | 3,007 | 15,000 |
| | Proposed fee | 15,000 | 15,000 | 8,000 | 4,615 | 3,310 | 15,000 |
| | Maximum fee | 15,000 | 15,000 | 8,000 | 7,500 | 6,500 | 15,000 |
| Large casino – | | | | | | | |
| | Current fee | 10,000 | 9,721 | 5,000 | 3,439 | 2,150 | 10,000 |
| | Proposed fee | 10,000 | 10,000 | 5,000 | 3,785 | 2,150 | 10,000 |
| | Maximum fee | 10,000 | 10,000 | 5,000 | 5,000 | 2,150 | 10,000 |
| Small casino | | | | | | | |
| | Current fee | 8,000 | 5,000 | 3,000 | 2,941 | 1,800 | 8,000 |
| | Proposed fee | 8,000 | 5,000 | 3,000 | 3,235 | 1,800 | 8,000 |
| | Maximum fee | 8,000 | 5,000 | 3,000 | 4,000 | 1,800 | 8,000 |
| Bingo club | | | | | | | |
| | Current fee | 2,606 | 1,000 | 1,200 | 1,470 | 1,200 | 2,606 |
| | Proposed fee | 2,870 | 1,000 | 1,200 | 1,620 | 1,200 | 2,870 |
| | Maximum fee | 3,500 | 1,000 | 1,200 | 1,750 | 1,200 | 3,500 |
| Betting premises (other) | | | | | | | |
| | Current fee | 2,541 | 600 | 1,200 | 1,416 | 1,200 | 2,541 |
| | Proposed fee | 2,795 | 600 | 1,200 | 1,500 | 1,200 | 2,795 |
| | Maximum fee | 3,000 | 600 | 1,200 | 1,500 | 1,200 | 3,000 |
| Betting premises (track) | | | | | | | |
| | Current fee | 1,670 | 1,000 | 950 | 1,250 | 950 | 1,670 |
| | Proposed fee | 1,840 | 1,000 | 950 | 1,250 | 950 | 1,840 |
| | Maximum fee | 2,500 | 1,000 | 950 | 1,250 | 950 | 2,000 |

| Class of premises licence | New application (col. 4) | Annual Fee (col 5) | Initial application for provisional statement (col 3) | Vary licence | Transfer and reinstatement of a licence (col 7&8) | Provisional statement (col 9) | Notes |
|------------------------------------|--------------------------|--------------------|---|--------------|---|-------------------------------|--------------|
| Adult gaming centre | | | | | | | |
| | Current fee | 1,796 | 1,000 | 1,200 | 1,000 | 1,200 | 1,806 |
| | Proposed fee | 1,975 | 1,000 | 1,200 | 1,000 | 1,200 | 1,990 |
| | Maximum fee | 2,000 | 1,000 | 1,200 | 1,000 | 1,200 | 2,000 |
| Family entertainment centre | | | | | | | |
| | Current fee | 1,796 | 750 | 950 | 1,000 | 950 | 1,806 |
| | Proposed fee | 1,975 | 750 | 950 | 1,000 | 950 | 1,990 |
| | Maximum fee | 2,000 | 750 | 950 | 1,000 | 950 | 2,000 |

| | | | | | | | |
|--------------------------------|---------------------|-----------|--|--|--|--|--|
| Copy of licence | | | | | | | |
| | Current fee | 25 | | | | | |
| | Proposed fee | 25 | | | | | |
| | Maximum fee | 25 | | | | | |
| Temporary Use Notice | | | | | | | |
| | Current fee | 286 | | | | | |
| | Proposed fee | | | | | | |
| | Maximum fee | n/a | | | | | |
| Change name and address | | | | | | | |
| | Current fee | 14 | | | | | |
| | Proposed fee | | | | | | |
| | Maximum fee | n/a | | | | | |

Sexual Entertainment Venues

| Sexual Entertainment Venue (New) | | |
|--------------------------------------|---------------------|--------------|
| | Current fee | 2,507 |
| | Proposed fee | 2,758 |
| Sexual Entertainment Venue (Renewal) | | |
| | Current fee | 1,482 |
| | Proposed fee | 1,630 |

Other for information

| Licence type | Current fee | Unable to increase as these fees are set by government |
|--|-----------------------|--|
| Small lottery (grant) | 40 | |
| Small lottery (renewal) | 20 | |
| Club machine permit | 200 / 100 / 50 | |
| Club gaming permit | 150 / 50 | |
| Vary a premises gaming permit | 100 | |
| Transfer a premises gaming permit | | |
| Notification of intent for licensed premises | 50 | |
| Copy of the above | 15 | |

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