

8 LICENCE FEES**IMPLEMENT REVISED LICENCE FEES**

Report By: Head of Environmental Health and Trading Standards

Wards Affected:

County-wide

Purpose

- 1 To consider implementing revised licence fees for the specified Council's licensing functions issued by the Environmental Health and Trading Standards licensing Section.

Legislation

- 2 The following legislation sets out this Authority's powers to charge a license fee.

The Public Entertainment's

Local Government (Miscellaneous Provisions) Act 1982

To set any fee providing it is reasonable.

Theatres

Theatres Act

Reasonable fee as the Authority may determine.

Cinema

Cinemas Act 1985

Fees fixed by licence authority not exceeding

£600 for grant/ renewal for one year

£200 for each month providing fees does not exceed £600 for each year

£120 for transfers.

Amusements with Prizes

Gaming Act 1968

Gaming machines with maximum prize of £25 to pay set fee of £32

Gaming machines with maximum prize of greater than £25 to pay a reasonable fee to cover expenditure by the Authority not exceeding £250.

Animal Boarding Establishments

Animal Boarding Establishments Act 1963

Charge a fee as may be determined by the Local Authority.

Dog Breeding Establishments

Breeding of Dogs Act 1973

A payment of two pounds or such reasonable sum as the Authority may determine.

Zoo Licensing

Zoo Licensing Act 1981

Charge such fees as they may determine in account of expenses incurred by them on grant renewal or transfer of licences and upon inspections.

Pet Animals (Pet Shops)

Pet Animals Act 1951

Fee as may be determined by the Local Authority.

Riding Establishments

Riding Establishments Act 1964

Fee as may be determined by the Local Authority.

Dangerous Wild Animals

Dangerous Wild Animals Act 1976

Such fee as the Local Authority may stipulate to meet the direct and indirect costs incurred as a result of the application.

Game Dealers

Game Licences Act 1860

Pay a fee of £6.

Sex Establishments

Local Government (Miscellaneous Provisions) Act 1982.

Shall pay a reasonable fee as determined by the appropriate Authority.

Acupuncture Ear Piercing and Electrolysis

Local Government (Miscellaneous Provisions) Act 1982

May charge such reasonable fees as they may determine for registration.

Massage

Hereford City Council Act 1985

Pay a reasonable fee to cover the expenses of the Council.

Pleasure Boats

Public Health Acts Amendment Act 1907

Fee as appears to the Local Authority to be appropriate.

Late Night Refreshment Houses

Late Night Refreshment Houses Act 1969

Fee is calculated in relation to the administrative cost of processing the application,

May grant licence on payment of a proportion of the full fee, if taken out

- | | | |
|------|-------------------------------|----------------|
| i) | July August and September | three quarters |
| ii) | October November and December | one half |
| iii) | January February and March | one quarter |

Butchers

Food Safety (General Food Hygiene)(Butcher's Shops) Amendment Regulations 2000

Set statutory fee of £100.

Performing Animals

Performing Animals (Regulations) Act 1925

Such fee as appears to the Local Authority.

Small Lotteries

Lotteries and Amusements Act 1976

Statutory set fee of

- | | |
|--------------|--------|
| Registration | £35 |
| Renewal | £17.50 |

Background

3. The fees have not been increased in over two years.
4. The proposed table of fees are shown in Appendix 1 and existing fees in Appendix 2.
5. The retail price index inflation rate has been between 2.5% and 3.5% over the last 2 years (2003 to 2004).
6. The fees have been set at a rate intended to cover the cost to the Council of issuing the licences and to ensure the Council does not make a profit from the fees, as required by the legislation listed above.
7. The Sex shop licence fee was not agreed at the previous regulatory committee due to the committee deciding the policy of having no sex establishments being permitted within Herefordshire. Recently we have had a request for a sex shop licence therefore it is necessary to set a fee. Appendix 3 shows comparison of fees set by neighbouring authorities.
8. The new proposed fees submitted within this report do not include the taxi fees, which are currently undergoing an assessment of the cost to the Council of administration and enforcement of this function.

9. The Licensing Act fees have been set by the Licensing Act 2003 (transitional Conversions Fees) Order 2005 and the Licensing Act 2003 (fees) Regulations 2005. See appendix 4.

Options

7. It is for the Regulatory Committee to decide,
 - a) To adopt the licence fees as Council Policy.
 - b) Set their own fees.
 - c) Or reach some other conclusion.