

COMMITTEE:	CENTRAL LICENSING COMMITTEE
DATE:	24 JUNE 2013
TITLE:	PROPOSED FEES AND CHARGES 2013/14 – PUBLIC PROTECTION DEPARTMENT
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF REGULATORY DEPARTMENT

The proposed fees and charges for the Public Protection Service for 2013/14 which require this Committee's approval can be seen in the appendix to this report.

SUMMARY AND EXPLANATION OF CHANGES

It can be seen from the appended table of proposed fees and charges , that many fees remain unchanged. These fees are statutory, therefore there is no local control over the levy of these fees. Statutory fees include fees relevant to the Gambling Act 2005 and the Licensing Act 2003. Some proposed fees are subject to small increases in line with inflation.

The only fees subject to significant changes are

- Fees for registering a person and premises for tattooing, body piercing, electrolysis and acupuncture
- Fees for Sex establishments
- Fees for markets and fairs

Tattooing, body piercing , electrolysis and acupuncture

These activities are controlled in accordance with the provisions of Part V111 of The Local Government (Miscellaneous Provisions) Act 1982, section 14 and 15. The Act allows Local Authorities to charge “such reasonable fees as they may determine” to register persons and business premises for the purpose of these activities.

The primary objective of registration is to protect the health of the public, and avoid transmission of infectious diseases; and the fees set for this purpose must not be prohibitive. Previously the same fee has been charged for registration of premises and persons. Officers have taken the decision , based on experience that the charge per person is prohibitive, and discourages new persons operating at a business premises from registering.

It is therefore proposed to levy an increase on the fee for a certificate of registration of premises from £76 to a £100; and to decrease the fee for registration of person from £76 to £35.

Sex establishments

Sex establishments (sex shops) are licensed by virtue of Part 11, Schedule 3 , and section 6 of the Local Government (Miscellaneous Provisions) Act 1982. Many Local Authorities in the past have set relatively high fees for the administration of the grant, renewal or transfer of these fees.

Currently, the fees for sex establishments are as follows in Gwynedd –

	FEE 2012/13
NEW APPLICATION	£2,972
RENEWAL	£1,486
TRANSFER	£1,486

An assessment of the costs of processing these licences indicate that the fees charged are in excess of costs incurred by the service. Section 19 of the Local Government (Miscellaneous Provisions) Act 1982 states that Local Authorities may determine a fee which is reasonable.

A recent ruling in a high profile case brought against Westminster City Council by the proprietors of 7 sex shops means that Local Authorities cannot continue to charge in excess of the actual cost of processing the licences for such establishments.

It is therefore proposed to decrease the fees payable for application, renewal and transfer of licence in accordance with the actual costs incurred by the council as follows –

	PROPOSED FEE 2013/14
NEW APPLICATION	£268.07
RENEWAL	£268.07
TRANSFER	£268.07

Markets and fairs

Market and fairs have historically been located in some areas of Gwynedd and it is important that these markets and fairs are sustained , and not prohibited by high fees and charges.

However, costs to the council in respect of safe cash collection, refuse arrangements and market supervision duties are increasing.

It is therefore proposed to levy an increase of 10% on all licensed and casual stalls , and fair stalls .

A reduced fee has been introduced for fees paid annually electronically or direct bank payment, as costs incurred by the Council for processing such payments are considerably less.

RECOMMENDATION

The Committee is requested to consider and approve the fees proposed by the Head of Regulatory Department.