

# Public Document Pack

SOLIHULL METROPOLITAN BOROUGH COUNCIL

## **LICENSING COMMITTEE**

WEDNESDAY 15 FEBRUARY 2023 at 5.30pm.

COMMITTEE ROOM 2 - CIVIC SUITE, SOLIHULL

## Disclosing Pecuniary Interests - What Must You Do?

(a) You must complete a declaration of your disclosable pecuniary interests, including those of your spouse/civil partner (or someone with whom you are living as such) and send it to the Monitoring Officer within 28 days of your election or appointment to the Council.

(b) When you attend a meeting of the Council, Cabinet, Scrutiny Board, Committee, Sub-Committee or Joint Committee etc, and a matter arises in which you have a disclosable pecuniary interest, unless you have been granted a dispensation, **you must:**

- Declare the interest if you have not already registered it
- Not participate in any discussion or vote
- Leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

(c) If you are the Leader or a Cabinet Portfolio Holder you may not exercise any of your delegated powers as a single member in relation to a matter in which you have a disclosable pecuniary interest or take any other step except to give written notice of any unregistered interest to the Monitoring Officer within 28 days of your becoming aware of the interest, or arrange for another person or body to deal with the matter.

Disclosable Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by you or your partner.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within 12 months of your declaration of interests in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.
Contracts	Any contract between you or your partner (or a firm or body corporate in which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest) <b>and</b> the Council (a) under which goods or services are to be provided or works are to be executed; <b>and</b> (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council and which gives you or your partner a right to occupy the land or receive income.
Licences	Any licence held by you or your partner (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge)— (a) the landlord is the Council; <b>and</b> (b) the tenant is a body in which you or your partner has a beneficial interest i.e. a firm or body corporate in which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest.
Securities	Any beneficial interest held by you or your partner in securities of a body where—  (a) that body (to your knowledge) has a place of business or land in the area of the Council; <b>and</b> (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; <b>or</b>  (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.  “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

SOLIHULL METROPOLITAN  
BOROUGH COUNCIL

To: Councillors J Butler (Chairman),  
A Feeney, R Grinsell, B Groom, J Hamilton,  
P Hogarth MBE (Vice-Chairman),  
M McCarthy, S Sheshabhatte, K Thomas  
and J Tildesley

PAUL JOHNSON  
ACTING CHIEF EXECUTIVE

Council House, Manor Square  
Solihull, West Midlands. B91 3QB  
Tel. 0121-704 6000

David Acton  
Tel: 0121 704-6156  
Email: dacton@solihull.gov.uk

Date 3 February 2023

**LICENSING COMMITTEE**

**WEDNESDAY 15 FEBRUARY 2023**

**AGENDA**

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**  
To receive declarations of Members disclosable pecuniary interests and conflicts of interest.
3. **QUESTIONS AND DEPUTATIONS**  
To answer any questions, if any, asked by any resident of the Borough pursuant to Standing Orders.
4. **PROPOSED LICENSING FEES AND CHARGES 2023/24** (Pages 5 - 20)  
To approve a proposed increase to licensing fees chargeable for licensing functions, subject to the statutory advertising requirements being satisfied.

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**Meeting date:** 15 February 2023

**Report to:** Licensing Committee

**Report title:** Proposed Licensing Fees and Charges 2023/24

**Report from:** Assistant Director Communities & Partnerships

**Report author/lead contact officer:** Annie Bettison  
abettison@solihull.gov.uk

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**Wards affected:**

- All Wards |  Bickenhill |  Blythe |  Castle Bromwich |  Chelmsley Wood |  
 Dorridge/Hockley Heath |  Elmdon |  Kingshurst/Fordbridge |  Knowle |  
 Lyndon |  Meriden |  Olton |  Shirley East |  Shirley South |  
 Shirley West |  Silhill |  Smith's Wood |  St Alphege
- 

**Public/private report:** Public

**Exempt by virtue of paragraph:** N/A

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**1. Executive Summary**

- 1.1 To approve a proposed increase to licensing fees chargeable for licensing functions, subject to the statutory advertising requirements being satisfied.
- 1.2 Fees and charges are set to ensure full cost recovery of delivering the service, in line with legislation, to avoid the need to subsidise from other council funding.
- 1.3 Income is ring-fenced within licensing, meaning that fees should be set at a level to avoid any unnecessary surplus or deficit, and reviewed regularly to ensure this remains the case.

**2. Decision(s) Recommended**

- 2.1 That Members approve the fees and charges as detailed in Appendix A with effect from 1 April 2023 for advertising in accordance with the Local Government (Miscellaneous Provisions) Act 1976. Following the statutory advertising period, the fees and charges automatically come into force on the given date if no objections are made. If objections are received, these will be referred to members for consideration in accordance with the legislation.



**Report Title:** Proposed Licensing Fees and Charges 2023/24

**1. Matters for Consideration**

- 1.1 The fixing and approval of fees as proposed at Appendix A is a function of the Licensing Committee as stipulated in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
- 1.2 The proposed fees and charges are set at a level to ensure that the licensing service operates on a full cost-recovery basis. With the exception of the statutory fees under the Licensing Act 2003 and Gambling Act 2005 (as well as some set within statutory parameters), all other fees have been proposed at an increased level to reflect additional costs of staffing, energy, materials and other 'on-costs'. The fees set within statutory parameters under the Gambling Act have not been increased as service costs were not accurately reflected during the restrictions imposed throughout the Covid-19 pandemic and the proceeding recovery period, but it is intended to review and re-cost these in the near future.
- 1.3 Members should note that the Local Government (Miscellaneous Provisions) Act 1976 (the Act) permits the Council to set vehicle and operator licence fees, but where this fee exceeds £25, a public notice of the proposed fees must be placed in a local newspaper circulating in the area. The notice must outline how to make an objection and the period for doing so (28 days from the date specified on the notice). If no objections are made, or if all objections are withdrawn, the fees come into effect at the end of the 28-day period specified on the notice. Where objections are made and not withdrawn, Members must consider the objections before determining the fees and setting a further date, no later than two months after the first specified date, for the fees to come into force.
- 1.4 Driver's licence fees are not subject to the same statutory provisions under the Act, however the Council intends to advertise proposed fees in the same way on the same notice, and allow for objections to be received during the same period.
- 1.5 There are no legislative requirements to advertise proposed fees for any of the other licensing regimes.

**2. What options have been considered and what is the evidence telling us about them?**

- 2.1 If the increase in fees is not approved, this may result in the Council not being able to recover its costs of delivering the licensing service.

**3. Reasons for recommending preferred option**

- 3.1 The proposed fees and charges are intended to ensure that the service operates on a full cost-recovery basis.

## 4. Implications and Considerations

4.1 State how the proposals in this report contribute to the priorities in the [Council Plan](#):

Priority:	Contribution:
<b>People and Communities:</b> 1. Improving outcomes for children and young people in Solihull. 2. Good quality, responsive, and dignified care and support for Adults in Solihull when they need it. 3. Take action to improve life chances and health outcomes in our most disadvantaged communities. 4. Enable communities to thrive.	N/A
<b>Economy:</b> 5. Develop and promote the borough's economy, with a focus on revitalising our town and local centres. 6. Maximising the opportunities of UK Central and HS2. 7. Increase the supply of affordable and social housing that is environmentally sustainable.	Ensuring fees are set at an appropriate level to deliver the licensing service without the need for subsidy from other council funding.
<b>Environment:</b> 8. Enhance our natural environment, improve air quality and reduce net carbon emissions.	N/A
9. Promote employee wellbeing	N/A

4.2 Consultation and Scrutiny:

4.2.1 Consultation will take place during the statutory advertising period by way of a public notice in a local newspaper.

4.3 Financial implications:

4.3.1 The setting of fees at a cost-recovery basis ensures that the service does not have to be subsidised by other council funding. See 1.2 above.

4.4 Legal implications:

4.4.1 Statutory advertising requirements will be complied with, see 1.3 above.



- 4.5 Risk implications, including Risk Appetite:
  - 4.5.1 Any fees proposed are always subject to challenge, and the Council must be able to justify the setting of those fees.
- 4.6 Equality implications:
  - 4.6.1 None identified
- 4.7 Linkages to our work with the West Midlands Combined Authority (WMCA), Local Enterprise Partnership or the Birmingham & Solihull Integrated Care System (ICS):
  - 4.7.1 None identified, this is a statutory requirement and there is an expectation that all WMCA Councils will undergo the same process.
- 5. List of appendices referred to**
  - 5.1 Appendix A – proposed licensing fees and charges for 2023/24.
- 6. Background papers used to compile this report**
  - 6.1 None
- 7. List of Other Relevant Documents**
  - 7.1 [Open for business: LGA guidance on locally set licence fees | Local Government Association](#)

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# LICENSING PROPOSED FEES AND CHARGES

**2023-2024** N.B. all proposed fees are rounded, to the nearest 50p for fees under £100, to the nearest £1 for fees between £100 and £500, and to the nearest £5 for fees over £500

## Taxi Licensing

	2022/23	2023/24	% increase
Private Hire Operator 1st licence (1 year) with up to 5 drivers	£202.00	£212.00	4.95
Private Hire Operator 1st licence (1 year) with 5 or more drivers	£344.00	£361.00	4.94
Private Hire Operator renewal (5 years) with up to 5 drivers	£455.00	£478.00	5.05
Private Hire Operator renewal (5 years) with 5 or more drivers	£1010.00	£1060.00	4.95
Private Hire/Hackney Carriage New Driver application charge	£117.00	£123.00	5.13
Private Hire/Hackney Carriage New Driver (3 years) licence fee	£361.00	£379.00	4.99
Private Hire/Hackney Carriage Driver (3 years) renewal fee	£361.00	£379.00	4.99
Private Hire/Hackney Carriage New Vehicle licence fee	£169.00	£178.00	5.33
Private Hire/Hackney Carriage Renewal Vehicle licence fee	£160.00	£168.00	5.00
Application pack collected (free online)	£12.00	£12.50	4.17
Change of Vehicle Owner	£61.50	£64.50	4.88
Replacement badge or plate	£36.00	£38.00	5.56
Replacement paper licence	£17.00	£18.00	5.88
Electronic Hackney Carriage Knowledge Folder	£30.00	£31.50	5.00
Hackney Carriage Knowledge Test	£94.00	£99.00	5.32
Suitability Assessment resit	£73.50	£77.00	4.76
Disclosure and Barring Service application fee (statutory fee + administration charge)	£50.50	£53.00	4.95
Plate Exemption certificate	£56.50	£59.50	5.31
Change to/from cherished plate	£36.00	£38.00	5.56

## Animal Licensing

N.B. Vet fees (where required) will be charged in addition to the fees below.

Where two or more activities are being undertaken, the charge will be the full fee applicable to the main activity plus 80% of the fees applicable to the other activities.

	Application fee			1 year licence fee			2 year licence fee			3 year licence fee			Additional inspection upon request		
	2022/23	2023/24	% increase	2022/23	2023/24	% increase	2022/23	2023/24	% increase	2022/23	2023/24	% increase	2022/23	2022/24	% increase
Home Boarding/ Doggy Day Care	£173	£182	5.2	£174	£183	5.17	£270	£284	5.19	£365	£384	5.21	£131	£138	5.34
Boarding Dogs in kennels	£156	£164	5.13	£171	£180	5.26	£268	£282	5.22	£362	£380	4.97	£117	£123	5.13
Boarding Cats	£191	£201	5.24	£185	£194	4.86	£280	£294	5.00	£374	£393	5.08	£139	£146	5.04
Breeding of Dogs	£160	£168	5.00	£167	£175	4.79	£262	£275	4.96	£358	£376	5.03	£117	£123	5.17
Selling Animals as Pets	£205	£215	4.88	£198	£208	5.05	£292	£307	5.14	£388	£408	5.15	£153	£161	5.23
Hiring out Horses	£263	£276	4.94	£226	£237	4.87	£321	£337	4.98	£417	£438	5.04	£198	£208	5.05
Keeping or Training Animals for Exhibition	£176	£185	5.11	N/A	N/A	N/A	N/A	N/A	N/A	£377	£396	5.04	£128	£135	5.47

Dangerous Wild Animals	£335	£352	5.07	-	-	-	-	-	-	-	-	-	-	-	-
Zoo Licence	£391	£411	5.12	-	-	-	-	-	-	-	-	-	-	-	-
Production of duplicate licence for any of the above	£11.50	£12	4.35	-	-	-	-	-	-	-	-	-	-	-	-

### **Sex Shops/SEVs**

	2022/23	2023/24	% increase
Sexual Entertainment Venue New application	£3000.00	£3150.00	5.00
Sexual Entertainment Venue Renewal	£1800.00	£1890.00	5.00
Sex Shop/Cinema Licence Application	£3000.00	£3150.00	5.00
Administrative Fee	£30.00	£31.50	5.00

### **Street Trading**

	2022/23	2023/24	% increase
Consent – Borough -wide (not Solihull Town Centre)	£1675.00	£1760.00	5.07
Consent – Solihull Town Centre	£3340.00	£3510.00	5.09
Daily Street Trading Consent	£32.00	£33.50	4.69
Variation with Inspection	£148.00	£156.00	5.41
Mobile Street Trading Consent	£1150.00	£1210.00	5.22
Authorised Assistant – grant or renewal	£26.00	£27.50	5.77
Replacement badge/letter	£14.00	£14.50	3.57

The following fees and charges are not subject to increase as they are either statutory fees, set at the statutory maximum level, or set within appropriate statutory parameters.

### **Pavement Licensing**

Combined Application & Licence fee	£100
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### **Mobile Homes**

Fit & Proper test for Site Managers	£350
Annual fee for registration	£143

### **Gambling Act 2005**

	New application	Annual Fee
<b><u>Premises – New Applications &amp; Annual Fees</u></b>		
Existing Casino	10,000.00	10,000.00
Casino Variation	1000.00	
Casino Transfer	675.00	
Casino Reinstatement	675.00	
Bingo Club	1795.00	510.00
Bingo Club variation	875.00	
Bingo Club transfer	600.00	
Bingo Club reinstatement	600.00	
Betting Premises (excluding tracks)	1535.00	305.00
Betting Premises variation	750.00	
Betting premises transfer	600.00	
Betting premises reinstatement	600.00	

Tracks	1280.00	510.00
Tracks variation	625.00	
Tracks transfer	475.00	
Tracks reinstatement	475.00	
Family Entertainment Centre (FEC)	1025.00	385.00
FEC variation	500.00	
FEC transfer	475.00	
FEC reinstatement	475.00	
Adult Gaming Centre (AGC)	1025.00	510.00
AGC Variation	500.00	
AGC Transfer	600.00	
AGC reinstatement	600.00	
Unlicensed FEC Permit	300.00	-
UFEC Renewal	300.00	
UFEC Change of Name	25.00	
UFEC Copy Permit	15.00	
Prize Gaming Permit	300.00	-
Prize Gaming Permit Renewal	300.00	
Prize Gaming Permit Change of name	25.00	
Prize Gaming Permit Copy Permit	15.00	
Licensed Premises Gaming Machine	150.00	50.00
Licensed Premises Gaming Machine - variation	100.00	-
Licensed Premises Gaming Machine – transfer	25.00	-
Licensed Premises Gaming Machine – Change of name on permit	25.00	-
Licensed Premises Gaming Machine – Copy of permit	15.00	-
Alcohol Licensed Premises Notification of 2 Machines or Less	50.00	
<b><u>Club Gaming/Machine Permits</u></b>		
Grant/Renewal	200.00	
Variation	100.00	-

Annual fee	-	50.00
Copy of permit	15.00	-
<b><u>Small Lotteries</u></b>		
Grant	40.00	-
Renewal	20.00	-
<b><u>Provisional Statement Application &amp; Licence Application</u></b>	<b><u>Provisional Statement</u></b>	<b><u>Licence application by provisional statement</u></b>
Existing Casino	10,000	10,000
Bingo Club	2039.00	700.00
Betting Premises (excluding tracks)	1794.00	700.00
Tracks	1456.00	554.00
Family Entertainment Centre	1165.00	554.00
Adult Gaming Centre	1165.00	700.00
<b><u>Premises Type</u></b>	<b><u>Copy Licence</u></b>	<b><u>Notification of Change</u></b>
Existing Casino	22.55	38.95
Bingo Club	23.60	41.00
Betting Premises (excluding Tracks)	23.60	41.00
Tracks	23.60	41.00
Family Entertainment Centre	23.60	41.00
Adult Gaming Centre	23.60	41.00

### **Licensing Act 2003**

Premises Licence / Club Premises Certificate fees are charged dependent upon the rateable value of the premises as follows:-

RATEABLE VALUE	BAND	FEE
£0 to £4300	A	£100
£4300 to £33,000	B	£190



£33,001 to £87,000	C	£315
£87,001 to £125,000	D	£450
£125,001 and above	E	£635

ANNUAL CHARGE (due on the anniversary of the issue of the licence)

Band	Fee
A	£70
B	£180
C	£295
D	£320
E	£350

PERSONAL LICENCES, TEMPORARY EVENTS & OTHER FEES

Application for grant or renewal of Personal Licence	£37
Temporary Event Notice	£21
Theft, loss etc of Premises Licence/Club Premises Certificate	£10.50
Application for Provisional Statement (where premises being built etc)	£315

Notification of change of name or address	£10.50
Application to vary licence to specify Premises Supervisor	£23
Application to transfer Premises Licence/Club Premises Certificate	£23
Interim Notice following death of licence holder	£23
Notification of change of name or alteration of rules of club	£10.50
Change of relevant registered address of a club	£10.50
Theft, loss etc of Temporary Event Notice	£10.50
Theft, loss etc of a Personal Licence	£10.50
Duty to notify change of name or address	£10.50
Right of freeholder to be notified of licensing matters	£21
Theft, loss etc of certificate or summary	£10.50

AN ADDITIONAL PREMISES FEE IS CHARGEABLE FOR EXCEPTIONALLY LARGE EVENTS AS FOLLOWS:

NUMBER IN ATTENDANCE AT ANY ONE TIME	ADDITIONAL FEE
5,000 to 9,999	£1,000
10,000 to 14,999	£2,000
15,000 to 19,999	£4,000
20,000 to 29,999	£8,000
30,000 to 39,999	£16,000
40,000 to 49,999	£24,000
50,000 to 59,999	£32,000
60,000 to 69,999	£40,000
70,000 to 79,999	£48,000
80,000 to 89,999	£56,000
90,000 and over	£64,000

PREMISES IN BANDS D & E THAT ARE EXCLUSIVELY OR PRIMARILY IN THE BUSINESS OF SELLING ALCOHOL (MAINLY LARGE TOWN/CITY CENTRE PUBS) ARE CHARGED AS FOLLOWS:

BAND	D	E
Application Fee	£900	£1905
Annual Charge	£640	£1050