

LGA Licensing Fees questionnaire November 2004**Fee Bands**

It is proposed that the new premises fee structure will be banded and based on non-domestic rateable values, ie business rates, as in the table below.

Band	A	B	C	D	E
Non-domestic rateable value	£0 - £4300	£4,301 - £33,000	£33,001 - £87,000	£87,001 - £125,000	£125,001 and over

Transition Fees

The fees relating to applications for premises licences, club premises certificate, variations (but not changes of name and address etc or changes of designated premises supervisor), the conversion of existing licences, and conversion/variations in the transition period are proposed as follows:

A	B	C	D	E
£80	£150	£250	£350	£500

Annual Charges Post -Transition

The annual charge for premises licences and club premises certificates is proposed as follows;

A	B	C	D	E
£40	£125	£175	£200	£225

INCOME

Please estimate your income using the tables above. You will need to work with your business rates team on this. If you do not yet have a full list of premises to be licensed (liquor, entertainment, late night refreshment and takeaways) you can interrogate business rates data by property type (see <http://www.open.voa.gov.uk/>). This will not give a full picture but a good indication. Please note that premises such as boats and open spaces without ratings will be allocated to band A.

*Certain premises are proposed to be **exempt** from premises licence fees: church halls, chapel halls or similar and village halls, parish and community halls or similar licensed for the provision of regulated entertainment only; schools providing education for pupils up to Year 13 or a sixth form college providing only regulated entertainment carried on by the school or sixth form college itself at the school or college premises for the purposes of the school or college. Do not include these in your income calculations although they will result in costs.*

Please complete the table below for your area:

Band	A (Including non rated premises)	B	C	D	E	
Transition Fee	£80	£150	£250	£350	£500	
Annual Fee	£40	£125	£175	£200	£225	Total
Proportion of Licensable Premises in Each Band						
Number of Premises						

- a) Current number of P_{EL} & Late Night Refreshment Licenses:.....
- b) Estimated premises licence income during transition period:.....
- c) Estimated premises licence income in year 1 post transition:.....
- d) Please indicate how many exempt premises you have in your area:.....

COSTS - ADMINISTRATION

Important: remember that the procedures are different during the transition period (Schedule 8 to the Act) and after transition (Part 3 and 4 of the Act). It can also be assumed that the number of Variations may be higher during transition and the first few years of the new regime, decreasing over time, as the new system "settles in". It should also be noted that the DCMS has stated that if a conversion AND variation is applied for, only ONE fee is due.

- e) Total number of premises licence applications anticipated during transition:.....
- f) Number of variations anticipated during the transition period as % of total:.....
- g) Number of new premises licence applications anticipated during the transition period as % of total:.....
- h) Number of variations to P_{EL} received in 2003-4 as % of total number of licences:.....
- i) Number of P_{EL} applications (new, annual and variation) receiving objections in 2003-4 as % of total number of applications:.....
- j) Estimated costs of administration of licences in transition period:.....
- k) Estimated costs of administration of licences in year 1:.....
- l) What is the estimated cost of producing your licensing policy?.....
- m) How many individual entertainment and late night refreshment cases were heard by your Licensing Committee in 2003-4:.....

n) What is the average cost per individual case heard by the Licensing Committee in 2003-4 (report writing, committee clerk, legal advice and agenda printing & dispatch):.....

o) How many appeals were made against Licensing Committee decisions in 2003-4:.....

p) Number of appeals as a % of cases heard by the Licensing Committee:.....

q) Number of appeals that went to the Crown Court after the Magistrates Court as a % of the total number of appeals in 2003-4:.....

r) Average cost of an appeal heard in the Magistrates Court only in 2003-4:.....

s) Average cost of an appeal heard in Magistrates Court and Crown Court in 2003-4:.....

t) Estimated cost of a review of a licence (advertising, consideration of grounds, committee hearing):.....

COSTS – INSPECTION AND ENFORCEMENT

When estimating inspection and enforcement costs you may include the cost to the local authority of activity related to the licensing function, for example responding to consultation on licence applications, but **not** the costs of existing statutory functions already paid for through local or central taxation, for example the inspection and enforcement of environmental health, building control or fire safety legislation.

a) Estimated cost of inspection in (i.e. verifying licence applications) in the transition period:
.....

NB: There will be no enforcement of new licences during the transition period as they do not become “live” until the Second Appointed Day.

b) Based on a risk rated programme and excluding the costs in the paragraph above, what do you expect your inspection and enforcement costs (including unlicensed events) to be in year 1?.....

EXCEPTIONALLY LARGE EVENTS REQUIRING A PREMISES LICENCE

Exceptionally large events of a temporary nature will require a premises licence and pay the relevant fee plus the additional fee below based on the size of the event:

Number	Additional Fee
6,000 - 9,999	£5,000
10,000 - 19,999	£7,500
20,000 - 29,999	£10,000
30,000 - 39,999	£15,000
40,000 - 49,999	£20,000
50,000 - 74,999	£30,000
75,000 and over	£50,000

a) In your experience, will the “exceptionally large temporary events” additional fee cover your costs of administration, inspection and enforcement?.....

b) Will you recover your costs on an annual basis (see paragraph 7.35 Consultation document)?.....

c) If possible please provide evidence of the actual costs of licensing such events in your area.

SUMMARY QUESTIONS

a) What are your total annual anticipated administration, inspection and enforcement costs during the transition period?.....

b) What are your total annual anticipated administration, inspection and enforcement costs in year 1?.....

c) Does the total estimated income, identified under “Income” above, cover your costs in the transition period?.....

d) What is the deficit/surplus in the transition period?.....

e) Does the total estimated income, identified under “Income” above, cover your costs in year 1?.....

f) What is the deficit/surplus in year 1?.....

g) Are there any changes you would suggest to the proposed fee banding or fee levels that would give you enough income to recover appropriate costs?.....

2. Personal licence fees

The proposed fee for the grant or renewal of a personal licence is **£37**.

It is expected that few applications from existing licensees in the transition period (Schedule 8 to the Act) will receive police objections as liquor licences have been renewed at the 2004 Brewster sessions.

a) How many personal licences do you expect to process in the transition period (i.e. conversion and new applications)?.....

b) How many personal licences do you expect to process in year 1 (i.e. new applications)?.....

c) What is the basis of these figures?.....

d) What are your anticipated costs of processing those personal licences in the transition period?.....

e) In year 1 what is the likely cost to your authority of processing a personal licence that **does not** require referral to the police?.....

f) In year 1 what is the likely cost to your authority of processing a personal licence that is referred to the police and subsequently requires a hearing?.....

g) What are your anticipated total costs of processing those personal licences in year 1?.....

h) Based on the total estimated income to be received in the transition period, what is the deficit/surplus anticipated to be for that period?.....

i) Based on the total estimated income to be received in Year 1, what is the deficit/surplus anticipated to be for Year 1?.....

j) What level should the fee be to ensure cost recovery for your authority?.....

3. Temporary Event Notices

The proposed fee for a Temporary Event Notice (TEN) is £21.

a) How many occasional PEL licence applications did you receive in 2003-4 that fall within the definition of a TEN?.....

b) How many of the applications in (a) received objections from the police on crime and disorder grounds as % of total number of applications:.....

c) What is your estimated cost of processing a TEN that receives no objection from the police?.....

d) What is your estimated cost of processing a TEN that receives an objection from the police?.....

e) What enforcement costs under the Licensing Act do you anticipate associated with TENs in Year 1?.....

Remember there are no offences relating to nuisance, safety or children, but action may be necessary for unlicensed events or events that exceed the TEN definition.

f) What is the basis of the figure at c?.....

g) What level should the fee be to ensure cost recovery of administration, inspection and enforcement?.....

4. Start up Costs

a) What provision have you made in your 2004-5 budget, if any, for the cost of preparing for the implementation of the Licensing Act up to the beginning of the transition period, 7th February 2005?.....

5. Permitted costs

a) Are there any other costs that should be included in the list at Appendix A?

6. Other matters

a) Please indicate any impact on 2005-6 council tax in your area if income fails to cover your costs?

b) Is there any other information you would like to supply?

c) Are there any other matters you would like to raise?

APPENDIX A – PERMITTED COSTS

Costs should include the costs for administration, inspection and enforcement to the licensing authority and to the responsible authorities for which the local authority has responsibility.

Administration should include:

- *staff (salary, pension, travel and subsistence, training) and overhead costs (mainly accommodation, telephone, furnishing, IT, printing, stationery).*
- *staff management costs;*
- *legal and other central support services (personnel, financial, press and publications, statistics etc);*
- *recruitment costs;*
- *IT, in this context, must include the development, infrastructure and future running costs of a central database for personal licences;*
- *licensing committee costs including accommodation, hearings, training etc;*
- *costs relating to attendance at and report provision for appeals;*
- *costs relating to the preparation and execution of prosecutions; and*
- *the costs of preparing and reviewing licensing policies.*

Inspection should include the “marginal” costs of site visits relating to the licensing requirements over and above related existing statutory duties (see above).

Enforcement should include the “marginal” site visits relating to the enforcement of conditions attached to premises licences and associated checks relating to personal licences (see above).