



Licensing Committee

Wednesday, 6 November 2024 at 7.30 pm

Council Chamber - Civic Centre

Members of the Committee

Councillors: E Kettle (Chair), M Singh (Vice-Chair), D Clarke, MK Cressey, S Eldridge, K Graham, M Harnden, A King, K Lee, I Mullens and P Tucker-Brown

In accordance with Standing Order 29.1, any Member of the Council may attend the meeting of this Committee, but may speak only with the permission of the Chair of the Committee, if they are not a member of this Committee.

AGENDA

Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Democratic Services, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425622). (Email: democratic.services@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please contact democratic.services@runnymede.gov.uk. Tel: 01932 425622. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.
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Filming should be limited to the formal meeting area and not extend to those in the public seating area.

The Chair will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the Committee meeting.

List of matters for consideration

Page

Part I

Matters in respect of which reports have been made available for public inspection

1. **Minutes** 4 - 5

To confirm and sign as a correct record, the Minutes of the meeting held on 19 June 2024 (Appendix A).
2. **Apologies for Absence**
3. **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda.
4. **Licensing Proposed Fees and Charges 2025-26** 6 - 11
5. **Exclusion of Press and Public**

Part II

There are no exempt or confidential items on this agenda

Runnymede Borough Council

Licensing Committee

Wednesday, 19 June 2024 at 7.30 pm

Members of the Committee present: Councillors E Kettle (Chair), M Singh (Vice-Chair), MK Cressey, K Graham, M Harnden, K Lee, I Mullens, P Tucker-Brown and J Wilson.

Members of the Committee absent: Councillors D Clarke and A King.

1 **Minutes**

The Minutes of the meeting of the Committee held on 7 November 2023, and those of the Sub-Committee held on 14 December 2023 (two sets), were confirmed and signed as correct records.

2 **Apologies for Absence**

Apologies for absence were received from Councillor D Clarke and A King.

3 **Declarations of Interest**

There were no Declarations of Interest.

4 **2024 Annual Report on the Licensing Act 2003**

The Committee received for information the annual report on matters dealt with by the authority under the Licensing Act 2003 from 1 April 2023 to 31 March 2024.

Members were presented with statistical information from 2018 – 2024 on the numbers and types of licences issued by the authority, how many personal licences had been issued and other information such as how many Temporary Event Notices had been received. Officers confirmed that the number of premises licences stood at 255, which was considered stable, 47 new personal licences were issued in 2023/24 whilst 5 premises licences were surrendered.

Details of the type and location of the 10 new premises licences was provided, noting the revocation of one licence for Addlestone Food and Wine following a summary review in November/December 2023.

Since the pandemic more Temporary Event Notices (TENs) had been issued as businesses were slowly recovering. The maximum number of TENs that someone could give had reverted back to the pre-pandemic level. Officers did all they could to assist applicants and encourage local businesses to be successful as well as promoting the licensing objectives.

Members reviewed enforcement and inspection activity which continued to be pro-active and intelligence led, working with colleagues in Environmental Health and the Police. Take-up of the new pre-application service launched in April 2024 as approved by the Committee in September 2023 had been modest but Officers hoped it would attract more applicants as it became more widely known about.

With regard to Pubwatch, Members agreed it was unfortunate to note that the Borough's

south area branch had not met since the resignation of their Chair. However, the one based in Egham for the north of the borough did continue to meet. Officers were asked to inform Members of the Committee of forthcoming Pubwatch meetings, noting the Council and Police were invited attendees. The Committee was also very welcome to attend.

The Committee was advised of some headline statistics from the Police on incidents in licensed premises and public houses. Officers reported that of the 241 incidents reported in 2023/24, 46 of which occurred in public houses. Incidents ranged from public order offences, criminal damage and hate crime to noise nuisance and shop lifting. Members considered that as the Council licensed all relevant premises including club premises certificates, it would be helpful to see figures relating to Royal Holloway University Students' Union and given their impact on the local community. The rationale behind the Police not providing this information was thought to be because the Student Union venues were private. However, Officers agreed to ask the Police for data regarding incidents recorded at Royal Holloway's Students' Union venues for next year's Annual Report.

In terms of legislative change, the Business and Planning Act 2020 continued to allow temporary amendments to the Licensing Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to allow for off-sales. Officers confirmed that the government had extended the temporary off-sales regulatory easement until 31 March 2025, pending the outcome of a public consultation on making the arrangements permanent by a Legislative Reform Order. The Committee would be kept informed of progress.

Officers also highlighted the new film Classification Guidelines which came into force on 1 May 2024 and the role the Licensing Sub-Committee might have if any films needed to be assessed against the new guidelines.

Members recalled the proposed Protect Duty known as Martyn's Law, its implementation, including the establishment of a Martyn's Law Regulator, would be determined following the forthcoming General Election.

Officers were thanked for their report which was duly noted.

5 **Exclusion of Press and Public**

There were no exempt or confidential items on the agenda.

(The meeting ended at 7.51 pm.)

Chair

Report title	Licensing Proposed Fees and Charges 2025/26
Report author	Jill Stockdale / Helen Clark
Department	Financial Services / Environmental
Exempt?	No

Purpose of report:

To resolve

Synopsis of report:

To set out the context and rationale for changes to fees and charges for the next financial year for the services managed by this committee and to recommend that the proposed fees and charges are adopted as set out.

Recommendation that:

the proposed fees and charges as set out in Appendix A are approved to be effective from the dates within the appendix or as soon as practical thereafter.

1. Context and background of report

- 1.1 The annual review of charges is an important part of the overall budget setting process and the policy framework for service provision in general.
- 1.2 Whilst the Council's Constitution places initial fee setting with each service committee, it also provides delegated authority to Officers to alter fees, charges and prices without reference to a Committee, in order to respond to market conditions, new needs, changes in tax rates, and so on.

2. Report and, where applicable, options considered and recommended

Methodology

- 2.1 As part of the budget setting process, Service Managers are requested to review their charges each year. Members have previously agreed that officers put forward recommended increases based on:
 - Current market conditions
 - Local competition
 - The likely yield of any fee increase
 - On-going savings targets and revenue reduction programmes

Members have accepted that in some service areas it may not be possible to significantly increase fees, and in others it may be necessary to decrease them to stimulate demand. However, as a minimum, an average of 2% for discretionary locally set charges should be aimed for as the financial plans of the Council assume at least an inflationary increase.

- 2.2 This report reviews current levels of fees and charges, with a view to helping to balance next year's budget and is a key strand of the Council's Medium Term Financial Strategy.
- 2.3 The fees and charges proposed by service managers for next year are set out at Appendix A. The appendix includes a Yield column showing the next year's budget for each charge/group of charges, so that Members can estimate the financial implications of any price rises.

Premises and Alcohol related Licences

- 2.4 All the fees under the Licensing Act 2003 are set by Statute, with the exception of pre-application charges which are set on a cost recovery basis. The Licensing Act 2003 lists the fees and charges which we have to make as a local authority. These fees and charges have not changed since their introduction. This means that as inflation increases the cost base, the net cost of running the service increases. The estimated deficit for 2025/26 is £25,900.

3. Policy framework implications

- 3.1 There will be a number of instances of specific policies within specific services which require fees and charges to be levied in respect of various activities. Some of these will be discretionary and some statutory. In considering this report and reviewing its individual fees and charges, the Council is complying with the requirements of these policies.

4. Resource implications/Value for Money (where applicable)

- 4.1 At the start of the 2024/25 financial year, the Council had an ongoing budget deficit estimated to be £5.2m by the end of 2026/27 that needed to be addressed. This included an assumption that fees and charges would increase by 2% each year. The setting of fees and charges is an important tool in helping to address this situation and maximising income from services should be a priority.
- 4.2 In setting fees and charges there is a fine balance to be struck between trying to recover the cost of running services and not alienating our customers by making the charges unaffordable. In undertaking their reviews managers must balance these risks whilst at the same time trying to generate additional income to contribute towards the Council's ongoing budget deficit. Consideration should also be given to the cost of pay-to-use services, so that those choosing not to avail themselves of those services, are not carrying the burden, through taxation, of subsidised services for others.
- 4.3 Once agreed, the fees and charges will be included as part of the 2025-26 budget and the effects of any increases/reductions in the charges will be incorporated into the figures for the appropriate service areas.

5. Legal implications

5.1 Where the status of a charge is marked as 'statutory' the Council is required under the law to levy a fee. Where the status is given as 'discretionary' the Council may amend the fee charged or choose to make no charge for the service.

6. Equality implications

6.1 Where any major changes to the structure of any charging regime are proposed, an Equality Impact Assessment will have been completed by the relevant Budget Manager.

7. Environmental/Sustainability/Biodiversity implications

7.1 The annual setting of existing fees and charges has no environmental, sustainability or biodiversity implications. Any change to a structure or the inclusion of new charges that have any such implications will be set out in a separate report to Committee.

8. Timetable for Implementation

8.1 The proposed fees and charges will not take effect until 1 April 2025 or as soon as practical thereafter unless a different date is set out in the Appendix.

9. Background papers

None

10. Appendices

- Appendix A Proposed Fees & Charges for 2025-26

Fees and charges

Premises and alcohol related licences

	Charge Status	From April 2024 £	From April 2025 £	% Increase	Yield £	VAT treatment		
Licensing Act 2003								
<u>Main application fee</u>								
The application fee for a new premises licence, or conversion of an existing licence is based on rateable values as follows:-								
<u>Non City / Town Centre</u>								
Band A		Rateable value £0 to £4,300	Statutory	100.00	100.00	0.00%	} 3,500	Outside Scope
Band B		£4,301 to £33,000	Statutory	190.00	190.00	0.00%		Outside Scope
Band C		£33,001 to £87,000	Statutory	315.00	315.00	0.00%		Outside Scope
Band D		£87,001 to £125,000	Statutory	450.00	450.00	0.00%		Outside Scope
Band E		£125,001 and above	Statutory	635.00	635.00	0.00%		Outside Scope
<u>City / Town Centre where they are exclusively/ primarily used to sell alcohol</u>								
Band D		£87,001 to £125,000	Statutory	900.00	900.00	0.00%	} 3,500	Outside Scope
Band E		£125,001 and above	Statutory	1,905.00	1,905.00	0.00%		Outside Scope
<u>Annual charge</u>								
The annual charge is due one year after the application fee was paid and is based on rateable values as follows:-								
<u>Non City / Town Centre</u>								
Band A		Rateable value £0 to £4,300	Statutory	70.00	70.00	0.00%	} 54,100	Outside Scope
Band B		£4,301 to £33,000	Statutory	180.00	180.00	0.00%		Outside Scope
Band C		£33,001 to £87,000	Statutory	295.00	295.00	0.00%		Outside Scope
Band D		£87,001 to £125,000	Statutory	320.00	320.00	0.00%		Outside Scope
Band E		£125,001 and above	Statutory	350.00	350.00	0.00%		Outside Scope
<u>City / Town Centre where they are exclusively/ primarily used to sell alcohol</u>								
Band D		£87,001 to £125,000	Statutory	640.00	640.00	0.00%	} 54,100	Outside Scope
Band E		£125,001 and above	Statutory	1,050.00	1,050.00	0.00%		Outside Scope
Minor variations to premises licences and club premises certificates as per the Legislative reform order 2009	Statutory			89.00	89.00	0.00%	700	Outside Scope

Fees and charges

Premises and alcohol related licences

Charge Status	From April 2024 £	From April 2025 £	% Increase	Yield £	VAT treatment	
Exceptionally large capacity sites						
This is an additional charge for large events based on the number of attendees as follows:						
<u>New licence</u>						
5,000 to 9,999	Statutory	1,000.00	1,000.00	0.00%	} included under annual fee	Outside Scope
10,000 to 14,999	Statutory	2,000.00	2,000.00	0.00%		Outside Scope
15,000 to 19,999	Statutory	4,000.00	4,000.00	0.00%		Outside Scope
20,000 to 29,999	Statutory	8,000.00	8,000.00	0.00%		Outside Scope
30,000 to 39,999	Statutory	16,000.00	16,000.00	0.00%		Outside Scope
40,000 to 49,000	Statutory	24,000.00	24,000.00	0.00%		Outside Scope
50,000 to 59,999	Statutory	32,000.00	32,000.00	0.00%		Outside Scope
60,000 to 69,999	Statutory	40,000.00	40,000.00	0.00%		Outside Scope
70,000 to 79,999	Statutory	48,000.00	48,000.00	0.00%		Outside Scope
80,000 to 89,999	Statutory	56,000.00	56,000.00	0.00%		Outside Scope
90,000 and over	Statutory	64,000.00	64,000.00	0.00%		Outside Scope
<u>Annual fee</u>						
The Annual fee is half the above thereafter						
5,000 to 9,999	Statutory	500.00	500.00	0.00%	} included under annual fee	Outside Scope
10,000 to 14,999	Statutory	1,000.00	1,000.00	0.00%		Outside Scope
15,000 to 19,999	Statutory	2,000.00	2,000.00	0.00%		Outside Scope
20,000 to 29,999	Statutory	4,000.00	4,000.00	0.00%		Outside Scope
30,000 to 39,999	Statutory	8,000.00	8,000.00	0.00%		Outside Scope
40,000 to 49,000	Statutory	12,000.00	12,000.00	0.00%		Outside Scope
50,000 to 59,999	Statutory	16,000.00	16,000.00	0.00%		Outside Scope
60,000 to 69,999	Statutory	20,000.00	20,000.00	0.00%		Outside Scope
70,000 to 79,999	Statutory	24,000.00	24,000.00	0.00%		Outside Scope
80,000 to 89,999	Statutory	28,000.00	28,000.00	0.00%		Outside Scope
90,000 and over	Statutory	32,000.00	32,000.00	0.00%		Outside Scope
<u>Personal Licences</u>						
Application for a grant of personal licence	Statutory	37.00	37.00	0.00%	2,200	Outside Scope
<u>Temporary events</u>						
Temporary event notice	Statutory	21.00	21.00	0.00%		Outside Scope

Fees and charges

Premises and alcohol related licences

	Charge Status	From April 2024 £	From April 2025 £	% Increase	Yield £	VAT treatment
Other licences						
Theft, loss, etc. of premises licences or summary	Statutory	10.50	10.50	0.00%	1,000	Outside Scope
Application for a provisional statement where premises being built etc.	Statutory	315.00	315.00	0.00%		Outside Scope
Pre Application fees - Application Checking Service	Discretionary	28.00	32.00	14.29%		Outside Scope
Pre Application fees - Application Advice Service	Discretionary	72.00	80.00	11.11%		Outside Scope
Pre Application fees - Full Pre Application Service	Discretionary	275.00	311.00	13.09%		Outside Scope
Notification of change of name or address	Statutory	10.50	10.50	0.00%		Outside Scope
Application to vary licence to specify individual as premises supervisor	Statutory	23.00	23.00	0.00%		Outside Scope
Application for transfer of premises licence	Statutory	23.00	23.00	0.00%		Outside Scope
Interim authority notice following death etc. of licence holder	Statutory	23.00	23.00	0.00%		Outside Scope
Theft, loss etc. of certificate or summary	Statutory	10.50	10.50	0.00%		Outside Scope
Notification of change of name or alteration of rules of club	Statutory	10.50	10.50	0.00%		Outside Scope
Change of relevant registered address of club	Statutory	10.50	10.50	0.00%		Outside Scope
Theft, loss etc. of temporary event notice	Statutory	10.50	10.50	0.00%		Outside Scope
Theft, loss etc. of personal licence	Statutory	10.50	10.50	0.00%		Outside Scope
Duty to notify change of name or address	Statutory	10.50	10.50	0.00%		Outside Scope
Right of freeholder etc. to be notified of licensing matters	Statutory	21.00	21.00	0.00%	Outside Scope	

No fee shall be payable in respect of the above licences for an entertainment at a church hall, chapel hall or other similar building occupied in connection with a place of public religious worship, or at village hall, parish or community hall or other similar building. At the discretion of the Council no fee may be payable if the entertainment is of an educational or other like character or is given for charitable or other like purposes.