

Runnymede Borough Council

Licensing Committee

Tuesday, 26 September 2023 at 7.30 pm

Members of the Committee present: Councillors J Wilson (Chairman), E Gill (Vice-Chairman), R Bromley, D Clarke, R Davies, M Harnden and J Mavi.

Members of the Committee absent: Councillors T Burton, J Furey, C Mann and M Singh.

6 Minutes

The Minutes of the meeting held on 20 June 2023 were confirmed and signed as a correct record.

7 Apologies for Absence

Apologies for absence were received from Councillors T Burton, J Furey, C Mann and M Singh.

8 Declarations of Interest

There were no declarations of interest.

9 Proposal for Pre-Application fees

The Committee's approval was sought to introduce a formal pre-application advice service from 1 April 2024, for which a three-tier charging structure would apply.

Officers explained that they already spent a significant amount of time providing free advice to applicants. They did this to avoid having to reject an application because it was incorrect or incomplete which was a frequent occurrence. This was because the statutory application forms could be confusing and for people unfamiliar with them it was easy to get something wrong. For example, applicants often failed to demonstrate satisfactorily how they would promote the Licensing objectives and might not complete the operating schedule or do so in a confusing way.

There was no statutory duty to provide advice. However, Officers wanted to be as helpful as possible to assist businesses and ensure, where possible, compliance. Members were advised that more local authorities were introducing this service which was common in Planning for example. Although only two other local licensing authorities in Surrey currently provided a pre-application service, it was anticipated that this would increase as more Councils sought to recover costs where they could.

In terms of delivering the service, simple advice could be given over the telephone but applicants were usually invited in to speak in person, especially if the matter was complex. It was clarified that if an applicant initially paid for the basic checking service and then decided they needed more advice the next tier charge would be applied.

Officers had set out a detailed breakdown of how the proposed charges had been arrived at, based on the hourly rates, including re-charges.

The Committee noted the three-tier approach, from a basic passport-like checking service (£28), the advice service (£72), to a full pre-application service, costing £275. It was

agreed that these compared well with other structures available and bearing in mind that a specialist Licensing Solicitor could charge in the region of £400.

The Committee was supportive of the service and content with the level of fees proposed. It was difficult to predict how popular the service would be. Therefore, Officers were asked to report on income from the service at the meeting of the Committee in June 2025 after a full year of the fees being place from 1 April 2024. This would be included in the annual report on matters under the Licensing Act 2003.

The Committee noted that the Council could only cover costs so any surplus or deficit would need to be carried forward to the next financial year as with other licensing related fees and charges.

Officers confirmed that the introduction of a pre-application service was permitted under Section 93 of the Local Government Act 2003.

Officers confirmed that the lead in time would be used to advertise the service and produce information sheets to accompany the application forms fully available from the Council's website. This was so that applicants would be well aware of the new service and encouraged to take advantage of it although it would be the applicant's decision as to whether they did or not.

Resolved that –

the introduction of charging for pre-application advice for applications under the Licensing Act 2003, be approved, as set out below:

1. Application Checking Service

Cost: £28

2. Application Advice Service

Cost: £72

3. Full Pre-Application Service

Cost: £275

10 Exclusion of Press and Public

There were no exempt or confidential items on the agenda.

(The meeting ended at 7.50 pm.)

Chairman