

**ANGUS COUNCIL**

**CIVIC LICENSING COMMITTEE – 10 AUGUST 2017**

**PUBLIC ENTERTAINMENT LICENCES - FEES**

**REPORT BY HEAD OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT**

The purpose of this report is to invite the Committee to consider what action, if any requires to be taken in respect of fees charged for Public Entertainment Licences obtained by Community Councils.

**1. RECOMMENDATIONS**

The Committee is invited to consider the information contained in this report, and determine what action, if any, requires to be taken in respect of fees charged for Public Entertainment Licences obtained by Community Councils.

**2. BACKGROUND**

2.1 This Committee, at its meeting on 1 June 2017, considered a report by the Head of Legal and Democratic Services in respect of the licensing of places of public entertainment (Report 163/17 refers). Having considered the terms of the report, the Committee agreed:-

“that the Report be deferred to enable officers to submit a new fee structure which should include an increase in the discounted fee applied to organisations with charitable status (and including Community Councils) from £35 to £47 and that the three year licence which was 175% of one year licence fee be increased to 200%.”

2.2 Having regard to the above, 80 premises were licensed in Angus in the period to 31 March 2017. These can be broken down as follows:-

Community	11
Charity	58
Commercial	<u>11</u>
	<u>80</u>

If the above premises sought 3 year licences then income based on the cost of a 3 year licence being 175% of a 1 year licence would be £11,452.

If the cost of a 3 year licence was amended to 200% of a 1 year licence then income would be £13,196. This would be result in an increase in revenue of £1,744.

This figure of £1,744 would offset the cost of permitting community councils to benefit from the discount applied to organisations with charitable status (and based on the number of events licenced by community councils for the year to 31 March 2017). This would obviate the need to charge in increased fee of £47 from £35 to all charities.

Committee is asked to note that the above calculation is based on all of the 80 premises applying for 3 year licences. The new fee structure as detailed in **APPENDIX 1** was introduced on 1 September 2016. Therefore, at this point, it is not possible to predict how many organisations will, in the fullness of time, avail themselves of the savings available by obtaining a 3 year licence as opposed to a 1 year licence. If Committee is minded to pursue this option then the situation will require to be monitored to ensure that income levels remain consistent.

2.3 It should be noted that if the Committee is minded to permit Community Councils to benefit from the discount applied to organisations with charitable status then this may result in Community Councils taking a greater role in the organising of community events which may result in further loss of licensing income with no commensurate reduction in workload or demand.

- 2.4 Committee is asked to note that the Council licence the organisers of a public entertainment. If an application is made for a public entertainment licence and the organisers stated in the application are not the actual organisers then those making the application could be found to have made statements which they know to be false or recklessly made statements which are false in a material particular. Such applicants shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £2,500.
- 2.5 Committee will be fully aware of the significant financial challenges facing the Council in the current economic climate. If Committee makes a decision which will result in a reduction in projected income then equivalent savings will require to be found from within other budgets. This will be in addition to the savings that all Council services require to find.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 The financial implications are contained within the body of this report.

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this report.

**REPORT AUTHOR:** David Thompson

**EMAIL DETAILS:** [LEGDEM@angus.gov.uk](mailto:LEGDEM@angus.gov.uk)

## CIVIC LICENSING COMMITTEE – 10 AUGUST 2017

## (a) Current Public Entertainment Licence fees approved by the Civic Licensing Committee on 25 February 2016 (with effect from 1 September 2016)

Capacity of venue/ event	1Year/Temp	3 Year (175% of one year licence fee)	Average annual cost of 3 year licence	Percentage difference in annual cost of licence fee based on 1 year licence	Percentage difference in annual cost of licence fee based on 3 year licence
<200	£ 140.00	£ 245.00	£ 81.67	-11%	-38%
200-1499	£ 200.00	£ 350.00	£ 116.67	27%	-11%
1500- 4999	£ 350.00	£ 612.50	£ 204.17	122%	56%
5000- 9999	£ 500.00	£ 875.00	£ 291.67	216%	123%
10000+	£ 750.00	£ 1,312.50	£ 437.50	375%	234%
<i>For Charities registered with OSCR</i>	£ 35.00	£ 61.25	£ 20.42	-5%	-32%