

ANGUS COUNCIL

CIVIC LICENCING COMMITTEE – 14 NOVEMBER 2024

REVIEW OF VARIATION/MATERIAL CHANGE IN CIRCUMSTANCES FEE FOR CHARITIES

REPORT BY DIRECTOR OF LEGAL, GOVERNANCE AND CHANGE

1. ABSTRACT

- 1.1 The purpose of this Report is to recommend a change in the fee for the processing a variation in respect of a Public Entertainment licence issued to charities under the Civic Government (Scotland) Act.

2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES

- 2.1 Not Applicable.

3. RECOMMENDATIONS

- 3.1 It is recommended that the Committee: -
- (i) approve the new charge of a quarter of the full fee cost (rounded up to the nearest whole number) in relation to the processing of variations/material change in circumstances to a Public Entertainment Licence for registered charities; and
 - (ii) agree an implementation date of 18 November 2024.

4. BACKGROUND

- 4.1 Sections 12 and paragraph 15 of Schedule 1 of the Civic Government (Scotland) Act 1982 ("the 1982 Act") obliges the Council to ensure that the total amount of fees charged by it is sufficient to meet the expenditure incurred in carrying out the functions of the licensing authority under that Act.

5. CURRENT POSITION

- 5.1 At its meeting on 28 March 2024 this Committee reviewed and approved a new structure of fees (Report [108/24](#) refers). Committee further agreed a new charge of £75 for processing an application for the variation/material change in circumstances of a licence issued under the 1982 Act.
- 5.2 Subsequently to that decision, approaches have been made to the Licensing Team from registered charities regarding this fee. At present registered charities enjoy a reduced fee in respect of a Public Entertainment licence which equates to a quarter of the full fee - £43 for a 1-year licence; £87 for a 3-year licence. The charge for a variation/material change in circumstances at £75 could therefore be considered as disproportionate to that reduced fee.
- 5.3 A new fee structure is proposed to charge registered charities one quarter of the full fee (rounded up to the nearest whole number). It is proposed that the new fee, if accepted, will be implemented from 18 November 2024.

6. PROPOSALS

- 6.1 With regard to recommendations (i) and (ii), Members are asked to approve the reduced fee for an application regarding a variation/material change in circumstances of any licence received from a registered charity. Charges are suggested at that rate from 18 November 2024.

7. FINANCIAL IMPLICATIONS

- 7.1 The proposal will result in less fee income for variations requested by charities, but as they already attract a reduced full fee it is deemed appropriate to similarly reduce this fee.

8. RISK MANAGEMENT

- 8.1 There are no risks to the Council arising from the terms of this Report.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 There are no direct environmental implications arising from the recommendations of this report.

10. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY

- 10.1 An Equality Impact Assessment is not required as the report is technical.

11. CONSULTATION (IF APPLICABLE)

- 11.1 The Director of Finance has been consulted on the terms of this Report.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are: (list them below):

Civic Government (Scotland) Act 1982

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