

To: Chairman and Members of the Taxi and General Licensing Committee

Councillors Jenns, D Clews, Farrow, Hancocks, M Humphreys, Jordan, Macdonald, McLaughlan, Moss, Osborne, K Parker, O Phillips, Rose, S Smith and A Wright

For the information of other Members of the Council

For general enquiries please contact Democratic Services on 01827 719237 or via email – democraticservices@northwarks.gov.

For enquiries about specific reports please contact the Officer named in the reports.

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ALCOHOL & GAMBLING LICENSING COMMITTEE AGENDA

24 January 2023

The Alcohol & Gambling Licensing Committee will meet on Tuesday 24 January 2023 at 6.30pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The meeting can also be viewed on the Council's YouTube channel at [NorthWarks - YouTube](#).

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members. This will not allow members of the public to speak on any licensing application being considered by the Committee if they are not a party to that application under the Licensing Act 2003. If you are a party to a hearing you will have received a notice of hearing and should respond as indicated in that notice.

Members of the public wishing to address the Board on any other issue must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to democraticservices@northwarks.gov.uk or telephone 01827 719221/ 719226 / 719237.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber;
- (b) attend remotely via Teams; or
- (c) request that the Chair reads out their written question.

If attending in person, precautions will be in place in the Council Chamber to protect those who are present however this will limit the number of people who can be accommodated so it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they made need to mute the sound on YouTube when they speak on the phone to prevent feedback).

ITEMS FOR DISCUSSION AND DECISION

- 5 **Minutes of the Alcohol and Gambling Licencing Committee 18 July 2022**
– copy herewith, to be approved as a correct record and signed by the Chairman.

6 **General Fund Fees and Charges 2023/2024** – Report of the Chief Executive
Summary

This report covers the fees and charges for 2022/23 and 2023/2

The Contact Officer for this report is Nigel Lane (719371).

7 **General Fund Revenue Estimates 2023/24** – Report of the Corporate Director
– Resources

Summary

This report covers the revised budget for 2022/23 and an estimate of expenditure for 2023/24, together with forward commitments for 2024/25, 2025/26 and 2026/27.

The Contact Officer for this report is Sue Garner (719374).

STEVE MAXEY
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE ALCOHOL AND GAMBLING LICENSING COMMITTEE

18 July 2022

Present: Councillor D Clews in the Chair

Councillors Farrow, Hancocks, M Humphreys, Jordan,
McLaughlan, O Phillips, Rose and S Smith

Apologies for absence were received from Councillors Jenns,
Macdonald, Moss, Osbourne, Parker and A Wright.

1 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

2 **Minutes**

The minutes of the meeting held on 25 January 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

3 **Application to Review a Premises Licence Hearing – The Coach Hotel, Coleshill**

The Committee considered an application by Mr Dean Poulton dated 25th May 2022, to review the Premises Licence for the Coach Hotel, stating that the licensing objectives in the Licensing Act 2003 had been undermined in the following ways:

1. the prevention of crime and disorder - The premises heightens crime and disorder. Every evening as people leave there always ends up being fighting, smashed bottle in the street and excessive noise. Calling the police when a fight ensues is never carried out by the Coach Hotel. The police can confirm when there is a problem they are just thrown out onto the street for them to deal with off their premises. One customer leaving the Coach Hotel threw a bottle at my property, smashing a tile and a window. The town council are happy to obtain photos from their security camera of this. Cars of people who attend the coach, park on double yellow lines and have no care for others.
2. public safety - the locals do not feel safe around the Coach Hotel or the people that gather in this establishment. Many locals who they cross the road to avoid passing this place in fear. The 'B46 Updates' on Facebook mention a number of times the smashed bottles or glasses in the road and footpaths which is a hazard to their dogs and children.

3. prevention of public nuisance - is probably most significant point in this review, if a survey was done from the local residents, there wouldn't be many in support of this establishment. It has for many years been associated with all the problems in the town. I spoke with the police, the MP and town council and they are all aware of its presence and problems.
4. the protection of children from harm - Whilst I hope people that attend are above age and the issues arise late in the day, I would not like to bring up children in this area through fear of what happens on and around this premises.

A number of representations were received during the 28 day period allowed under the Act, copies of which were received and considered by the Committee, both stating that there were issues at the premises which undermined the licensing objectives, and in support of the Coach Hotel.

At the hearing the premises licence holder was represented by Duncan Craig, barrister, who was accompanied by Antoin McGroaty, Designated Premises Supervisor and Leo McGroaty Managing Director of Briskland Limited.

The following persons who made representations were present:

Sergeant Oakley and Sergeant Wrighting, Warks Police

Caroline Symonds, on behalf of Coleshill Town Council,

Vanessa Broadway

Georgina Twist

Ken Dicken

Dale Glastonbury, @ the Café on the Hill

The report was presented by David Dyde, Licensing Officer, who set out the background to the application.

The hearing was conducted in accordance with the Council's Procedure for Licensing Hearings.

The applicant was not present so Sergeant Oakley presented the police representation first, which can be summarised as follows:

There have been 13 incidents at the premises in the 15 months prior to the review. On the previous review in 2018 since serious incidents had occurred, the Council added further conditions to the licence.

He referred to the Table on Page 18 of the police representation which showed that there had been more incidents reported to the police which were connected to the Coach than to any other pub in Coleshill Town Centre. He also took members through the table on pages 15 and 16 which showed the history of the incidents.

Sergeant Oakley stated that the website for the Coach indicates that it is open until 1.00 a.m. which is a breach of the licence conditions. The police proposed that the premises should have the conditions on its licence amended to close one hour earlier as this would lessen the impact of these incidents on the community.

Members and Mr Craig asked Sergeant Oakley questions, the responses to which can be summarised as follows:

He had not told the Coach about the problem with its website. A lot of police time has been spent responding to call outs to the premises,

particularly on Friday and Saturday. If a phone call is made to the police reporting a fight, the call would be recorded by the police as relating to a fight even if, when they attended there was no evidence found of a fight. Most calls to the police were from neighbours, 2 from ambulance crews, 1 from West Midlands Police and one from the Coach itself. When police attended in relation to some incidents, no evidence of offences was found. There are other licensed premises nearby which may contribute to the issues. The views of neighbours who support the Coach were as important as those who oppose it. No bodycam footage was produced in relation to an incident on which the police attended. There was an arrest at the Coleshill Hotel in December following a fight which did not result in a review application. For the size of the Town, the Coach had a disproportionate number of call outs. CCTV would be available from Coleshill Town Council in relation to the incidents outside the premises however, this had not been obtained.

Councillor Symonds then presented the representation on behalf of the Town Council and, in summary, stated the following:

Many issues have been raised locally with the Town Council regarding the Coach and have reported a lot of disruption because of incidents there; they say they receive no response from those who run the premises. The DPS previously made an effort but this has come to nothing. The Town Council supported the planning application by the Coach as they believed it would change the character of the premises. It is not just local residents who have issues, often the road is blocked.

In summary, Councillor Symonds responded to questions as follows:

The CCTV which showed the whole of the High Street had not been served and it may have helped. She had not seen all the representations made by others but had been contacted by concerned residents – it is not common for people to contact Councillor when they are happy with something. Complaints were sent to the Clerk who made the representation on the Council's behalf. The Town Council supports local businesses however, she had not seen the documents regarding the planning application. She spoke to the DPS before the last review. It helps if the DPS engages with the public.

Vanessa Broadway then presented her representation which can be summarised as follows:

She lives next door to the Coach Hotel and cannot use her garden at time due to noise and the smell of drugs being smoked. Glasses have been thrown over her wall. Her gateway has been used as a toilet by people who she has then witnessed returning to the Coach Hotel.

Customers park their cars on her drive and block access; when she asks them to move she has been threatened. She has seen fights outside the Coach Hotel as late as 1.00 a.m. She believes Town Council CCTV would show evidence of these things. She said she had raised issues with the DPS and his father and they were rude to her.

In summary, Ms Broadway responded to questions asked by members and the other parties as follows:

She has been to the premises 7 or 8 times to speak about issues; door staff told her that it was not their problem and the DPS said he knew whose car was blocking her drive but they would be finished soon. The Coach

Hotel staff are aware about the bottles and glasses being thrown into her garden.

On behalf of the premises licence holder Mr Craig stated, in summary, the following:

The Committee were shown of CCTV footage which allegedly showed the review applicant throwing a glass into the foyer of the Coach Hotel which broke leaving glass littering the floor around the entrance. Other footage showed the DPS taking noise level readings whilst music was played both, inside when the level was approximately 85 dB; then in the street where the reading was approximately 58 dB, reducing to 49 as he walked away. Another clip showed comparative noise readings in the street during the morning when the reading was around 64 dB.

The applicant threw the glass in the premises 3 days after the application was made. Applications of that nature should be made in good faith. There was no evidence to back up anything the application said. Representations were made by many showed a significant level of support which was rare in applications of this nature.

Mr Craig then turned to the individual representations raising concerns about the Coach and stated:

Mr Cole says nothing specific about the Coach. Mr De Maqua is the partner of the review applicant and says that all residents are adversely affected; which not the case as many support the Coach. Ms Broadway raises various matters however, the DPS can not recall meeting her and denies drugs were smoked in the garden. Ms Groves says nothing which links actual incidents to the premises. Several anonymous representations, which were provided to him but were not accepted by the Council contain almost identical wording to that used by Ms Groves.

Of the incidents recorded by the police, on one occasion it was a member of staff from the Coach who was assaulted, on another a member of staff helped the victim of a traffic accident outside the premises which had no connection to them or the staff. At best, 3 or 4 incidents can be linked to the premises in the last 12 months.

The supporting documentation submitted by the licence holder shows other premises nearby open later. Approximately £0.5M has been invested in the premises; development of the rear garden to prevent nuisance to neighbours costs approximately £5000 per month in takings. Questions were asked by members of the Committee, the responses to which can be summarised as:

It is not claimed that there are no incidents relating to the premises, just that these are relatively few and not significant. It may be appropriate to attach less weight to the supporting representations made by businesses which profit from their relationship with the premises. There was a DJ playing music on the night of the noise readings. They cater for a wide age range having an admission policy of over 21s up to recently hosting a 70th birthday party. The premises are still not trading at their pre-covid levels and the business has struggled as a result. 11 staff are employed in total; door staff are sourced via an agency and cost approximately £900 per month. The DPS asked Environmental Health to monitor noise from the premises and no problems have been found as is evidenced from the

Those who made representations in support of the premises said, in summary, the following:

Ms Twist; I live near and worked their years ago. Other places cause problems, I live next door to the Red Lion and accept that you get disturbance if you live next to a pub. I have children and am happy for them to frequent premises in Coleshill rather than go into Birmingham. Coach door staff are strict and search bags and stop people taking drinks out the premises. She believes reporting of problems is unfair toward the Coach.

Kenneth Dicken; I recognise how difficult it can be at times to run licensed premises and it can be problematic for those who live nearby. Prior to the current owners the premises were owned by a bank who only cared about profit. The current owners have invested in the premises, run them well and give something back to the community.

Dale Glastonbury; I get business from the Coach but don't favour any party in relation to this review as I also get business elsewhere. There is usually noise and issues late on Friday and Saturday nights however, there are lots of pubs nearby and the Coach is not to blame for it all.

The parties summed up as follows:

Sergeant Oakley: if calls to the police were believed to be fake they would be investigated; there is nothing to say that is the case. There were issues getting CCTV footage however, he had viewed some of it which showed an argument and fighting near the Coach.

Councillor Symonds: the premises are almost two pubs in one; weekdays are fine but Friday and Saturday nights are very different, when problems occur; that is why action needs to be taken to bring those nights into line with the rest of the week.

Ms Broadway: agrees that if the premises would get Friday and Saturday nights in line with the rest of the week then that would be good.

Mr Craig: this turns on the police log of incidents since lifting of lockdown. At best 5 incidents in the last 12 months were connected to the premises in some way. It is not right to speculate as it is not certain that some others do; this not enough to demonstrate a problem at the premises which justifies action.

Ms Twist: I live as close to the pub as many of those who are objecting and it is not as bad as they make out.

The Clerk to the Committee gave legal advice which can be summarised as follows:

1. You have heard from most of the parties and have read the application, written representations and other documents submitted in relation to the review
2. The applicant for the review has a right to attend the hearing however, he is not obliged to and the Committee must still consider the application.
3. You have been shown footage of the applicant apparently throwing a glass into the foyer of the Coach Hotel; even if you find that he did so and that this in turn undermines what he says in his application, you

- must still consider what it said by all those others who have made representations in support of and against the premises.
4. Having considered this you should ask yourself whether this shows that anything which is said in the application or by others who have made representations shows that the licensing objectives have been undermined at the premises.
 5. If you do find that the licensing objectives have been undermined you must decide whether this is due to the manner in which the premises are managed and, if so, is action required to address those issues.
 6. The parties have suggested some steps which might address the issues however, if action is appropriate you are not constrained by these suggestions and may take such steps as are appropriate from the options set out in the report.
 7. A premises licence is a possession for the purposes of the Human Rights Act and that means that any action which might impact on the licence must be both necessary and proportionate to any problems that are being caused; therefore if action has to be taken it should be the minimum steps that are necessary to ensure that the licensing objectives are undermined. Members should therefore consider the options in order, starting with whether modifying the conditions would address the issues and, if not, work through the options in turn until an appropriate outcome is achieved.
 8. Paragraph 11.23 of the Guidance issued under the Act states that the licensing authority must consider any financial impact that may result from its decision and seek to minimise this if possible however, this should not stop the Committee taking tough action if it is justified in all other respects.
 9. The fact that some of those who have complained about the premises have moved to a property close to a pub does not mean that they do not have protection from any nuisance caused at the premises and

Recommendation

The members then retired to make their decision and all others left the room other than the Head of Legal Services who was advising the Committee and the Democratic Services Officer.

After members had deliberated, the parties returned to the room and the Committee notified the parties of their decision.

Having taken account of the application for review, written representations and all material before us, and having considered what has been said by those present at the hearing, the Committee made the following findings: We were required to consider whether the Coach Hotel was being managed and operated in such a way that the licensing objectives were being undermined and:

- a. causing crime and disorder to occur (including fights, threats to neighbours and drug taking);
- b. causing a nuisance to those living in the vicinity (including from loud music played at the premises and from the actions of its customers) to impact on neighbouring occupiers;

- c. causing a risk to public safety (including due to smashed beer glasses and bottles); and
- d. placing children at risk or harm (including through the crime and disorder referred to above and general anti-social behaviour at the premises).

The Committee has decided that:

There are a number of issues arising in the vicinity of the Coach Hotel, including incidents of crime, behaviour causing nuisance to nearby occupiers, and risk to public safety due to smashed glasses etc. this is clear from the application for review, representations by those affected and in the high number of reports to the police regarding offences and the subsequent high level of police deployment to the premises. All these matters have a significant effect on those living in the vicinity, no doubt negatively impacting on their lives and clearly undermining the licensing objectives referred to above.

The Committee noted that the Coach Hotel is located on the High Street and that there are several other licensed premises close by. There is however, no clear evidence before the Committee that these issues are directly caused by customers of the Coach Hotel and/or as a result of failings by the licence holder and/or DPS to operate the premises in accordance with the licence.

As a result, on the information before it at the hearing, the Committee is unable to attribute these problems to the Coach Hotel and it is therefore not appropriate for the licensing authority to take any of the steps set out in the report before it for the purpose of promoting the licensing objectives. Accordingly, the Council will not be taking any action in relation to the premises licence for the Coach Hotel, Coleshill as a result of the application for review which was received on 25 May 2022.

Narrative

Although not matters on which the Committee has made any determination, members wish to make the following observations.

Much was said in the hearing by all parties about the community spirit in Coleshill and how both residents and businesses work together and support one another. In furtherance of this it would be beneficial if the licence holder and DPS were to provide contact details so that those who experience issues arising in the vicinity of the premise are able to raise them so that, if necessary, action can be taken to address those issues. Providing a telephone number and an e-mail address should suffice.

Also, it was mentioned that the website for the Coach Hotel showed out of date opening times which was indicative of a breach of the licence conditions. Although there was no evidence to show trading after permitted hours and no finding by the Committee of such a breach, it is recommended that the website is now amended to ensure that it complies with the licence and does not mislead customers or others who may be affected.

Although no finding has been made in relation to the allegations on this occasion, should a further application be made to review the licence, the Committee is not prevented from re-examining these allegations and

taking account of additional information and evidence in relation to them, should that be within the scope of that application.

Parties Rights

You have the right to appeal to a magistrates court against this decision. Any appeal must be made within 21 days beginning with the date on which you are notified of this decision. You may commence the appeal at Nuneaton Magistrates Court, Warwickshire Justice Centre, Vicarage Street, Nuneaton, CV11 4JU or at another magistrates court. The Court service may decide to transfer any appeal for hearing at another Court. A Court fee may be payable. You are recommended to take legal advice in relation to any proposed appeal.

A Jenns
Chairman

Agenda Item No 6

Alcohol & Gambling Licensing Committee

24 January 2023

Report of the Chief Executive

General Fund Fees and Charges 2023/2024

1 Summary

1.1 This report covers the fees and charges for 2022/23 and 2023/24.

Recommendation to the Committee

That the schedule of fees and charges for 2023/24, as set out in Appendix A, be noted.

2 Introduction

2.1 At its meeting held in October 2022, the Executive Board agreed the budget strategy for 2022/27, which included price inflation increases of 4% where applicable.

3 Fees and Charges for 2023/2024

3.1 Attached for the Committee's information at Appendix A are details of the current fees and charges relating to alcohol and gambling.

3.2 No increases have been applied to the Licensing and Gambling Authority fees, as these charges are statutory and so not set by the Council.

4 Report Implications

4.1 Finance and Value for Money Implications

4.1.1 The pricing structure contained in this report has been used in preparing the associated budgets.

4.2 Legal Implications

- 4.2.1 Those fees which are set by law or for which the law prescribes a maximum amount are identified on Appendix A as being subject to statutory control and may not be exceeded. Where a fee is not fixed by law or limited by law to a particular amount, the Council must exercise its discretion reasonably and consider the impact of any increased charges on those who will be affected by them. The increases proposed are limited and, as stated above, take account of the budget strategy which has been formulated having regard to the prevailing financial situation.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2023

FEES FOR LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003

PLEASE NOTE THAT THE CHARGES BELOW ARE SUBJECT TO CHANGE

SCHEDULE 1
(regulation 3)

RATEABLE VALUES AND BANDS

The breakdown of premises by NDR rateable value on which a premises based fees are calculated

Rateable Value	Band
No rateable value to £4,300	A
£4,300 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

SCHEDULE 2

(regulation 4(2), (3) and 6(1))

**APPLICATION FEE REQUIRED FOR
PREMISES LICENCES AND CLUB PREMISES CERTIFICATES
AND VARIATIONS TO LICENCES/CLUB PREMISES CERTIFICATES**

Band	Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE
	£		£
A	100.00	Outside Scope	100.00
B	190.00	"	190.00
C	315.00	"	315.00
D	450.00	"	450.00
E	635.00	"	635.00

Band	Multiplied fee if primarily selling alcohol		
	NET CHARGE	VAT RATING	TOTAL CHARGE
	£		£
A	N/A	Outside Scope	N/A
B	N/A	"	N/A
C	N/A	"	N/A
D	900.00	"	900.00
E	1,905.00	"	1,905.00

SCHEDULE 3
regulation 4(4)
ADDITIONAL FEE

Number of persons	Additional Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE
	£		
5,000 to 9,999	1,000.00	Outside scope	1,000.00
10,000 to 14,999	2,000.00	"	2,000.00
15,000 to 19,999	4,000.00	"	4,000.00
20,000 to 29,999	8,000.00	"	8,000.00
30,000 to 39,999	16,000.00	"	16,000.00
40,000 to 49,999	24,000.00	"	24,000.00
50,000 to 59,999	32,000.00	"	32,000.00
60,000 to 69,999	40,000.00	"	40,000.00
70,000 to 79,999	48,000.00	"	48,000.00
80,000 to 89,999	56,000.00	"	56,000.00
90,000 and over	64,000.00	"	64,000.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEEES AND CHARGES FROM 1 APRIL 2023

FEEES FOR LICENSING APPLICATIONS UNDER THE LICENSING ACT 2003

PLEASE NOTE THAT THE CHARGES BELOW ARE SUBJECT TO CHANGE

SCHEDULE 5
(regulation 5, 7)
ANNUAL FEE
PART 1

Required by each premises licence/club certificate annually after November 2006
 There are exceptions

Band	Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE
	£		£
A	70.00	Outside Scope	70.00
B	180.00	"	180.00
C	295.00	"	295.00
D	320.00	"	320.00
E	350.00	"	350.00

Band	Multiplied fee if primarily selling alcohol		
	NET CHARGE	VAT RATING	TOTAL CHARGE
	£		£
A	N/A	Outside Scope	N/A
B	N/A	"	N/A
C	N/A	"	N/A
D	640.00	"	640.00
E	1,050.00	"	1,050.00

PART 2 (see comment on schedule5)

Number	Additional Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE
	£		£
5,000 to 9,999	500.00	Outside Scope	500.00
10,000 to 14,999	1,000.00	"	1,000.00
15,000 to 19,999	2,000.00	"	2,000.00
20,000 to 29,999	4,000.00	"	4,000.00
30,000 to 39,999	8,000.00	"	8,000.00
40,000 to 49,999	12,000.00	"	12,000.00
50,000 to 59,999	16,000.00	"	16,000.00
60,000 to 69,999	20,000.00	"	20,000.00
70,000 to 79,999	24,000.00	"	24,000.00
80,000 to 89,999	28,000.00	"	28,000.00
90,000 and over	32,000.00	"	32,000.00

**SCHEDULE 6 (Regulation 8)
 PRESCRIBED FEES FOR PERMITTED TEMPORARY ACTIVITIES,
 PERSONAL LICENCES AND MISCELLANEOUS**

Application or notice	Fee		
	NET CHARGE	VAT RATING	TOTAL CHARGE
	£		£
section 25 (theft, loss, etc. of premises licence or summary)	10.50	Outside Scope	10.50
section 29 (application for a provisional statement where premises being built etc.)	315.00	"	315.00
section 33 (notification of change of name or address)	10.50	"	10.50
section 37 (application to vary licence to specify individual as premises supervisor)	23.00	"	23.00
section 42 (application for transfer of premises licence)	23.00	"	23.00
section 47 (interim authority notice following death etc. of licence holder)	23.00	"	23.00
section 79 (theft, loss etc. of certificate or summary)	10.50	"	10.50
section 82 (notification of change of name or alteration of rules of club)	10.50	"	10.50
section 83(1) or (2) (change of relevant registered address of club)	10.50	"	10.50
section 100 (temporary event notice)	21.00	"	21.00
section 110 (theft, loss etc. of temporary event notice)	10.50	"	10.50
section 117 (application for a grant of personal licence)	37.00	"	37.00
section 126 (theft, loss etc. of personal licence)	10.50	"	10.50
section 127 (duty to notify change of name or address)	10.50	"	10.50
section 178 (right of freeholder etc. to be notified of licensing matters)	21.00	"	21.00
Minor variations	89.00	"	89.00
Section 410 (application to vary premises licence to include alternative licence condition) where the only variation sought is the inclusion of the alternative licence condition	23.00	"	23.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2023

FEES UNDER THE GAMBLING ACT 2005

Premises Type	Conversion Fast-Track Application £	Conversion Non- Fast Track Application £	Non-Conversion Application Provisional statement premises £	Non-Conversion Application Other premises (i.e. new) £	Annual Fee £	Variation £	Transfer of Licence £	Reinstatement Fee £	Provisional Statement £	Change of Circumstances £	Copy of Licence £
Regional Casino	0.00	0.00	6,400.00	12,000.00	12,000.00	6,000.00	5,200.00	5,200.00	12,000.00	50.00	25.00
New Large Casino	0.00	0.00	4,000.00	8,000.00	8,000.00	4,000.00	1,720.00	1,720.00	8,000.00	50.00	25.00
New Small Casino	0.00	0.00	2,400.00	6,400.00	4,000.00	3,200.00	1,440.00	1,440.00	6,400.00	50.00	25.00
Existing Casinos	240.00	1,600.00	0.00	4,000.00	2,400.00	1,600.00	1,080.00	1,080.00	0.00	50.00	25.00
Bingo Premises	240.00	1,400.00	960.00	2,800.00	800.00	1,400.00	960.00	960.00	2,800.00	50.00	25.00
Adult Gaming Centre	240.00	800.00	960.00	1,600.00	800.00	800.00	960.00	960.00	1,600.00	50.00	25.00
Betting Premises Tracks	240.00	1,000.00	760.00	2,000.00	800.00	1,000.00	760.00	760.00	2,000.00	50.00	25.00
Family Entertainment Centres	240.00	800.00	760.00	1,600.00	600.00	800.00	760.00	760.00	1,600.00	50.00	25.00
Betting Premises (other)	240.00	1,200.00	960.00	2,400.00	480.00	1,200.00	960.00	960.00	2,400.00	50.00	25.00
Temporary use notice	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	250.00	0.00	0.00

NORTH WARWICKSHIRE BOROUGH COUNCIL
LICENSING COMMITTEE
FEES AND CHARGES FROM 1 APRIL 2023

FEES UNDER THE GAMBLING ACT 2005

	NET CHARGE £	VAT RATING	TOTAL CHARGE £
LICENSED PREMISES GAMING MACHINE PERMIT			
Occasion on which fee may be payable			
Grant	150.00	Outside Scope	150.00
Existing operator Grant	100.00	"	100.00
Variation	100.00	"	100.00
Transfer	25.00	"	25.00
Annual Fee	50.00	"	50.00
Change of name	25.00	"	25.00
Copy of Permit	15.00	"	15.00
LICENSED PREMISES AUTOMATIC NOTIFICATION PROCESS			
Occasion on which fee may be payable			
On notification	50.00	Outside Scope	50.00
CLUB GAMING PERMITS			
Occasion on which fee may be payable			
Grant	200.00	Outside Scope	200.00
Grant (Club Premises Certificate holder)	100.00	"	100.00
Existing operator Grant	100.00	"	100.00
Variation	100.00	"	100.00
Renewal	200.00	"	200.00
Renewal (Club Premises Certificate holder)	100.00	"	100.00
Annual Fee	50.00	"	50.00
Copy of Permit	15.00	"	15.00
CLUB MACHINE PERMITS			
Occasion on which fee may be payable			
Grant	200.00	Outside Scope	200.00
Grant (Club Premises Certificate holder)	100.00	"	100.00
Existing operator Grant	100.00	"	100.00
Variation	100.00	"	100.00
Renewal	200.00	"	200.00
Renewal (Club Premises Certificate holder)	100.00	"	100.00
Annual Fee	50.00	"	50.00
Copy of Permit	15.00	"	15.00
FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS			
Occasion on which fee may be payable			
Grant	300.00	Outside Scope	300.00
Renewal	300.00	"	300.00
Existing operator Grant	100.00	"	100.00
Change of name	25.00	"	25.00
Copy of Permit	15.00	"	15.00
PRIZE GAMING PERMITS			
Occasion on which fee may be payable			
Grant	300.00	Outside Scope	300.00
Renewal	300.00	"	300.00
Existing operator Grant	100.00	"	100.00
Change of name	25.00	"	25.00
Copy of Permit	15.00	"	15.00
SMALL LOTTERY REGISTRATION			
Grant	40.00	Outside Scope	40.00
Annual Fee	20.00	"	20.00

Agenda Item No 7

Alcohol & Gambling Licensing Committee

24 January 2023

Report of the Corporate Director - Resources

General Fund Revenue Estimates 2023/24

1 Summary

- 1.1 This report covers the revised budget for 2022/23 and an estimate of expenditure for 2023/24, together with forward commitments for 2024/25, 2025/26 and 2026/27.

Recommendation to the Committee

- a To accept the revised budget for 2022/23; and
- b To accept or otherwise vary the Estimates of Expenditure for 2023/24, as submitted, for them to be included in the budget to be brought before the meeting of the Executive Board on 13 February 2023.

2 Introduction

- 2.1 In consultation with other Directors, the Corporate Director - Resources has prepared an estimate of net expenditure for 2023/24 and this, together with a revised budget for 2022/23, appears in Appendices A and B. To provide a more complete picture of the spending pattern of the service, the actual figures for 2021/22 are shown.

- 2.2 At its meeting in October 2022, the Executive Board agreed the budget strategy for 2023-2027, which required savings of £2.55 million over a four year period. This required budget savings of £1.9 million in 2023/24 with additional savings of £100,000 in 2024/25 and £550,000 in 2025/26. A savings target was not included for 2026/27 at that time. Some limited growth was built into the strategy in specific areas.

2.3 A subjective analysis of the Committee's requirement is shown below:

	Approved Budget 2022/23 £	Revised Budget 2022/23 £	Original Budget 2023/24 £
Employee Costs	-	-	-
Supplies and Services	1,170	1,320	1,360
Gross Expenditure	1,170	1,320	1,360
Income	(61,860)	(64,170)	(64,870)
Net Controllable Expenditure	(60,690)	(62,850)	(63,510)
Departmental Support	37,170	37,170	39,650
Central Support	4,070	4,070	6,170
Net Expenditure	(19,450)	(21,610)	(17,690)

2.4 There are no capital charges relating to budgets within this report.

3 **Comments on the 2022/23 Revised Budget**

3.1 The revised budget for 2022/23 is estimated to be a surplus of £21,610, an improvement of £2,160 on the approved position.

3.2 **Licensing Authority** **(£3,440)**

3.2.1 Additional income is expected from the issue of premise renewal licences.

4 **Comments on the 2023/24 Estimates**

4.1 The 2023/24 estimate has been prepared, taking into account the following assumptions:

- A 4% pay award from 1 April 2023; and
- An increase in income to reflect the increases included in the fees and charges report elsewhere on the agenda.

4.2 The estimated budget for 2023/24 is a surplus of £17,690; an improvement in costs of £1,760 on the 2022/23 approved budget but an increase in costs of £3,920 on the revised 2022/23 budget.

4.3 **Departmental and Central Support** **£4,580**

4.3.1 Recharges from the Environmental Health team and Information Services have increased due to pay awards and increased allocation of time.

5 **Income**

5.1 There have been no changes in the levels of fees and charges for services under the responsibility of this Committee. Income on fees and charges is expected to contribute to the achievement of income targets.

6 Risks to Services

- 6.1 The key risk to the budgetary position of the Council from services under the control of this Board is:

	Likelihood	Potential impact on Budget
Fee income – The levels of some licences are at risk from a downturn in the economy.	Low	Low

7 Future Year Forecasts

- 7.1 In order to assist with medium-term financial planning, Members are provided with budget forecasts for the three years following 2023/24. The table below provides a subjective summary for those services reporting to this Board:

	Forecast Budget 2024/25 £	Forecast Budget 2025/26 £	Forecast Budget 2026/27 £
Supplies and Services	1,400	1,420	1,440
Gross Expenditure	1,400	1,420	1,440
Income	(64,840)	(64,840)	(64,840)
Net Controllable Expenditure	(63,440)	(63,420)	(63,400)
Departmental Support	41,190	42,340	43,500
Central Support	6,190	6,380	6,560
Net Expenditure	(16,060)	(14,700)	(13,340)

- 7.2 The forecasts given above have used a number of assumptions, which include pay awards of 4% in 2024/25 and 3% in 2025/26 to 2026/27, increases in contracts and general increases in supplies and services of 3% in 2024/25 and 2% in 2025/26 and 2026/27. In total, net expenditure is expected to increase by 9.2% in 2024/25, by 8.5% in 2025/26 and by 9.3% in 2026/27, unless statutory fees are increased.
- 7.3 These forecasts are built up using current corporate and service plans. Where additional resources have already been approved, these are also included. However, these forecasts will be amended to reflect any amendments to the estimates, including decisions taken on any further corporate or service targets.

8 Report Implications

8.1 Finance and Value for Money Implications

- 8.1.1 As detailed in the body of the report.

8.2 **Environment and Sustainability Implications**

8.2.1 Continuing the budget strategy will allow the Council to manage its expected shortfall in resources without disruption of essential services.

8.3 **Risk Management Implications**

8.3.1 There are a number of risks associated with setting a budget, as assumptions are made on levels of inflation and demand for services. To minimise the risks, decisions on these have been taken using past experience and knowledge, informed by current forecasts and trends. However, the risk will be managed through the production of regular budgetary control reports, assessing the impact of any variances and the need for any further action.

The Contact Officer for this report is Sue Garner (719374).

**NORTH WARWICKSHIRE BOROUGH COUNCIL
ALCOHOL AND GAMBLING LICENSING COMMITTEE
SUMMARY OF GENERAL FUND REVENUE ESTIMATES**

Code	Description	Actual 2021/2022 £	Approved Budget 2022/2023 £	Revised Budget 2022/2023 £	Original Budget 2023/2024 £
4000	Licensing Authority	(23,759)	(51,030)	(54,470)	(54,430)
4019	Gambling Act Authority	(8,094)	(9,660)	(8,380)	(9,080)
Sub Total	Net Controllable Expenditure	(31,852)	(60,690)	(62,850)	(63,510)
Sub Total	Departmental Support	30,627	37,170	37,170	39,650
Sub Total	Central Support	15,984	4,070	4,070	6,170
Total	Net Expenditure	14,759	(19,450)	(21,610)	(17,690)

4000 - LICENSING AUTHORITY				
The Council is the Licensing Authority for the Borough. It is required to process & issue licenses to premises and individuals to allow the sale of alcohol and for certain events that occur within the Borough.				
DESCRIPTION	ACTUALS 2021/2022	APPROVED BUDGET 2022/2023	REVISED BUDGET 2022/2023	ORIGINAL BUDGET 2023/2024
Employee Expenditure	23,161	-	-	-
Supplies and Services	475	1,170	1,320	1,360
GROSS EXPENDITURE	23,636	1,170	1,320	1,360
GROSS INCOME	(47,395)	(52,200)	(55,790)	(55,790)
NET CONTROLLABLE EXPENDITURE	(23,759)	(51,030)	(54,470)	(54,430)
Departmental Support	27,143	30,730	30,730	32,920
Central Support	15,226	3,300	3,300	5,250
NET EXPENDITURE	18,610	(17,000)	(20,440)	(16,260)
Contributes to corporate priority :				
- Improving leisure and wellbeing opportunities				
- Creating safer communities				
KEY PERFORMANCE INDICATORS				
Number of licences	177	390	230	230
Gross cost per licence	£372.91	£90.26	£153.70	£171.87
Net cost per licence	£105.14	-£43.59	-£88.87	-£70.70

4019 - GAMBLING ACT AUTHORITY				
As the Licensing Authority, the Council is responsible for issuing premises, betting office and race track, bingo club, adult gaming centre, and family entertainment centre licences in the Borough. It will also issue permits for gaming machines in members' clubs and licensed premises, prize gaming and unlicensed family entertainment centres within the Borough.				
DESCRIPTION	ACTUALS	APPROVED BUDGET	REVISED BUDGET	ORIGINAL BUDGET
	-	-	-	-
Employee Expenditure	561	-	-	-
GROSS EXPENDITURE	561	-	-	-
GROSS INCOME	(8,655)	(9,660)	(8,380)	(9,080)
NET CONTROLLABLE EXPENDITURE	(8,094)	(9,660)	(8,380)	(9,080)
Departmental Support	3,484	6,440	6,440	6,730
Central Support	758	770	770	920
NET EXPENDITURE	(3,852)	(2,450)	(1,170)	(1,430)
- Creating safer communities				
KEY PERFORMANCE INDICATORS				
Number of Gambling licences	37	77	37	37
Gross cost per licence	£129.82	£93.64	£194.86	£206.76