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**Report to Licensing Board**

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**Date of Meeting: 20 February 2024**

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**Subject: Non-Statutory Licensing Fees**

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**Report by: Clerk to the Licensing Board**

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**1.0 Purpose**

- 1.1. The Licensing Board is responsible for overseeing the regulation and licensing of alcohol sales in Scotland. As part of its mandate, the Licensing Board must periodically review the fee structure to ensure it remains equitable, sustainable, and reflective of the costs associated with administering alcohol licences. The current fees have not been reviewed since their introduction in 2009. As such it has become necessary to review the fees in order to ensure they are set at a level that covers the administrative costs incurred by the licensing board.
- 1.2. The current fees along with the proposed uplift are contained in the table in Appendix A.
- 1.3. Currently, the Licensing Board does not charge for an application for Section 50 certificates (these being required for a premises licence application which contains information on planning, environmental and building standards). This is inconsistent with the charges of other local authorities.

**2.0 Recommendations**

- 3.0 The Licensing Board are asked to consider the contents of this Report and the revised and new fees contained in Appendix A and adopt these fees.

**4.0 Considerations**

- 4.1. As confirmed above Clackmannanshire Licensing Board's does not currently charge for Section 50 applications, which is inconsistent with other local authorities. This new charge is reflected in Appendix A.
- 4.2. The fees charged by the Licensing Board, as confirmed above, have not been reviewed for a number of years. As part of the Council's budget process a review was carried out of all fees charged by the Licensing Board.

- 4.3. As part of this review a bench marking exercise was carried out by officers of the licensing fees charged by other local authorities. Officers took a measured and balanced approach when reviewing the licensing fees with cost and recovery requirements included in this review. .
- 4.4. Section 11 (3) of The Licensing (Fees) (Scotland) Regulations 2007 outlines the fees over which the Licensing Board has discretion.
- 4.5. Section 14 of The Licensing (Fees) (Scotland) Regulations 2007 outlines the requirements for a Licensing Board to vary the fees that are charged.

**5.0 Sustainability Implications**

- 5.1. None

**6.0 Resource Implications**

6.1. *Financial Details*

- 6.2. There are no financial implications arising from the recommendations in this report.

6.3. *Staffing*

- 6.4. There are no staffing implications as a result of the recommendations in this report

**Exempt Reports**

- 6.5. Is this report exempt? Yes  (please detail the reasons for exemption below) No

**7.0 Declarations**

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box )

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

None

### 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

### 9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

### 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

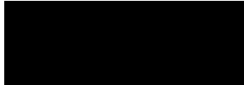
10.2 Licensing fee proposal (Appendix A)

### 11.0 Background Papers

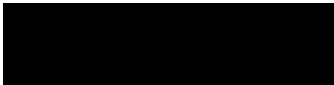
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

#### Author(s)

NAME	DESIGNATION	Signature
Lee Robertson	Clerk to the Licensing Board	

#### Approved by

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director, Partnership and Performance	

## Appendix A

<b>Fee</b>	<b>2023/2024</b>	<b>2024/2025</b>
Variation of Conditions, Operating Plan, Layout Plan	£150.00	£200.00
Transfer Application By Licence Holder Including Variation Application	£150.00	£250.00
Transfer application By Licence Holder	£120.00	£170.00
Transfer Application Other Than By Licence Holder Including Variation Application	£150.00	£250.00
Transfer Application Other Than By Licence Holder	£120.00	£170.00
Temporary Premises Licence £150	£150.00	£250.00
Section 50 Application: per certificate	£0.00	£150.00
<b>All other alcohol licensing fees not highlighted above are set in statute and cannot be adjusted by the licensing board.</b>		