



Licensing Committee Report

Meeting:	Licensing Committee
Classification:	For General Release
Title:	Proposed fee for Loudspeaker Consent
Report of:	Operational Director for Premises Management
Wards Involved:	St James's
Policy Context:	Management of the Public Realm
Financial Summary:	The proposed fee structure in this report should cover the costs incurred by the Council in processing loudspeaker consent applications
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1. Summary

- 1.1 The Council may consent to the operation of a loudspeaker in a street under the Police Reform and Social Responsibility Act 2011 and the Noise Statutory Nuisance Act 1993.
- 1.2 Consent from the Council is required for the following:
 - 1.2.1 For authorisation to operate amplified noise equipment on the footways that immediately adjoin the central garden of Parliament Square pursuant to section 147 of the Police Reform and Social Responsibility Act 2011.
 - 1.2.2 If the applicant intends to use a loudspeaker between the hours of 9pm and 8am on the following day. In the absence of such consent, the use of a loudspeaker during those hours will amount to an offence contrary to section 62 of the Control of Pollution Act 1974.
- 1.3 This report recommends a fee structure to cover the cost in administering applications received for loudspeaker consent.

2. Recommendations

- 2.1 That the Committee approve the proposed fee structure as set out in this report.

3. Background information

- 3.1 For background on Section 147 of the Police Reform and Social Responsibility Act 2011 which regulates the operation of amplified noise equipment in Parliament Square please see background papers as submitted to the Licensing Sub Committee hearing on the 14th March 2012.
- 3.2 The previous fee structure for loudspeaker consent approved by the Licensing Sub-committee can be found in Appendix 2. Due to the extensive consultation requirements and time spent for opposed cases, it was necessary to review the fee structure.
- 3.3 The proposed fee structure takes into account time spent by officers in administering the application. There are two types of application; simple and opposed/complex. The latter will need to be heard by the Licensing Sub-committee, whereas the more straightforward applications can be dealt with under delegated authority. See Appendix 2 for proposed fee structure.
- 3.4 As more officer time spent on dealing with the opposed/complex cases, the fee for these is significantly higher compared to straightforward applications. The consultation part for complex or opposed cases is also more extensive. See Appendix 3 for the breakdown of officer time spent on both types of application.
- 3.5 The process for both types of applications is set out in Appendix 4.

4. Proposed Fee Structure

See Appendix 2 for the proposed fee structure.

5. Financial considerations

- 5.1 The cost of administering an application for consent will be covered by the fee proposed.

6. Legal considerations

- 6.1 None

Background Papers

Proposed process for the determination of an application to use amplified noise equipment under section 147 of the Police Reform and Social Responsibility Act 2011 submitted to LSC on 14th March 2012

Appendix 1

FEEES FOR LOUDSPEAKER CONSENTS WITH EFFECT FROM 1 JUNE 2007 (APPROVED BY THE LICENSING SUB-COMMITTEE ON 17 MAY 2007)

	CHARGE
SINGLE AND EACH ADDITION DATE WITHIN 12 MONTH PERIOD	£
Single Date	200
Each additional date	20
MULTIPLE USE WITHIN THE PERIOD OF UP TO 12 MONTHS	250

WAIVER OF FEES

Waiver of fee in full or part for use of a loudspeaker at commemorative events (for example wreath laying ceremonies) and at events which in the opinion of the Council, are for a charitable purpose.

If a full or part waiver is being sought then a written request must be made accompanying the application.

PROPOSED FEE STRUCTURE FOR LOUDSPEAKER CONSENT

DESCRIPTION	FEE (£)	Note
Opposed application/Complex cases to be heard at Licensing Sub Committee	£1,830.33	See appendix 3 for breakdown of cost See appendix 4 for process map in processing application
Application that can that can be dealt with under delegated authority	£176.00	

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FEES FOR LOUDSPEAKER CONSENT APPLICATIONS

Breakdown of costs associated with each application type for administration and processing a loudspeaker consent application.

Office hourly rates are calculated using employee's salary costs and a pro rata element of the teams total spend budget. Services have different budgets hence the reason for the apparent difference between the cost rates for officers with the same job title or those who have more responsibility training.

FOR OPPOSED/COMPLEX CASES TO BE HEARD BY THE LSC

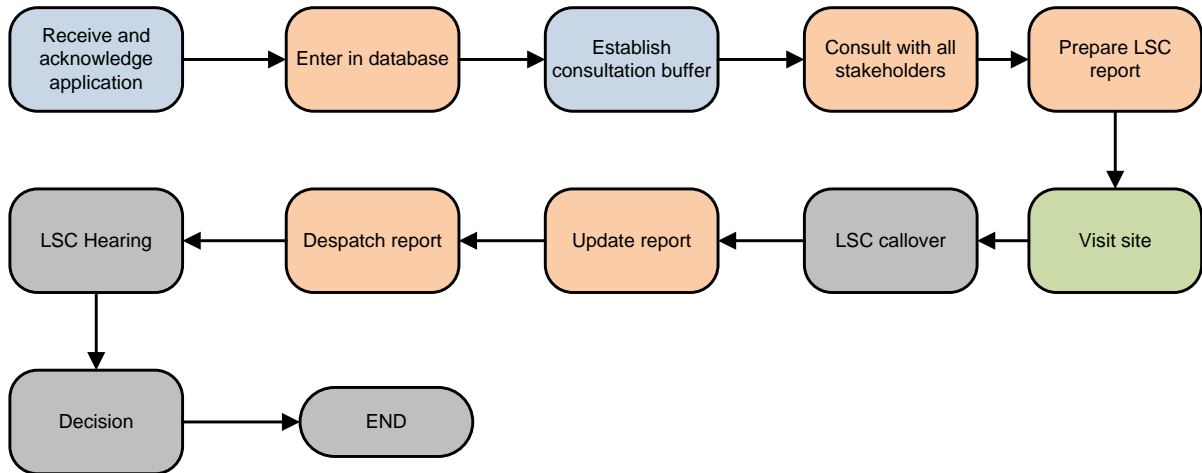
Officer	Officer Time	Officer hourly rate	Total on cost
Licensing Support Officer	4 hrs	£67.00	£268.00
Environmental Health Case Officer	7.5 hrs	£81.00	£607.50
Environmental Sciences Officer	4 hrs	£56.00	£224.00
Legal	3 hrs	£98.61	£295.83
Policy	3 hrs	£99.00	£297.00
Senior Practitioner – Street Trading	1.5 hrs	£92.00	£138.00
TOTAL	23 hrs		£1830.33

FOR CASES THAT CAN BE DEALT WITH UNDER DELEGATED AUTHORITY

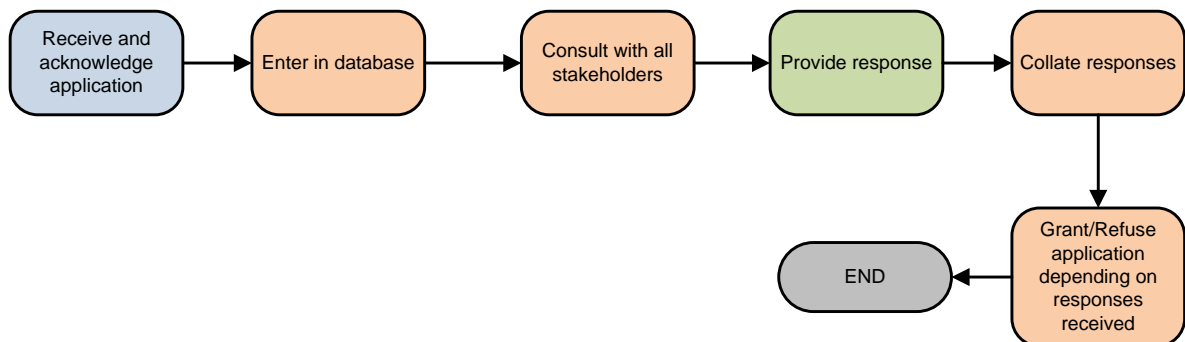
Officer	Officer Time	Officer hourly rate	Total on cost
Licensing Support Officer	1 hr	£67.00	£67.00
Environmental Health Case Officer	1 hr	£81.00	£81.00
Environmental Sciences Officer	.5 hrs	£56.00	£28.00
TOTAL	2.5 hrs		£176.00

PROCESS FOR DEALING WITH LOUDSPEAKER CONSENT APPLICATION

FOR OPPOSED APPLICATIONS/APPLICATIONS TO BE HEARD BY THE LICENSING SUB COMMITTEE



FOR APPLICATIONS THAT CAN BE DEALT WITH UNDER DELEGATED AUTHORITY



LEGEND:

Licensing Support Officer

EH Case Officer

Environmental Sciences Officer

Legal, Policy, Snr Practitioner, EHCO