

AGENDA ITEM NO 5

TITLE: Review of Licensing Fees

Committee: Licensing Committee

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Report No: Y79

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1.0 ISSUE

- 1.1 This report sets out the statutory fees that East Cambridgeshire District Council is required to charge for specific licences under the Licensing Act 2003, Gambling Act 2005, and Business and Planning Act 2020.
- 1.2 The report also sets out the fees for the period 1 April 2024 to 31 March 2025 in respect of those licences and licensing related activities where the authority has the discretion to determine the relevant fees; this includes but is not limited to hackney carriage and private hire licences, and animal licences.

2.0 RECOMMENDATION(S)

2.1 That Members:

- i) note the statutory fees that East Cambridgeshire District Council is required to charge in respect of the specified licences under the Licensing Act 2003, Gambling Act 2005, and the Business and Planning Act 2020 as set out in Appendix 1, Appendix 2, and Appendix 3, and agree to implement these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2024.
- ii) instruct Officers to implement, as appropriate, any other statutory fees that may be brought into force during the 2023/2024 financial year.
- iii) instruct Officers to include the agreed fees in the 2024/2025 annual fees and charges report that is presented to full Council.

2.2 That Members:

- i) agree to implement the proposed fees relevant to those licences and licensing related activities where the authority has the discretion to determine the fees, as set out in Appendix 4 and Appendix 5, on the 1 April 2024.

- ii) agree to implement the proposed fees relevant to Animal Welfare licensing, as set out in Appendix 6 on the 1 April 2024.
- iii) instruct Officers to include the fees in the 2024/2025 annual fees and charges report that is presented to full Council.

2.3 That Members:

- i) agree to implement the proposed fees relevant to hackney carriage, private hire, and operator licensing, as set out in Appendix 7 with immediate effect.
- ii) instruct Officers to include the proposed fees, as set out in Appendix 7, in the 2024/2025 annual fees and charges report that is presented to full Council.

3.0 BACKGROUND

- 3.1 With the exception of statutory fees set by central government the Council is responsible for setting fees and charges for the licensing regulations it is responsible for administering and enforcing.
- 3.2 There is no statutory duty on the Council to consult when setting or revising licensing fees with the exception of those fees relating to hackney carriage, private hire vehicles and operators' licences under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976.
- 3.3 The Committee's legal authority to agree the recommendations is based within a range of specific licensing legislation together with the delegated functions set out in the Council's constitution. Extracts from the relevant legislation are provided in **Appendix 8**. Due consideration must also be given to relevant case law. Members are advised that Officers have considered these requirements when compiling this report.
- 3.4 The Council's fees and charges may be challenged through a number of routes, e.g. service complaints to the Local Government Ombudsman or via a judicial review.
- 3.5 The consequences of such a challenge are clearly demonstrated in the Court of Appeal judgement given in respect of R Hemming and others v Westminster City Council case, which involved the licensing of sex shops in Soho and Covent Garden.
- 3.6 The judgement has made it clear that local authorities may become liable for substantial costs if it is found that procedures for setting fees have not been correctly followed, and if the fees are not reasonable and proportionate to the costs of the licensing procedures.

- 3.7 When considering whether the licensing fees are reasonable and proportionate, it is also necessary to look at each regulatory power separately. In simple terms this means taxi and private hire licence holders should not be charged a fee for their licence that creates an excess which is then used to subsidise the fees paid by applicants wishing to obtain another type of licence.
- 3.8 It is also necessary to reflect that not all costs to the licensing authority are recoverable, such as the processing of “Charity Street Collections” and “Charity House to House Collections”, where a fee is not permitted to be charged, or deficits in statutory income against expenditure.
- 3.9 As a result of the points raised in paragraph 3.8, it is not legally possible to recover 100% of the cost of running the Licensing Authority from the fees charged, and this deficit must be covered by the Council’s general fund.

4.0 SUMMARY

- 4.1 The licensing budget considers direct costs, such as licensing staff wages, but it also includes indirect costs that can reasonably be attributed to licensing procedures, for example, office accommodation, ICT support and software licensing fees, travel, legal support costs, advertising, equipment, postage & printing, subscriptions, telephone costs, training and other corporate recharges.
- 4.2 In relation to the consideration of applications, it is reasonable to recover the costs of running the relevant Committees from licensing fees and so consequently these costs have been incorporated into the overall figures.
- 4.3 As mentioned in paragraph 3.9 above, due to the current legislation, it will never be possible to recover 100% of the department’s costs, but work undertaken by Officers suggests that in any given year approximately 80% of the expenditure level incurred by the service can be legally recovered, see Table 1 below for breakdown of the resources spent dealing with the differing licensing regimes. A three-year period is shown to illustrate trends.

Table 1

Type	Percentage of time 20/21	Percentage of time 21/22	Percentage of resources 22/23
Animal Boarding	3.93	2.80	2.23
Breeding	8.44	5.96	5.22
DWA	0.15	0.18	0.18
Pet Shop	1.01	0.61	0.43
Riding Est	1.14	0.46	0.42
Sex Est	0.00	0.00	0.00
Zoo	0.04	0.42	0.42
GA05	3.96	2.11	2.40
LA03	25.68	24.52	24.45
Street Trading	5.48	4.34	4.25
Taxi	25.74	36.72	38.37
Scrap Metal	0.82	0.99	1.05
Exhibiting Animals	0.58	0.47	0.37
Pave	1.36	1.59	1.49
Totals	78.33	81.18	81.28

- 4.4 The licensing database is a live database where the number of issued permissions is constantly changing. Table 2 below shows the number of issued licences at the given date. You will note an increase in overall licence numbers, and the significant increase in taxi driver and vehicle licences issued between April 2023 and the time of writing this report.

Table 2

Type of Licence	Number Apr 2022	Number Apr 2023	Number Sept 2023
Licensing Act 2003 Licences	295	306	311
Animal Premises Licences	67	65	67
Small Society Lottery Registrations	78	78	82
Gambling Act 2005 Licences	13	15	15
Personal Licences	1105	1141	1161
Street Trading Licences	21	18	18
Taxi Driver Licences	167	160	252
Private Hire Operator Licences	13	12	15
Taxi Vehicle Licences	155	157	230
Scrap Metal Dealer Licences	9	8	8
Pavement Licences	5	15	15
Total	1928	1975	2186

- 4.5 Table 3 below shows the cost of running the licensing authority, and the income received for last three-year period.

Table 3

Year	Income	Expenditure	Balance	% recovered
2020/2021	£168,741	£256,373	-£87,632	66%
2021/2022	£179,220	£268,949	-£89,729	67%
2022/2023	£204,245	£302,414	-£98,169	68%

- 4.6 The proposed budget for running the service for the current 2023/2024 period is £317,463, and allocated income for the first 6 months of this period is approximately £160,000 which is positive news, and reflective of the increased work entering the department. A cost recovery figure of approximately £253,970 would be required for this current period, and early indicators are suggesting that this is likely to be achieved.
- 4.7 The proposed budget for the 2024/2025 period has not been set at this point, but it is expected to be set at approximately £336,768 due to additional staffing costs, and general inflationary factors. Therefore, an estimated cost recovery income figure of £269,414 would be required.
- 4.8 Table 4 below shows income received in each area of licensing in the last full accounting year of 2022/2023, against the budget for this same period.

Table 4

Type	Indicative cost recovery income figure based on 22/23 budget (£302,414)	Percentage of resources used 22/23 taken from Table 1	Actual income received 22/23
Animal Boarding	6744	2.23	10999 ↑
Breeding	15786	5.22	8387 ↓
DWA	544	0.18	0 ↓
Pet Shop	1300	0.43	1120 ↓
Riding Est	1270	0.42	1595 ↓
Sex Est	0	0	↔
Zoo	1270	0.42	1066 ↓
GA05 – Statutory	7258	2.4	5936 ↓
LA03 – Statutory	73940	24.45	71642 ↓
Street Trading	12853	4.25	10118 ↓
Taxi	116036	38.37	87052 ↓
Scrap Metal	3175	1.05	2110 ↓
Exhibiting Animals	1119	0.37	0
Pave – Statutory	4506	1.49	4219 ↓
Total	245802	81.28	204245

5.0 CONCLUSION

- 5.1 As Members are very much aware, the past few years have been very turbulent, and whilst 2023 has seen levels of inflation in the UK fall marginally, costs of fuel and energy remain stubbornly high. The “cost of living” crisis continues to impact all types of licence holders, as well as the licensing authority itself.
- 5.2 Despite the difficult operating conditions that both the trade and Licensing Authority are currently dealing with, Table 2 shows that licence stock levels across the board remain consistent, and at the six month point of the current financial year small signs of growth are apparent in many areas of licensing. The one area showing significant growth in licence numbers is taxi licensing, and Members have been advised in previous reports of the reasons for this growth, namely, a large operator moving part of their operation to the Council.
- 5.3 The impact of this growth in taxi licensing numbers on the licensing authority has been profound. An additional member of staff has been recruited, and this in turn has impacted on the licensing budget, resource distribution, and the corporate costs incurred by the Licensing Authority for the ancillary services it relies on such as legal support, democratic support, and IT support.
- 5.4 However, this major increase in taxi licensing work, combined with the minor increases in most other areas of licensing, and last year’s small increases to animal welfare fees, leads Officers to have a strong belief that full costs are likely to be recovered in this current financial year.
- 5.5 Members are asked to note that a new fee line has been introduced to the taxi fees appendix. Some drivers are choosing to upgrade their private hire only driver licence into a joint hackney carriage and private hire driver licence part way through their licence period. This new fee covers the direct costs of completing this piece of work and re-issuing the new licence.
- 5.6 Members are also asked to note that if (as expected) the temporary Pavement Licensing scheme is made permanent the current statutory fee of £100 will be replaced. Provision to cover this change is built into the recommendations in paragraph 2.1 of this report.
- 5.7 Officers recommend to Members the fees presented in the appendices of this report be adopted and reviewed in 12 months’ time.
- 5.8 There is no need to conduct an Equality Impact Assessment (EIA) as this report does not lead to the creation of a policy, or additional regulation.

6.0 APPENDICES

- 6.1 Appendix 1 Licensing Act 2003 Statutory Fees
- 6.2 Appendix 2 Gambling Act 2005 Statutory Fees

6.3	Appendix 3	Other Statutory Licensing Fees
6.4	Appendix 4	Gambling Act 2005 – Discretionary fees
6.5	Appendix 5	Discretionary fees for general licences
6.6	Appendix 6	Discretionary fees for Animal Welfare Licences
6.7	Appendix 7	Discretionary fees for taxi and private hire licences
6.8	Appendix 8	Extracts from legislation regarding fee setting

Background Documents:

Legislation contained in Appendix 6

LGA guidance on local fee setting 2015

Hemming v Westminster 2015

R v Tower Hamlets LBC 1994

Appendix 1

Licensing Act 2003 – Statutory Fees

Premises Licence and Club Premises Certificates:

Type of application:	Non-domestic rateable band				
	A	B	C	D	E
New, provisional statements, and full variation application fee	£100	£190	£315	£450	£635
Annual maintenance fee	£70	£180	£295	£320	£350
Minor variation	£89				
Provisional Statement (where premises is under construction)	£315				

NDR Value	Band	Fee multiplier for Premises Licences	D (x2)	E (x3)
£0 to £4,300	A	Premises Licences in bands D & E (whose primary business is the sale of alcohol)	£900	£1905
£4,301 to £33,000	B			
£33,001 to £87,000	C			
£87,001 to £125,000	D	Premises Licences in bands D & E (whose primary business is the sale of alcohol) annual maintenance fee	£640	£1050
£125,001 and above	E			

Premises Licence - Large event fees (payable in addition to the standard fee):

Number in attendance at any one time:	Additional application fee:	Additional annual fee:
5000 to 9999	£1000	£500
10000 to 14999	£2000	£1000
15000 to 19999	£4000	£2000
20000 to 29999	£8000	£4000
30000 to 39999	£16000	£8000
40000 to 49999	£24000	£12000
50000 to 59999	£32000	£16000
60000 to 69999	£40000	£20000
70000 to 79999	£48000	£24000
80000 to 89999	£56000	£28000
90000 and over	£64000	£32000

Personal Licence, Temporary Events and other miscellaneous fees:

Type of application:	Fee:
Grant of Personal Licence	£37
Temporary or Late Temporary Event Notice	£21
Theft, loss etc of Premises Licence or Summary	£10.50
Change of name or address on Premises Licence	£10.50
Vary Premises Licence to specify a new DPS	£23
Transfer a Premises Licence	£23
Interim Authority Notice	£23
Change of club name or address or change of rules	£10.50
Change of correspondence address for club	£10.50
Theft, loss etc of a Temporary Event Notice or Late Temporary Event Notice	£10.50
Theft, loss etc of a Personal Licence	£10.50
Right of freeholder etc to be notified of licensing matters	£21
Community Premises - removal of DPS fee	£23
Theft, loss etc of a Club Certificate or Summary	£10.50
Change of name or address on Personal Licence	£10.50

Appendix 2

Gambling Act 2005 Statutory Fees

Permission Type	Fee:
Lotteries	
Small Society Lotteries - new registration	£40
Small Society Lotteries - renewal of existing registration	£20
Licensed Premises Permits	
Licensed Premises Gaming Machines - notice of intention for up to 2 machines	£50
Licensed Premises Gaming Machine Permits - new	£150
Licensed Premises Gaming Machine Permits - variation	£100
Licensed Premises Gaming Machine Permits – transfer	£25
Licensed Premises Gaming Machine Permits - annual Fee	£50
Licensed Premises Gaming Machine Permits - change of Name	£25
Licensed Premises Gaming Machine Permits - copy (lost, stolen, damaged)	£15
Club Gaming/Club Machine Permits	
Club Gaming/Club Machine Permits - new or renew	£200
Club Gaming/Club Machine Permits for holders of club premises certificates - new or renew	£100
Club Gaming/Club Machine Permits – annual fee	£50
Club Gaming/Club Machine Permits - variation	£100
Club Gaming/Club Machine Permits - copy (lost, stolen, damaged)	£15
Prize Gaming Permits	
Prize Gaming Permits - new or renewal	£300
Prize Gaming Permits - change of name	£25
Prize Gaming Permits - copy (lost, stolen, damaged)	£15
Family Entertainment Gaming Centre Gaming Machine Permits	
Family Entertainment Gaming Centre Gaming Machine Permits - new or renewal	£300
Family Entertainment Gaming Centre Gaming Machine Permits - change of name	£25
Family Entertainment Gaming Centre Gaming Machine Permits - copy (lost, stolen, damaged)	£15

Appendix 3

Other Statutory Licensing Fees

Licence type	2023/2024 fees	2024/2025 proposed fees	Difference (£)
Pavement Licence			
All applications	100	100	0

Street Trading Consent Fees

Daily and annual single trader fees

Type of goods	Ely (central zone)		All other areas		Transfer
	Daily	Annual	Daily	Annual	
Clothing	£20	£1040 ¹	£15	£740 ¹	£48
Electrical spares					
DIY products					
Hot food and drink					
Furniture					
Records, CD's and DVD	£20	£780 ¹	£15	£480 ¹	£48
Household cleaning goods					
Books					
Fresh fish	£20	£520 ¹	£15	£320 ¹	£48
Fresh meat					
Fruit and Veg					
Delicatessen					
Flowers and Plants					
Ice-cream vendors					
Cakes/ Bakery					
Arts and crafts					
All other traders	£20	£1040 ¹	£15	£740 ¹	£48

¹Applicants are required to pay £75 upon application. The remaining balance for all successful applications can be paid by quarterly upfront instalments, or in one further payment.

Replacement consent certificates cost - £10.50

Host premises (see section 8 of the street trading policy)

Annual fee
£192
Transfer
£48

Special events/Markets/ Commercial event fees

Number of stalls	Fee per day of the event
2 – 20	£100
21 – 40	£200
41 or more	£500

Charity/non-commercial events (see paragraph 6.3 of the street trading policy)

Fee per day of the event
£20

Appendix 4

Discretionary Fees with Statutory Maximum - Gambling Act 2005 Licences

Licence type	2023/2024 fees	2024/2025 proposed fees	Difference (£)
Regional Casino Licence			
Fee in respect of new premises	15000	15000	0
Annual Fee	15000	15000	0
Fee for application to vary licence	7500	7500	0
Fee for application to transfer a licence	6500	6500	0
Fee for application to reinstate a licence	6500	6500	0
Fee for application for provisional statement	15000	15000	0
Maximum non-conversion application fee in respect of provisional statement premises	8000	8000	0
Large Casino Licence			
Fee in respect of new premises	10000	10000	0
Annual Fee	10000	10000	0
Fee for application to vary licence	5000	5000	0
Fee for application to transfer a licence	2150	2150	0
Fee for application to reinstate a licence	2150	2150	0
Fee for application for provisional statement	10000	10000	0
Maximum non-conversion application fee in respect of provisional statement premises	5000	5000	0
Small Casino Licence			
Fee in respect of new premises	8000	8000	0
Annual Fee	5000	5000	0
Fee for application to vary licence	4000	4000	0
Fee for application to transfer a licence	1800	1800	0
Fee for application to reinstate a licence	1800	1800	0
Fee for application for provisional statement	8000	8000	0
Maximum non-conversion application fee in respect of provisional statement premises	3000	3000	0
Bingo Premises Licence			
Fee in respect of new premises	3500	3500	0
Annual Fee	1000	1000	0
Fee for application to vary licence	1750	1750	0
Fee for application to transfer a licence	1200	1200	0
Fee for application to reinstate a licence	1200	1200	0
Fee for application for provisional statement	3500	3500	0

Maximum non-conversion application fee in respect of provisional statement premises	1200	1200	0
Adult Gaming Licence			
Fee in respect of new premises	2000	2000	0
Annual Fee	1000	1000	0
Fee for application to vary licence	1000	1000	0
Fee for application to transfer a licence	1200	1200	0
Fee for application to reinstate a licence	1200	1200	0
Fee for application for provisional statement	2000	2000	0
Maximum non-conversion application fee in respect of provisional statement premises	1200	1200	0
Betting Premises (track) Licence			
Fee in respect of new premises	2500	2500	0
Annual Fee	1000	1000	0
Fee for application to vary licence	1250	1250	0
Fee for application to transfer a licence	950	950	0
Fee for application to reinstate a licence	950	950	0
Fee for application for provisional statement	2500	2500	0
Maximum non-conversion application fee in respect of provisional statement premises	950	950	0
Family Entertainment Centre Licence			
Fee in respect of new premises	2000	2000	0
Annual Fee	750	750	0
Fee for application to vary licence	1000	1000	0
Fee for application to transfer a licence	950	950	0
Fee for application to reinstate a licence	950	950	0
Fee for application for provisional statement	2000	2000	0
Maximum non-conversion application fee in respect of provisional statement premises	950	950	0
Betting Premises (other) Licence			
Fee in respect of new premises	3000	3000	0
Annual Fee	600	600	0
Fee for application to vary licence	1500	1500	0
Fee for application to transfer a licence	1200	1200	0
Fee for application to reinstate a licence	1200	1200	0
Fee for application for provisional statement	3000	3000	0
Maximum non-conversion application fee in respect of provisional statement premises	1200	1200	0
Temporary Use Notices			

Temporary Use Notice fee	500	500	0
Replacement of an endorsed copy	25	25	0
Applicable to all Premises Licences			
Change of circumstances fee - for all Premises Licences	50	50	0
Fee for copy licence - for all Premises Licences	25	25	0

Appendix 5

Discretionary fees for general licences

Licence type	2023/2024 fees	2024/2025 proposed fees	Difference (£)
Dangerous Wild Animals (2yr licence)			
New application	648 (v)	648 (v)	0
Renewal application	648 (v)	648 (v)	0
Zoo			
New application (4 years)	2415 (v)	2415 (v)	0
Renewal application (6 years)	2070 (v)	2070 (v)	0
Applicable to all animal welfare licences			
Theft, loss etc of a licence	10.50	10.50	0
Change of name on licence	10.50	10.50	0
Change of licence details	10.50	10.50	0

(v) – A Council instructed veterinary inspection is required. This fee is payable in addition to the application fee. The fee will depend upon the amount of time taken to inspect the premises.

Licence type	2022/2023 fees	2023/2024 proposed fees	Difference (£)
Sex Establishments			
New application	3761	3761	0
Renewal application	1880.50	1880.50	0
Variation application	1880.50	1880.50	0
Transfer application	1880.50	1880.50	0
Theft, loss etc of a licence	10.50	10.50	0

Scrap Metal – Site Licence (3yr licence)			
New application	810	810	0
Renewal application	660	660	0
Variation application	120	120	0
Theft, loss etc of a licence	10.50	10.50	0

Scrap Metal – Collector Licence (3yr licence)			
New application	616	616	0
Renewal application	495	495	0
Variation application	120	120	0
Theft, loss etc of a licence	10.50	10.50	0

Hypnotism			
Daily permit	93	93	0

Street Trading Consent Fees

Daily and annual single trader fees

Type of goods	Ely (central zone)		All other areas		Transfer
	Daily	Annual	Daily	Annual	
Clothing	£20	£1040 ¹	£15	£740 ¹	£48
Electrical spares					
DIY products					
Hot food and drink					
Furniture					
Records, CD's and DVD	£20	£780 ¹	£15	£480 ¹	£48
Household cleaning goods					
Books					
Fresh fish	£20	£520 ¹	£15	£320 ¹	£48
Fresh meat					
Fruit and Veg					
Delicatessen					
Flowers and Plants					
Ice-cream vendors					
Cakes/ Bakery					
Arts and crafts					
All other traders	£20	£1040 ¹	£15	£740 ¹	£48

¹Applicants are required to pay £75 upon application. The remaining balance for all successful applications can be paid by quarterly upfront instalments, or in one further payment.

Replacement consent certificates cost - £10.50

Host premises (see section 8 of the street trading policy)

Annual fee
£192
Transfer
£48

Special events/Markets/ Commercial event fees

Number of stalls	Fee per day of the event
2 – 20	£100
21 – 40	£200
41 or more	£500

Charity/non-commercial events (see paragraph 6.3 of the street trading policy)

Fee per day of the event
£20

Appendix 6

Discretionary fees for Animal Welfare Licences

Current and proposed fees

Licensable Activity	Application fee		Number of animals	Initial rating inspection fee	Renewal, re-rating or variation inspection fee	Maintenance fee		
	New	Renewal				1 yr	2 yr	3 yrs
Boarding of animals	£100	£60	Up to 10 animals	£76	£72	£232 ⁴	£466 ⁴	£705
			11 to 30 animals	£101	£96			
			31 to 60 animals	£127	£120			
			61 to 99 animals	£150	£144			
			100+ animals	£178	£168			
Arranging boarding			N/A	£101 + £25 per host ¹	£96 + £24 per host ¹			
Dog Breeding – Domestic			One litter per year maximum ²	£76 + VET fee ³	£72			
Dog Breeding - Commercial			More than one litter per year	£127 + VET fee ³	£120			
Hiring of Horses			N/A	£101 + VET fee ³	£96 + VET fee ³			
Selling Animals as Pets & Exhibiting Animals ⁴			Up to 5 species	£101	£96			
	Over 5 species	£178	£168					

¹ Out of scope hosts only. In scope hosts will be required to apply for their own licence and pay the relevant fees.

² Breeding and whelping must occur wholly within the domestic house. Outbuildings or garages are not included in this definition.

³ VET fees are paid directly to the VET pre-inspection. No VET inspection is required upon subsequent renewals of a dog breeding licence.

⁴ Exhibiting animal welfare licences can only be issued for 3 year time periods due to the requirements of the controlling legislation.

Where more than one licensable activity occurs on the same site, only one application fee will be payable, however, the total fee will be calculated by adding the combined charges of the activity with the highest fee to 50% of the applicable inspection and maintenance fee for the additional activities.

£10.50 will be charged for any replacement documents, or change of details not covered by the main charges above, such as a change of trading name.

Appendix 7

Discretionary fees for taxi and private hire licences

Licence type		2023/2024 fees	2024/2025 proposed fees	Difference (£)
Driver Licence				
New application – 1 year (excl. DVLA, and DBS check)		229	229	0
Renewal application – 1 year (excl. DVLA check)		175	175	0
New application – 3 year (excl. DVLA, and DBS check)		579	579	0
Renewal application – 3 year (excl. DVLA check)		525	525	0
Conversion of a PH only driver licence to a joint HC & PH driver licence (excl. required joint HC & PH knowledge test fee)		N/A	30	N/A
Knowledge test re-sit		32	32	0
DVLA driving licence check (required upon every new and renewal application)		5	5	0
Private Hire Vehicle Licence				
New and renewal 1yr for all (excl. stickers)		250	250	0
Variation application (excl. stickers)		35	35	0
Transfer application (excl. stickers)		25	25	0
Hackney Carriage Vehicle Licence				
New and renewal 1yr for all (excl. stickers)		250	250	0
Variation application (excl. stickers)		35	35	0
Transfer application (excl. stickers)		25	25	0
Private Hire Operator Licence				
New application – 1 year	150 – 1 vehicle	126	126	0
	200 – 2 to 5	156	156	
	250 – 6 to 10	186	186	
	300 – 11+	216	216	
Renewal application – 1 year	150 – 1 vehicle	126	126	0
	200 – 2 to 5	156	156	
	250 – 6 to 10	186	186	
	300 – 11+	216	216	
New application – 5 year	646 – 1 vehicle	627	627	0
	896 – 2 to 5	737	737	
	1146 – 6 to 10	847	847	
	1396 – 11+	957	957	
Renewal application – 5 year	646 – 1 vehicle	627	627	0
	896 – 2 to 5	737	737	
	1146 – 6 to 10	847	847	
	1396 – 11+	957	957	
Miscellaneous taxi and private hire fees				
Theft, loss etc of a licence		10.50	10.50	0
Theft, loss etc of a vehicle plate		20	20	0
Change of address		10.50	10.50	0
Replacement door sticker		6.00	6.00	0

Appendix 8

Extracts from relevant licensing legislation providing legal framework within which local authorities may charge licensing fees

Local Government (Miscellaneous Provisions) Act 1982

Controls sex establishments, street trading, acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis

Sex establishments - Schedule 3 paragraph 19

An application for the grant, variation, renewal or transfer of a licence under this Schedule shall pay a reasonable fee determined by the appropriate authority.

Street Trading – Schedule 4 paragraph 9

(1) A district council may charge such fees as they consider reasonable for the grant or renewal of a street trading licence or a street trading consent.

(2) A council may determine different fees for different types of licence or consent and, in particular, but without prejudice to the generality of this sub-paragraph, may determine fees differing according—

(a) to the duration of the licence or consent;

(b) to the street in which it authorises trading; and

(c) to the descriptions of articles in which the holder is authorised to trade.

(3) A council may require that applications for the grant or renewal of licences or consents shall be accompanied by so much of the fee as the council may require, by way of a deposit to be repaid by the council to the applicant if the application is refused.

(4) A council may determine that fees may be paid by instalments.

(5) Where a consent is surrendered or revoked, the council shall remit or refund, as they consider appropriate, the whole or a part of any fee paid for the grant or renewal of the consent.

(6) A council may recover from a licence-holder such reasonable charges as they may determine for the collection of refuse, the cleansing of streets and other services rendered by them to him in his capacity as licence-holder.

(7) Where a licence—

(a) is surrendered or revoked; or

(b) ceases to be valid by virtue of paragraph 4(7) above,

the council may remit or refund, as they consider appropriate, the whole or a part—

(i) of any fee paid for the grant or renewal of the licence; or

(ii) of any charges recoverable under sub-paragraph (6) above.

(8) The council may determine—

(a) that charges under sub-paragraph (6) above shall be included in a fee payable under sub-paragraph (1) above; or

(b) that they shall be separately recoverable.

(9) Before determining charges to be made under sub-paragraph (6) above or varying the amount of such charges the council—

(a) shall give notice of the proposed charges to licence-holders; and

(b) shall publish notice of the proposed charges in a local newspaper circulating in their area.

(10) A notice under sub-paragraph (9) above shall specify a reasonable period within which representations concerning the proposed charges may be made to the council.

(11) It shall be the duty of a council to consider any such representations which are made to them within the period specified in the notice.

Acupuncture - Section 14 (6)

A local authority may charge such reasonable fees as they may determine for registration under this section.

Tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis – Section 15 (6)

A local authority may charge such reasonable fees as they may determine for registration under this section.

Local Government (Miscellaneous Provisions) Act 1976

Controls hackney carriages and private hire vehicles

Section 53 - Drivers' licences for hackney carriages and private hire vehicles

(2) Notwithstanding the provisions of the Act of 1847*, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.

*Town Police Clauses Act 1847

Section 70 - Fees for vehicle and operators' licences

(1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the

purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

(2) The fees chargeable under this section shall not exceed—

(a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;

(b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and

(c) for the grant of an operator's licence, twenty-five pounds per annum;

or, in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.

(3) (a) If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.

(4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

(5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections.

(6) A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so.

Zoo Licensing Act 1981

Controls zoos – Section 15

(1) Subject to this section, the local authority may charge such reasonable fees as they may determine in respect of—

(a) applications for the grant, renewal or transfer of licences;

(b) the grant, renewal, alteration or transfer of licences;

(2) Any fee charged under paragraph (a) of subsection (1) in respect of an application shall be treated as paid on account of the fee charged under paragraph (b) on the grant, renewal or transfer applied for.

(2A) Subject to this section, the authority may charge to the operator of the zoo such sums as they may determine in respect of reasonable expenses incurred by them—

(a) in connection with inspections in accordance with section 9A and under sections 10 to 12;

(b) in connection with the exercise of their powers to make directions under this Act;

(c) in the exercise of their function under section 16E(4) of supervising the implementation of plans prepared under section 16E(2); and

(d) in connection with the exercise of their function under section 16E(7) or (8).

(2B) The authority's charge under subsection (2A)(d) shall take into account any sums that have been, or will fall to be, deducted by them from a payment under section 16F(7) in respect of their costs.

(3) In respect of any fee or other sum charged under this section, the local authority may, if so requested by the operator, accept payment by instalments.

(4) Any fee or other charge payable under this section by any person shall be recoverable by the local authority as a debt due from him to them.

(5) The local authority shall secure that the amount of all the fees and other sums charged by them under this section in a year is sufficient to cover the reasonable expenditure incurred by the authority in the year by virtue of this Act.

Dangerous Wild Animals Act 1976

Controls dangerous wild animals as listed in the Act – Section 1

(2) A local authority shall not grant a licence under this Act unless an application for it—

... and

(e) is accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application).

Public Health Acts Amendment Act 1907

Controls pleasure boats/vessels - Section 94

(1) The local authority may grant upon such terms and conditions as they may think fit licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire, and to the persons in charge of or navigating such boats and vessels, and may charge for each type of licence such annual fee as appears to them to be appropriate.

Environmental Protection Act 1990

Controls free printed matter – Schedule 3A paragraphs 3 & 4

3 (1) A principal litter authority may on the application of any person consent to that person or any other person (identified specifically or by description) distributing free printed matter on any land designated by the authority under this Schedule.

4 (1) A principal litter authority may require the payment of a fee before giving consent under paragraph 3 above.

(2) The amount of a fee under this paragraph is to be such as the authority may determine, but may not be more than, when taken together with all other fees charged by the authority under this paragraph, is reasonable to cover the costs of operating and enforcing this Schedule.

Gambling Act 2005

Statutory fees are prescribed for:-

- small society lotteries (Schedule 11 – Part 5)
- club gaming permits and club machine permits (Schedule 12)
- notification of gaming machines in alcohol licensed premises (Section 282)
- family entertainment centre gaming machine permits (Schedule 10)
- licensed premises gaming machine permits (Schedule 13)
- prize gaming permits (Schedule 14)

And, therefore, the licensing authority has no control over these fees. The following statutory instruments are relevant:-

- Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007
- Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007
- Gaming Machines in Alcohol Licensed Premises (Notification Fee) (England and Wales) Regulations 2007
- Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007
- Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007
- Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007

The licensing authority must determine the fees, up to certain statutory maximums, that are applicable to premises licences, e.g. adult gaming centres, betting at race tracks, betting shops, bingo premises, casinos and for temporary use notices. The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 and the Gambling (Temporary Use Notices) Regulations 2007 set the relevant statutory maximums. In addition, Section 212 of the Act states:-

(2) ... the authority—

(a) shall determine the amount of the fee,

(b) may determine different amounts for different classes of case specified in the regulations (but may not otherwise determine different amounts for different cases),

(c) shall publish the amount of the fee as determined from time to time, and

(d) shall aim to ensure that the income from fees of that kind as nearly as possible equates to the costs of providing the service to which the fee relates (including a reasonable share of expenditure which is referable only partly or only indirectly to the provision of that service).

(3) For the purposes of subsection (2)(d) a licensing authority shall compare income and costs in such manner, at such times and by reference to such periods as the authority, having regard to any guidance issued by the Secretary of State, think appropriate.

In addition, where the licensing authority is required to maintain licensing registers, the authority may determine fees for providing access to, making copies of and/or providing information to members of the public from those registers.

Premises licences (Section 156)

(1) A licensing authority shall—

(a) maintain a register of premises licences issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Small society lotteries (Schedule 11 Part 5 paragraph 55)

(1) Where a statement is sent to a local authority under paragraph 39 the authority shall—

(a) retain it for at least 18 months,

(b) make it available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of it or part of it to any member of the public on request.

(2) But a local authority may refuse to provide access or a copy unless the person seeking access or a copy pays a fee specified by the authority.

(3) A local authority may not specify a fee under sub-paragraph (2) which exceeds the reasonable cost of providing the service sought (but in calculating the cost of providing a service to a person the authority may include a reasonable share of expenditure which is referable only indirectly to the provision of that service).

Club gaming permits and club machine permits (Schedule 12 paragraph 26)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Temporary Use Notice (Section 234)

1) A licensing authority shall—

(a) maintain a register of temporary use notices given to them together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Family entertainment centre gaming machine permits (Schedule 10 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Licensed premises gaming machine permits (Schedule 13 paragraph 22)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Prize gaming permits (Schedule 14 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Scrap Metal Dealers Act 2013

Controls buyers/sellers of scrap metal and motor salvage operators (Section 5 Schedule 1 paragraph 6)

(1) An application must be accompanied by a fee set by the authority.

(2) In setting a fee under this paragraph, the authority must have regard to any guidance* issued from time to time by the Secretary of State with the approval of the Treasury.

*Scrap Metal Dealers Act 2013: guidance on licence fee charges – issued by Home Office 12 August 2013

Licensing Act 2003

Statutory fees for premises licences, club premises certificates, temporary event notices and personal licences are currently prescribed by the Licensing Act 2003 (Fees) Regulations 2005. The licensing authority has no control over these fees.

In addition, there is a requirement to maintain a register and make it available for inspection without payment but if requested to provide a copy of information contained in the register a fee may be charged under Section 8 of the Act.

(4) If requested to do so by any person, a licensing authority must supply him with a copy of the information contained in any entry in its register in legible form.

(5) A licensing authority may charge such reasonable fee as it may determine in respect of any copy supplied under subsection (4).

Caravan Sites and Control of Development Act 1960

Under the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013, licensing authorities are permitted to charge fees for the licensing of residential caravan sites with effect from 1 April 2014. Transitional arrangements will be in place and the licensing authority is required to publish a fees policy. (NB The Council has not yet prepared a fees policy and therefore is currently unable to charge fees in this respect.)

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

13.—(1) A local authority may charge such fees as it considers necessary for—

(a) the consideration of an application for the grant, renewal or variation of a Licence including any inspection relating to that consideration, and for the grant, renewal or variation,

(b) the reasonable anticipated costs of consideration of a licence holder's compliance with these Regulations and the licence conditions to which the licence holder is subject in circumstances other than those described in subparagraph (a) including any inspection relating to that consideration,

(c) the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator, and

(d) the reasonable anticipated costs of compliance with regulation 29.

(2) The fee charged for the consideration of an application for the grant, renewal or variation of a licence and for any inspection relating to that consideration must not exceed the reasonable costs of that consideration and related inspection.

Business and Planning Act 2020

Applications

(1) An application for a pavement licence made to a local authority must—

(a) be made in writing and in such form as the authority may specify,

(b)be sent to the authority using electronic communications in such manner as the authority may specify, and
(c)be accompanied by such fee not exceeding £100 as the local authority may require.

Licences for which the licensing authority is NOT permitted to charge

- House-to-house collections: House to House Collections Act 1939
- Street collections: Police, Factories, etc. (Miscellaneous Provisions) Act 1916