

Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Tuesday, 29 September 2020

Committee:
Strategic Licensing Committee

Date: Wednesday, 7 October 2020
Time: 10.00 am
Venue: THIS IS A VIRTUAL MEETING

Members of the public will be able to listen to this meeting by clicking on this link: <https://shropshire.gov.uk/strategiclicencingcommittee7october2020/>

Please note that this meeting will be made available through Microsoft Teams Live Events - your device will need to meet the minimum specification as detailed on the Microsoft website at this link: [Device Specification](#)

- You will need to download MS Teams (free) and click on the link to listen to the meeting if you are using a PC
- If using a mobile device, you will need to download the MS Teams app (free) before clicking the link
- Use the link at 10.00am on the day of the meeting and click on 'Join as Guest'
- You may receive an error message or a request for login details if you try to gain access before 2.00 pm

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Director of Legal and Democratic Services (Monitoring Officer)

Members of the Committee

Keith Roberts (Chairman)
Simon Jones (Vice Chairman)
Peter Adams
Roy Aldcroft
Clare Aspinall
Nigel Hartin
Nick Hignett
Paul Milner
Pamela Moseley
Kevin Pardy
Vivienne Parry
Robert Tindall
Dave Tremellen
Leslie Winwood

Substitute Members of the Committee

David Vasmer
Ted Clarke
Pauline Dee
David Evans
Richard Huffer
Matt Lee
Elliott Lynch
William Parr
Paul Wynn

Your Committee Officer is:

Tim Ward Committee Officer

Tel: 01743 257713

Email: tim.ward@shropshire.gov.uk

AGENDA

1 Apologies

To receive apologies for absence

2 Minutes of Previous Meeting (Pages 1 - 2)

To approve the minutes of the previous meeting held on 15 July 2020 as a true record

Contact: Tim Ward (01743 257713)

3 Public Question Time

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 10.00am on Monday 5th October 2020.

4 Disclosable Pecuniary Interests

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate

5 Licensing Fees and Charges 2021 - 22 (Pages 3 - 54)

Report of the Transactional and Licensing Team Manager is attached.

Contact: Mandy Beever (01743 251702)

6 Request for Change to Hackney Carriage Fare Card (Pages 55 - 64)

Report of the Transactional and Licensing Team Manager is attached, marked 5.

Contact: Mandy Beever (01743 251702)

7 Exercise of Delegated Powers (Pages 65 - 72)

Report of the Transactional and Licensing Team Manager is attached, marked 5.

Contact: Mandy Beever (01743 251702)

8 Future Agenda Items

An opportunity for Members to identify additional matters that ought to be brought before the Committee for consideration at future meetings.

9 Exclusion of Press and Public

To consider a resolution under Section 100 (A) of the Local Government Act 1972 that the proceedings in relation to the following items shall not be conducted in public on the grounds that they involve the likely disclosure of exempt information as defined by the provisions of Schedule 12A of the Act

10 Exempt Minutes of the Previous Meeting (Pages 73 - 74)

To approve the exempt minutes of the previous meeting held on 15 July 2020 as a true record

Contact: Tim Ward (01743 257713)

11 Date of Next Meeting

To note that the next meeting of the Strategic Licensing Committee will be held on Wednesday 9th December 2020



Strategic Licensing
Committee

7 October 2020

Item

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 15
JULY 2020
10.00 - 10.45 AM**

Responsible Officer: Tim Ward

Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present

Councillors Keith Roberts (Chairman) Simon Jones (Vice Chairman), Peter Adams, Roy Aldcroft, Rob Gittins, Nigel Hartin, Paul Milner, Pamela Moseley, Kevin Parry, Vivienne Parry, Robert Tindall and Dave Tremellen

38 Apologies

38.1 Apologies for absence were received from Councillors Nick Hignett and Les Winwood

39 Minutes of Previous Meeting

39.1 The minutes of the previous meeting held on 17 June 2020 had been circulated

39.2 RESOLVED:

That the minutes of the previous meeting held on 17 June 2020 be approved as a true record and signed by the Chairman

40 Public Question Time

40.1 There were no public questions

41 Disclosable Pecuniary Interests

41.1 There were no declarations made

42 Exclusion of Press and Public

42.1 RESOLVED:

That under paragraph 10.2 of the Council's Access to Information Procedure Rules that the proceedings of the Committee in relation to the following agenda Items shall not be conducted in public on the grounds that they involve the likely disclosure of exempt information as defined by the categories specified against them.

43 Exempt Minutes of the Last meeting

43.1 The exempt minutes of the previous meeting held on 17 June 2020 had been circulated

43.2 RESOLVED:

That the exempt minutes of the previous meeting held on 17 June 2020 be approved as a true record and signed by the Chairman

44 Personal Licence - Consideration to revoke or suspend

44.1 Members considered the exempt report of the Public Protection Officer (Specialist)

(The full version of minute 44 constitutes exempt information under Category 1 of paragraph 10.2 of the Council's Access to Information Procedure Rules and has accordingly been withheld from publication.)

Signed (Chairman)

Date:



<u>Committee and Date</u>
Strategic Licensing Committee
7 October 2020

<u>Item</u>
<u>Public</u>

LICENSING FEES AND CHARGES 2021-2022

Responsible Officer Mandy Beever, Transactional and Licensing Team Manager
e-mail: mandy.beever@shropshire.gov.uk Tel: 01743 251702

1. Summary

1.1 This report proposes revised fees for the period 1 April 2021¹ to 31 March 2022 for licences and licensing related activities where the authority has the discretion to determine the relevant fees and relates to:

- hackney carriage and private hire vehicles and drivers;
- private hire operators;
- public health (acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis);
- animals (hiring out horses, providing day care for dogs, boarding for cats, home boarding, kennel boarding, breeding for dogs, selling animals as pets, keeping or training animals for exhibition, dangerous wild animals and zoos);
- scrap metal;
- sex establishments;
- street trading;
- explosives and fireworks;
- distribution of free printed matter; and
- pleasure boats and vessels.

1.2 The report also proposes revised fees under the Gambling Act 2005 in relation to gambling activities where the authority has the discretion to determine fees up to legally set statutory maximums.

1.4 The statutory fees that must be charged for specific licences, permits and registrations under the Licensing Act 2003, the Gambling Act 2005 and explosives and fireworks legislation are also set out within the report.

1.5 Those licensed activities for which no fees may be set are also highlighted.

¹ The fees applicable to hackney carriage, private hire vehicle and operator licences may become effective on a date prior to the 1 April 2021. This is because the Council must follow the process prescribed by Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 to vary these fees and the actual date that the fees become legally effective is dependent on whether or not objections are made as part of the prescribed process. Whilst not legally required to do so, the Council has historically applied the same process to hackney carriage and private hire vehicle drivers licences.

2. Recommendations

- 2.1 That the Committee notes the statutory fees that Shropshire Council is required to charge in accordance with the Licensing Act 2003 as set out in **Appendix A**, in accordance with the Gambling Act 2005 as set out in **Appendix B** and in accordance with explosives and fireworks legislation as set out in **Appendix C** and recommends that the authority implements these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2021 and instructs the Trading Standards and Licensing Operations Manager to arrange for the fees to be included in the 2021/22 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Trading Standards and Licensing Operations Manager to implement, as appropriate, any other statutory fees that may be brought into force during the 2021/22 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.
- 2.2 That the Committee implements, with any necessary modification and with effect from 1 April 2021, the proposed fees as set out in **Appendices D, E, F, G and H** that relate to those licences and licensing related activities where the authority has the discretion to determine the fees and instructs the Trading Standards and Licensing Operations Manager to arrange for the fees to be included in the 2021/22 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Trading Standards and Licensing Operations Manager to publish the fees on the licensing pages of the Council's website as soon as is practicable.
- 2.3 That the Committee proposes to vary the fees relevant to driver, hackney carriage, private hire vehicle and operator licences as set out in **Appendix F**, with any necessary modification, and instructs the Trading Standards and Licensing Operations Manager, in accordance with the provisions of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 to undertake the necessary work to consult and implement the fees.
- 2.5 That the Committee instructs the Trading Standards and Licensing Operations Manager to arrange for the proposed fees as set out in **Appendix F**, with any necessary modification, to be included in the 2021/22 annual fees and charges reports that are presented to Cabinet and Council and, where necessary, in respect of those fees a note is recorded in the said annual reports stating '*Provisional fees under consultation fees to be confirmed by the Strategic Licensing Committee*'.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 The Council makes every effort to recover regulatory and enforcement costs from those who are licensed. However, it is acknowledged that the Council's licensing fees and charges may be challenged through a number of routes, including service complaints to the Local Government Ombudsman and judicial review; hence, the importance of undertaking robust processes to set discretionary fees and charges.
- 3.2 The Council is permitted to include costs for clerical and administrative aspects when determining licence fees but these must be reasonable and proportionate to

the actual costs of the procedures. The costs of regulatory and enforcement activities, including enforcement to address unlicensed activity, can also be included. Only successful applicants can be required to make a contribution towards the regulatory and enforcement costs.

- 3.3 Where the Council intends to recover regulatory and enforcement costs, it cannot include these costs in the fee that is payable at the time any application is submitted. Such costs are only payable after the decision has been taken to grant or renew a licence. This means that for those licences that incur post application regulatory and enforcement costs, the fees are charged in two parts:
- (a) the first part is payable at the time an application is submitted and aims to recover the costs associated with the administrative procedures and formalities of the application process (this includes the costs of undertaking all the required checks relevant to each licence type); and
 - (b) the second part is payable by the applicant only once the licence is granted or renewed and aims to recover the costs associated with the ongoing regulation and enforcement of the licencing regimes.
- 3.4 There are a number of licences that do not incur post application regulatory and enforcement costs. This is because the work undertaken as part of the application process is deemed to be proportionate to the level of risk associated with the activity that is controlled by these particular licence types. For these licences, there is only one fee payable and this is at the point of application.
- 3.5 The two-part fee is not applicable to hackney carriage, private hire and gambling related licences; consequently, for these licence types a single fee is payable at the point of application. The same is applicable to all statutory fees.
- 3.6 To reduce the risk of challenge to the Council, a financial modelling tool was introduced in 2013 to calculate licensing fees from 2014/15 onwards. This continues to be updated, modified and refined to take account of amendments to the law, changes made by licensing officers, recommendations from the Council's finance officers and to reflect ongoing changes to the way in which the licensing function is resourced.
- 3.7 Overall, the tool draws together detailed information regarding the costs associated with undertaking the administrative procedures and formalities associated with all licensing procedures, including the costs of investigating the background and suitability of applicants for licences together with the cost of monitoring the compliance of those who are licensed against the conditions of their licences. It also aims to demonstrate that the cost of enforcing the licensing regime against unlicensed operators has been considered and is included in licence fees. Enforcement costs are not included for joint hackney and private hire drivers' licenses in line with specific provisions of the Local Government (Miscellaneous Provisions) Act 1976. Fees are compared on an ongoing rolling basis.
- 3.8 An Equality and Social Inclusion Impact Assessment has not been undertaken as the report does not concern the implementation of a new policy; the focus of the report is the review of licensing costs to ensure the Council is in a position to recoup its costs on a cost recovery basis in line with current legislative requirements.

- 3.9 There is no anticipated environmental impact associated with the recommendations in this report.
- 3.10 The recommendations are not at variance with the Human Rights Act 1998 and are unlikely to result in any adverse Human Rights Act implications. The recommendations are in line with current legal procedures laid down in domestic licensing legislation and takes into consideration relevant European provisions and case law.
- 3.11 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. This duty is reflected in the recommendation set out at paragraph 2.4 above. Historically, the Council has also consulted on driver licence fees and consequently it is recommended that this practice continues. With respect to the remaining discretionary fees, it is suggested that publishing the Council's intentions, prior to the fees coming into force, is sufficient and this reflects previous practice.
- 3.12 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 J**. Due consideration has also been given to relevant European legislation.

4. Financial Implications

- 4.1 The total cost to the Council of delivering the licensing service in 2019/20 was calculated to be £841,488 and the income received was £707,201. There was an overall deficit of £134,287 with specific surpluses and deficits relating to each licence type calculated separately – see **Appendix I**. Steps have been, and continue to be taken, to improve cost recovery across all appropriate licence types in order to reduce the overall deficit and to redistribute, return and recoup fees in relation to each licence type as appropriate.
- 4.2 The proposed fees are based on undertaking the administrative procedures and formalities associated with the relevant licencing procedures, including the costs of investigating the background and suitability of applicants for licences together with the cost of monitoring the compliance of those who are licensed against the conditions of their licences and enforcement for unlicensed activities where it is permitted. Where relevant, the fees have been split into two parts. The recovery of the deficits and the return of the surpluses as set out in **Appendix I** have been included in the fee calculations for 2021/22. As a result of this work, the proposed fees have been calculated and are set out in **Appendices D to H**.
- 4.3 Costs can be recovered over a period of time allowing surpluses to be returned to licensees and deficits to be recouped by the Council. This does not mean that fees have to be adjusted every year to reflect immediately previous deficits or surpluses. In any case, it must be demonstrable over a period of time that only legitimately incurred costs are recovered. Costs associated with enforcing unlicensed operators/businesses are recoverable by the Council but these costs are excluded from the calculation for the joint hackney and private hire drivers' licences in line

with provisions in the Local Government (Miscellaneous Provisions) Act 1976. In addition, costs of providing advice to those who may consider applying for a licence in the future are included.

- 4.4 The surpluses and deficits for hackney carriage and private hire licence fees are set out in **Appendix I (Table 2)** and have been incorporated into the revised fees as set out **Appendix F**. Where a surplus has been generated in 2019/20 but a cumulative deficit position exists from 2014/15 to 2019/20, licence fees have not been reduced. The only fee where a variation is applicable is listed below. It is proposed that all other hackney carriage and private hire related fees remain the same as the fees set for 2019/20 due to the Coronavirus outbreak which has resulted in an unprecedented reduction of income for the trade.
- Novelty Private Hire Vehicle – renewal increased by 26.9%
- 4.5 The fees under the Licensing Act 2003 are statutory fees that the Council cannot change. **Appendix I (Table 1)** shows a fee surplus of £74,680 was generated. This is largely due to the requirement for licensed premises to pay an annual fee to maintain their licence. The process of offsetting the overall licensing deficit using Licensing Act fees is permissible; however, this is only because the Licensing Act fees are statutory. Where the Council has the authority to set specific discretionary fees, these fees must be used only for the purposes of funding those specific licences.
- 4.6 Public health licences are issued indefinitely; hence, there is no opportunity to recoup deficits or return surpluses through a renewal process. Fee payments are entirely reliant on new applicants. The number of applicants is difficult to forecast, although there currently appears to be an upward trend. The administration and enforcement of the public health licences has, and continues to be, reviewed and efficiencies identified. However, the applications received still contributed to a £17,080 deficit across the public health licences in 2019/20. To attempt to reduce the risk of further deficits, it is proposed to increase the existing fee. A summary of those fees where a variation is proposed are listed below.
- acupuncture premises including one person increased by 28.7%
 - acupuncture person increased by 40.6%
 - electrolysis premises including one person increased by 28.7%
 - electrolysis person increased by 40.6%
 - cosmetic piercing – person and variation increased by 40.6%
 - tattooing premises including one person increased by 28.7%
 - tattooing person increased by 40.6%
- 4.7 The work that has been undertaken to recover the deficits associated with animal licences from 2014/15 to date has not been fully effective. The cumulative deficit has increased with a further £8,571 incurred in 2019/20. This is principally due to the increased staffing resource required to carry out inspections, particularly to address the increasing risk to animal welfare as a result of importation and over-breeding. The administration and enforcement of the animal health licences has, and continues to be, reviewed and efficiencies identified.
- 4.8 On the 1 October 2018 the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 come into effect. This provides for the

licensing of providing day care for dogs, breeding for dogs, boarding for cats, kennel boarding, home boarding, selling animals as pets, keeping or training animals for exhibition and hiring out horses. The new regulations do not include zoos and dangerous wild animals, the issuing of these licenses remain under the existing legislative requirements.

- 4.9 All licences subject to the Regulations are given a star rating (with the exception of Keeping or Training Animals for Exhibition Licences, which replaced Performing Animals Certificates and are subject to an automatic three year licence which is not star rated). The purpose of the star rating system is to ensure consistency in the implementation and operation of the licensing system, and to ensure that consumers can clearly see the star rating a business has received and therefore the risk level and standards of animal welfare they have. The star rating is determined by a scoring matrix set out in the Regulations. In order to calculate the star rating the results of an inspection of a premises and an assessment of the level of risk a business poses are combined to produce a rating between one and five stars. The higher the star rating is the better the standard of the business. The star rating also determines the length of time a licence lasts. One and two star licences last for one year, three and four star licences last for two years and five star licences last for three years.
- 4.10 The introduction of the star rating and different length licences makes it challenging to forecast annual income in relation to animal licences, this is due to the fact that under the new regime the number of licences issued in one financial year does not reflect the number that will be due for renewal in the following financial year. There are also a number of other variables which may affect when, or if, a licence is renewed, including:
- Surrender or non-renewal of a licence – there has been an increase in this since the new Regulations came into force as they are more difficult to comply with and some business have chosen not to continue operating.
 - A licence not being granted, or an application being withdrawn after the initial application and inspection phase (and therefore not paying the second part of the fee) because the business is not able to comply with the Regulations – instances of this have also increased due to some businesses finding it hard to comply with the new Regulations.
 - A business requesting a re-rating inspection mid-licence because they have carried out work identified as needed at the initial inspection and are now able to reach a higher standard. The star rating and therefore the length of the licence would increase as a result, changing the original renewal date.
 - A businesses star rating being downgraded following an unannounced inspection (either the mandatory unannounced inspection carried out during the course of the licence as required by the Regulations or as the result of a complaint), resulting in

the licence lasting for a shorter period of time than originally issued, changing the original renewal date.

- A business deciding not to continue with one activity where they carry out more than one or deciding to add a new activity. For example, a business which was a kennel and a cattery deciding not to offer cat boarding but continuing with kennel boarding when they come to renew their licence, reducing the renewal fee due.

- 4.11 Under the previous regimes the majority of licences lasted for one year, there were no star ratings and the regimes were less rigorous, so there were relatively fewer variables which could impact on the likelihood of when and if a licence was renewed. It was therefore possible to forecast expected income from animal licences in year more accurately.
- 4.12 A list of the fees under the new regulations is set out at **Appendix H**.
- 4.13 Explosives and fireworks licence and registration fees are all statutory fees (with the exception of those discretionary fees listed in **Appendix D**), which cannot be changed by the Council. **Appendix I (Table 1)** shows a deficit of £10,053, which will only be able to be reduced through making efficiency improvements across the administration and enforcement processes. The service is continuing to review how these efficiencies can be achieved. It should be noted that the activities to which the discretionary fees relate are little used in practice and were not used at all during 2019/20; hence there being no opportunity to generate additional discretionary income in order to recover the deficit incurred.
- 4.14 The work that has been undertaken to recover the deficit associated with scrap metal licences from 2014/15 to date has been effective. The fees where a variation is applicable are listed below. The staffing resource required to carry out inspections to address the recognised criminal risks associated with scrap metal dealing is continually reviewed. The administration and enforcement of scrap metal licences has and continues to be reviewed and efficiencies identified.
- Scrap Metal Dealer – Site New has increased by 5.2%
 - Scrap Metal Dealer – Collector to Site Variation has increased by 0.7%

The fees associated with scrap metal licences are set out in **Appendix G**.

- 4.15 The licences that are grouped as miscellaneous include those for caravan sites, sex establishments, free printed matter, street collections, house to house collections, street trading and pleasure boats and vessels as listed in **Appendix G**. Work that has been undertaken to recover the deficit associated with these licences from 2014/15 to date has not been effective with the cumulative deficit increasing with a further £32,291 incurred in 2019/20. A proportion of these costs are not recoverable and will always be borne by the local taxpayer as there are certain licences where the Council is unable to charge fees, e.g. licensing house to house collections, street collections and non-residential caravan sites. In addition, work has yet to be undertaken to develop a policy under which the Council will be able to charge for the licensing of residential caravan sites. The administration and

enforcement of these licences has and continues to be reviewed and efficiencies identified. This has led to a range of reductions in the basic costs of administering these types of licences. However, to reduce the risk of incurring further deficits, it is proposed to retain the existing discretionary fees, rather than to reduce them in line with processing costs.

- 4.16 The Gambling Act 2005 provides for licences, permits, notices and registrations. The Council has the discretion to set the fees for licences and notices up to certain statutory maximums. The fees for permits and registrations are statutory and the Council has no authority to change these.
- 4.17 The majority of the Gambling Act work undertaken relates to the administration and enforcement of permits and registrations, which are the subject of statutory fees. There is a clear indication that these statutory fees are insufficient to cover the cost of the work associated with the administration and enforcement of the permits, e.g. basic administrative costs are at least 20% more than the statutory fee payable and there are a considerable number where the overall costs are significantly more. Processes continue to be reviewed and refined to ensure efficiencies wherever practicable.
- 4.18 The Council has the authority to set the licence fees under the Gambling Act (up to certain statutory maximums). The proposed fees, which directly reflect the calculations to recover the costs incurred, or the statutory maximum depending on which of the two is lower, are set out in **Appendix E**. As with explosives licences referred to above, the activities to which the discretionary fees relate are little used in practice; hence there being no opportunity to generate additional discretionary income in order to recover the deficit incurred.
- 4.19 An assumption has been made about the number of renewals that will take place in 2021/22 in order to recover or redistribute the deficits and surpluses. Until the end of the 2021/22 financial year it will not be known whether the assumptions about the number of renewals were accurate or not. The activity in 2020/21 will again change the cumulative position and further adjustments will be required in this rolling annual process. The adjustments to correct any material discrepancy in the recovery or redistribution of the deficits and surpluses will be made against 2022/23 fees and so on until the recovery of the surplus or deficit reaches a satisfactory position.
- 4.20 Where licenses have a renewal period of greater than one year, the recovery or redistribution calculation is spread across the same period.
- 4.21 The setting of licensing fees and charges for the 2021/22 includes:
- A 2.75% nationally agreed pay award for local government staff effective from 1 April 2020.
- 4.22 Where legislation allows the Council to recover licensing costs, it is important that this is undertaken effectively. Losses that are not funded by other means, including being subsidised by council tax payers, may result in a reduction in the Council's ability to effectively deliver the overall licensing regime in the Shropshire Council area. However, it is recognised that not all licensing costs are recoverable.

5. Background

- 5.1 The principle of cost recovery under licensing legislation applies to the licensing of hackney carriages and private hire vehicles, operators and drivers. It also extends to sex establishments, street trading, acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis, zoos, providing day care for dogs, breeding for dogs, boarding for cats, kennel boarding, home boarding, selling animals as pets, keeping or training animals for exhibition, hiring out horses, dangerous wild animals, scrap metal dealers, pleasure boats/vessels, distribution of free printed matter, residential caravan sites, some explosives and fireworks licences, together with the issuing of various licences under the Gambling Act 2005.
- 5.2 Caravan sites are currently licensed by the Council under the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013. The amendment to the 1960 Act permits the Council to charge fees for the licensing of residential caravan sites; however, the Council is required to publish a fees policy prior to setting fees. The Council has not yet adopted a policy; consequently, fees are not yet included in the proposals.
- 5.3 The financial modelling tool, referred to in paragraph 3.6, has been set up to allow residential caravan site and Licensing Act 2003 fees to be incorporated and calculated as and when the Council is in a position to do so both from a policy and a legislative perspective.
- 5.4 The government has previously consulted on its intention to move from centrally set to locally set licence fees under the Licensing Act 2003 but has yet to take this forward. As a result, the nationally determined statutory fees are retained and the Licensing Act 2003 fees are included in **Appendix A**. There are no discretionary Licensing Act 2003 fees proposed other than for providing a copy of information contained in an entry in the public register; this is reflected in **Appendix G**.
- 5.5 The costs associated with the licensing procedures that the Council may legally recover in fees consists of administrative costs, the costs of investigating the background and suitability of applicants for licences and the costs of monitoring the compliance of those with licences with their terms. Where applicable the cost of enforcement against unlicensed operators is also included in the fee. These will certainly include the costs that are directly attributable to licensing procedures and a proportion of indirect costs. The Council must be in a position to demonstrate that the costs included in any fees calculations are reasonable and proportionate to the cost of the licensing procedures.
- 5.6 Fees cannot exceed the cost of the licensing procedures and cannot be used to finance the delivery of other Council services.
- 5.7 To aid the Council to properly recover relevant licensing costs all licensing procedures have been considered and reviewed in detail; this work continues to evolve through an iterative process to further develop, improve and refine the processes involved. Managers, licensing officers and finance officers have collaborated in this work. The licensing procedures are considered from receipt of application to the issue of the final licence, permit, notice or registration with both variable and fixed costs being considered. These costs include officer,

management and member time, including running of relevant Committees and the Licensing Panel, to administer and monitor compliance of both those already licensed and those who are unlicensed but exclude time spent enforcing matters that relate to joint hackney and private hire drivers' licences. In addition, a proportion of all indirect costs that can reasonably be attributed to licensing procedures have been included; for example, office accommodation, ICT, travelling, advertising, postage & printing, subscriptions, telephone costs, training and all other relevant internal market recharges and supplies and services costs.

6. Additional Information

- 6.1 In respect of the discretionary fees proposed in **Appendix F**, namely the setting of fees for hackney carriages, private hire vehicles and operators' licences, statutory procedures must be followed. Consequently, to vary the fees from those currently set, the Council is required to follow specific procedures that allow for objections to be made and considered by the Committee.
- 6.2 The process that has been undertaken to determine the fees for 2021/22 is an extension of the process that commenced in 2013. This process will continue annually with amendments being made to take account of changes in the law and Council procedures and costs.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

- Services Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market
- Provision of Services Regulations 2009 - SI 2009 No 2999
- Supreme Court Judgement in the case of R (on the application of Hemming and others v Westminster City Council – 29 April 2015 - [2015] UKSC 25 on appeal from [2013] EWCA Civ 591
- Court of Justice for the European Union Judgement in the case of Hemming [2016] EUECJ C-316/15 (16 November 2016)
- Mobile Homes Act 2013
- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Cabinet Member (Portfolio Holder)

Councillor Gwilym Butler Portfolio Holder for Communities, Place Planning and Regulatory Services

Local Member

Not applicable – report has county wide application

Appendices

Appendix A Licensing Act 2003 Statutory Fees

Appendix B Gambling Act 2005 Statutory Fees

Appendix C Explosives and Fireworks Legislation Statutory Fees

Appendix D Explosives and Fireworks Legislation Discretionary Fees

Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees

Appendix F Hackney Carriage and Private Hire Discretionary Fees

Appendix G Other Legislation Discretionary Fees

Appendix H New Animal Legislation Discretionary Fees

Appendix I Licensing costs, income and surplus/deficit

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

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Appendix A – Licensing Act 2003 Statutory Fees

Rateable Value Bands	A	B	C	D	E
Initial Application / Variation Fee	£100	£190	£315	£450	£635
Annual Fee:	£70	£180	£295	£320	£350
Variation Fee:	£100	£190	£315	£450	£635

All premises are licensable based on the non-domestic rateable value of the property as follows:

Rateable Value	Band	Band	D (x 2)	E (x 3)
No value up to £4,300	A	Premises in Bands D & E (whose primary business is the sale of alcohol)	900	1905
£4,301 - £33,000	B	Premises in Bands D & E (whose primary business is the sale of alcohol) annual charge	640	1050
£33,001 - £87,000	C			
£87,001 - £125,000	D			
£125,001 and Above	E			

Exceptionally large events:

Additional Premises Fees can be charged for such events:

Number in attendance at any one time	Additional Application Fee	Additional Annual Fee
5,000 to 9,999	£1,000	£500
10,000 to 14,999	£2,000	£1,000
15,000 to 19,999	£4,000	£2,000
20,000 to 29,999	£8,000	£4,000
30,000 to 39,999	£16,000	£8,000
40,000 to 49,999	£24,000	£12,000
50,000 to 59,999	£32,000	£16,000
60,000 to 69,999	£40,000	£20,000
70,000 to 79,999	£48,000	£24,000
80,000 to 89,999	£56,000	£28,000
90,000 and over	£64,000	£32,000

Personal Licences, Temporary Events and other fees:

Type of Application	Fee
• Grant of Personal Licence	£37
• Temporary Event Notice	£21
• Theft, Loss etc. of Premises Licence or summary	£10.50
• Provisional Statement (where premises are being built)	£315.00
• Notification of change of name or address	£10.50
• Vary licence to specify individual as Premises Supervisor	£23
• Transfer of Premises Licence	£23
• Interim authority notice following death etc. of Licence holder	£23
• Theft, loss etc. of Certificate or summary	£10.50
• Notification of change of name or alteration of rules of club	£10.50
• Change of relevant registered address of club	£10.50
• Theft, loss etc. of Temporary Event Notice	£10.50
• Theft, loss etc. of Personal Licence	£10.50
• Duty to notify change of name or address	£10.50
• Right of freeholder etc. to be notified of licensing matters	£21
• Minor Variation	£89
• Removal of DPS at Community Premises	£23

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Appendix B - Gambling Act 2005 Statutory Fees

Licence Type	2020/21 Fees (£)	2021/22 Fees (£)	Difference (£)
Prize Gaming Machine Permit - New	300.00	300.00	0.00
Prize Gaming Machine Permit - Renewal	300.00	300.00	0.00
Prize Gaming Machine Permit - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00
Prize Gaming Machine Permit - Copy of a Permit	15.00	15.00	0.00
Club Machine Permit - New	200.00	200.00	0.00
Club Machine Permit - New - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00
Club Machine Permit - Annual Fee	50.00	50.00	0.00
Club Machine Permit - Renewal	200.00	200.00	0.00
Club Machine Permit -Renewal - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00
Club Machine Permit - Variation	100.00	100.00	0.00
Club Machine Permit - Copy	15.00	15.00	0.00
Club Gaming Permit - New	200.00	200.00	0.00
Club Gaming Permit - New - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00
Club Gaming Permit - Annual Fee	50.00	50.00	0.00
Club Gaming Permit - Renewal	200.00	200.00	0.00
Club Gaming Permit -Renewal - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00
Club Gaming Permit - Variation	100.00	100.00	0.00
Club Gaming Permit - Copy	15.00	15.00	0.00
Licensed Premises Gaming Machine Permit - New	150.00	150.00	0.00
Licensed Premises Gaming Machine Permit - Annual Fee	50.00	50.00	0.00
Licensed Premises Gaming Machine Permit - Variation	100.00	100.00	0.00
Licensed Premises Gaming Machine Permit - Transfer	25.00	25.00	0.00
Licensed Premises Gaming Machine Permit - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00
Licensed Premises Gaming Machine Permit - Copy of a Permit	15.00	15.00	0.00
Gaming Machines Automatic Entitlement	50.00	50.00	0.00

Unlicensed Family Entertainment Centre - New	300.00	300.00	0.00
Unlicensed Family Entertainment Centre - Renewal	300.00	300.00	0.00
Unlicensed Family Entertainment Centre - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00
Unlicensed Family Entertainment Centre - Copy of a Permit	15.00	15.00	0.00
Small Society Lottery - New	40.00	40.00	0.00
Small Society Lottery - Renewal	20.00	20.00	0.00

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Appendix C – Explosives and Fireworks Legislation Statutory Fees

NEW -Licence to store explosives where, by virtue of regulation 27 of, and schedule 5 to, the 2014 regulations, a minimum separation distance of **greater than 0 metres** is prescribed.

One year's duration	£185.00
Two year's duration	£243.00
Three year's duration	£304.00
Four year's duration	£374.00
Five year's duration	£423.00

Renewal of licence to store explosives where a minimum separation distance of **greater than 0 metres** is prescribed.

One year's duration	£86.00
Two year's duration	£147.00
Three year's duration	£206.00
Four year's duration	£266.00
Five year's duration	£326.00

NEW Licence to store explosives where no minimum separation distance or a **0 metres minimum** separation distance is prescribed.

One year's duration	£109.00
Two year's duration	£141.00
Three year's duration	£173.00
Four year's duration	£206.00
Five year's duration	£238.00

Renewal of licence to store explosives where no minimum separation distance or a **0 metres minimum** separation distance is prescribed

One year's duration	£54.00
Two year's duration	£86.00
Three year's duration	£120.00
Four year's duration	£152.00
Five year's duration	£185.00

Varying a licence

Varying name of licensee or address of site	£36.00
Transfer of licence	£36.00
Replacement of licence	£36.00

Licensing of Firework Suppliers

One year's duration	£500
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Appendix D – Explosives and Fireworks Legislation Discretionary Fees

Type	2020/21	2021/22
Any other kind of variation (Not varying name of licensee or address of site)	£574.00*	£574.00*
Explosives Assent Procedure	£377.00	£377.00
Copy of public register entry (per individual entry)	£29.00	£29.00

*The reasonable cost to the licensing authority of having the work carried out

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Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees

Licence Type				
All Casinos	See Gambling Act 2005 Policy Statement 2019 to 2022 paragraphs 36.1 and 36.2			
Licence Type	2020/21 Fees (£)	Proposed Fees 2021/22 (£)	Difference (£)	Difference (%)
Bingo premises licence				
Fee in respect of new premises	1,832.00	1,832.00	0.00	0%
Annual Fee	1,000.00	1,000.00	0.00	0%
Fee for application to vary licence	1,694.00	1,694.00	0.00	0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0%
Fee for application for provisional statement	1,818.00	1,818.00	0.00	0%
Adult Gaming Centre Premises Licence				
Fee in respect of new premises	1,832.00	1,832.00	0.00	0%
Annual Fee	1,000.00	1,000.00	0.00	0%
Fee for application to vary licence	1,000.00	1,000.00	0.00	0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0%
Fee for application for provisional statement	1,818.00	1,818.00	0.00	0%
Betting Premises (track) licence				
Fee in respect of new premises	1,832.00	1,832.00	0.00	0%
Annual Fee	1,000.00	1,000.00	0.00	0%
Fee for application to vary licence	1,250.00	1,250.00	0.00	0%
Fee for application to transfer a licence	950.00	950.00	0.00	0%
Fee for application to reinstate a licence	950.00	950.00	0.00	0%
Fee for application for provisional statement	1,818.00	1,818.00	0.00	0%
Family Entertainment Centre Premises Licence				
Fee in respect of other premises	1,832.00	1,832.00	0.00	0%
Annual Fee	750.00	750.00	0.00	0%
Fee for application to vary licence	1,000.00	1,000.00	0.00	0%
Fee for application to transfer a licence	950.00	950.00	0.00	0%
Fee for application to reinstate a licence	950.00	950.00	0.00	0%
Fee for application for provisional statement	1,818.00	1,818.00	0.00	0%

Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees

Betting Premises (other) licence				
Fee in respect of other premises	1,832.00	1,832.00	0.00	0%
Annual Fee	600.00	600.00	0.00	0%
Fee for application to vary licence	1,500.00	1,500.00	0.00	0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0%
Fee for application for provisional statement	1,818.00	1,818.00	0.00	0%
Temporary Use of Premises				
Temporary Use Notice	500.00	500.00	0.00	0%
Occasional Use Notice	No Fee	No Fee	No Fee	No Fee
Replacement of an endorsed copy of a Temporary Use Notice	25.00	25.00	0.00	0%
Applicable to all gaming licences				
Change of circumstances fee - for all gaming licences	50.00	50.00	0.00	0%
Fee for copy licence - for all gaming licences	25.00	25.00	0.00	0%

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

2020 - 2021		2021 - 2022		Proposed 2021/22 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)
Licence Type	2019/20 Fee (£)	Licence Type	Calculated 2021/22 Fee (£) without surplus/deficit			
Drivers						
Driver's Joint Badge New 3 year (inc. DVLA, DBS check, first knowledge test, first driver training assessment and Safeguarding Course)	254.00	Driver's Joint Badge New 3 year (inc. DVLA, DBS check, first knowledge test, first driver training assessment and Safeguarding Course)	235.00	254.00	0.00	0.0%
Driver's Badge 3 yr Renewal (inc. DVLA, DBS check and Safeguarding Course)	240.00	Driver's Badge 3 yr Renewal (inc. DVLA, DBS check and Safeguarding Course)	212.00	240.00	0.00	0.0%
Driver's Knowledge Test	59.00	Driver's Knowledge Test	59.00	59.00	0.00	0.0%
Driver's Knowledge Test Resit	52.00	Driver's Knowledge Test Resit	52.00	52.00	0.00	0.0%
Change of Details	34.00	Change of Details	34.00	34.00	0.00	0.0%
Vehicle Licensee Transfer	86.00	Vehicle Licensee Change	86.00	86.00	0.00	0.0%
Driver Badge replacement following damage or loss	45.00	Driver Badge replacement following damage or loss	45.00	45.00	0.00	0.0%
Driver Training assessment	57.00	Driver Training assessment	57.00	57.00	0.00	0.0%
Safeguarding Training	48.00	Safeguarding Training	48.00	48.00	0.00	0.0%
Vehicles						
Standard Private Hire Vehicle - new	148.00	Standard Private Hire Vehicle - new	135.00	148.00	0.00	0.0%
Standard Private Hire Vehicle - renewal	187.00	Standard Private Hire Vehicle - renewal	141.00	187.00	0.00	0.0%

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Standard Private Hire Vehicle - transfer	108.00	Standard Private Hire Vehicle - renewal	108.00	108.00	0.00	0.0%
Novelty Private Hire Vehicle - new	141.00	Novelty Private Hire Vehicle - new	141.00	141.00	0.00	0.0%
Novelty Private Hire Vehicle - renewal	145.00	Novelty Private Hire Vehicle - renewal	128.00	184.00	39.00	26.9%
Novelty Private Hire Vehicle - Transfer	87.00	Novelty Private Hire Vehicle - Transfer	87.00	87.00	0.00	0.0%
Executive Private Hire Vehicle - new	133.00	Executive Private Hire Vehicle - new	127.00	133.00	0.00	0.0%
Executive Private Hire Vehicle - renewal	184.00	Executive Private Hire Vehicle - renewal	130.00	184.00	0.00	0.0%
Executive Private Hire Vehicle - transfer	78.00	Executive Private Hire Vehicle - transfer	78.00	78.00	0.00	0.0%
Standard Private Hire Vehicle Licence Transfer (transfer of existing licence to a new vehicle)	108.00	Standard Private Hire Vehicle Licence Transfer (transfer of existing licence to a new vehicle)	108.00	108.00	0.00	0.0%
Hackney Carriage Vehicle - new	142.00	Hackney Carriage Vehicle - new	128.00	142.00	0.00	0.0%
Hackney Carriage Vehicle - renewal	169.00	Hackney Carriage Vehicle - renewal	133.00	169.00	0.00	0.0%
Hackney Carriage Licence Transfer (transfer of existing licence to a new vehicle)	102.00	Hackney Carriage Licence Transfer (transfer of existing licence to a new vehicle)	102.00	102.00	0.00	0.0%
Trailer Licence - new	123.00	Trailer Licence - new	123.00	123.00	0.00	0.0%
Trailer Licence - renewal	126.00	Trailer Licence - renewal	126.00	126.00	0.00	0.0%

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Exterior plate replacement following damage or loss	45.00	Exterior plate replacement following damage or loss	45.00	45.00	0.00	0.0%
Internal plate replacement following damage or loss	45.00	Internal plate replacement following damage or loss	45.00	45.00	0.00	0.0%
Fare Card replacement following damage or loss	3.00	Fare Card replacement following damage or loss	2.50	3.00	0.00	0.0%
Private Hire Door Signs (pair)	45.00	Private Hire Door Signs (pair)	45.00	45.00	0.00	0.0%
Licence Holder Transfer/Change of Details	24.00	Licence Holder Transfer/change of Details	24.00	24.00	0.00	0.0%

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2019 - 2020		2020 - 2021				
Licence Type	2019/20 Fee (£)	Licence Type	Calculated 2020/21 Fee (£) without surplus/deficit adjustment	Calculated 2020/21 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)
Private Hire Operator - 5 Year - New						
Private Hire Operator Small - up to and including 30 vehicles and one base	319.00	Private Hire Operator Small - up to and including 30 vehicles and one base	288.00	319.00	0.00	0.0%
Private Hire Operator Large - 31 vehicles and more and/or more than one base	753.00	Private Hire Operator Large - 31 vehicles and more and/or more than one base	736.00	753.00	0.00	0.0%
Private Hire Operator - 5 Year - Renewal						

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Private Hire Operator Small - up to and including 30 vehicles and one base	302.00	Private Hire Operator Small - up to and including 30 vehicles and one base	232.00	302.00	0.00	0.0%
Private Hire Operator Large - 31 vehicles and more and/or more than one base	746.00	Private Hire Operator Large - 31 vehicles and more and/or more than one base	680.00	746.00	0.00	0.0%

Appendix G - Other Discretionary Fees

2020-2021		2021-2022					
Licence Type	2020/21 Fee (£)	Licence Type	Calculated 2021/22 Fee (£) without surplus/deficit adjustment	Proposed 2021/22 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)	
Public Health							
Acupuncture Premises, inc. 1 person	244.00	Additional persons included on same application £29/person	117.00	314.00	Additional persons included on same application £29/person	70.00	28.7%
Acupuncture Person	106.00	When application submitted separately from premises application	65.00	149.00	When application submitted separately from premises application	43.00	40.6%
Electrolysis Premises, inc. 1 person	244.00	Additional persons included on same application (£29/person)	117.00	314.00	Additional persons included on same application (£29/person)	70.00	28.7%
Electrolysis Person	106.00	When application submitted separately from premises application	64.00	149.00	When application submitted separately from premises application	43.00	40.6%
Cosmetic-piercing Premises, inc. 1 person	244.00	Additional persons included on same application £29/person	117.00	314.00	Additional persons included on same application £29/person	70.00	28.7%
Cosmetic-piercing Person and variation	106.00	When application submitted separately from premises application	64.00	149.00	When application submitted separately from premises application	43.00	40.6%

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Tattooing Premises, inc. 1 person	244.00		Additional persons included on same application £29/person	117.00	314.00	Additional persons included on same application £29/person	70.00	28.7%
Tattooing Person	106.00		When application submitted separately from premises application	64.00	149.00	When application submitted separately from premises application	43.00	40.6%
Animals								
Dangerous Wild Animals (new) - where total licensing procedure takes no more than 9 hrs	270.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part therof @£24/hou r	Dangerous Wild Animals (new) - where total licensing procedure takes no more than 9 hrs	270.00	270.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part therof @£25/hour	-	0.0%
Dangerous Wild Animals (renewal) - where total licensing procedure takes no more than 3.75 hrs	290.00	+ vet fees; if exceed 3.5 hrs + hourly charge for each additional hour or part thereof @ £24/hr	Dangerous Wild Animals (renewal) - where total licensing procedure takes no more than 3.75 hrs	133.00	290.00	+ vet fees; if exceed 3.75 hrs + hourly charge for each additional hour or part therof @ £25 /hour	-	0.0%

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Zoos (new)	901.00	+ vet fees	Zoos (new)	901.00	901.00	+ vet fees Initial application fee £623.67 Fee due after licence granted £277.33	-	0.0%
Zoos (renewal)	848.00	+ vet fees Initial renewal fee £469 (includes deficit recovery) Fee due after renewal granted £254	Zoos (renewal)	541.00	848.00	+ vet fees Initial renewal fee £494.21 Fee due after renewal granted £353.79	-	0.0%
Scrap Metal								
Scrap Metal Dealer - Site (new)	638.00	Initial application fee £94 Fee due	Scrap Metal Dealer - Site (new)	671.00	671.00	Initial application fee £98.10 Fee due after licence granted £572.90	33.00	5.2%
Scrap Metal Dealer - Site (renewal)	2873.00	Initial renewal application fee £201 (includes deficit recovery) Fee due after renewal granted £544	Scrap Metal Dealer - Site (renewal)	671.00	2,873.00	Initial renewal application fee £420.03 Fee due after renewal granted £2,452.97	0.00	0.0%

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Scrap Metal Dealer - Collectors (new)	198.00	Initial application fee £119 Fee due	Scrap Metal Dealer - Collectors (new)	198.00	198.00	Initial application fee £118.42 Fee due after licence granted £79.58	0.00	0.0%
Scrap Metal Dealer - Collectors (renewal)	469.00	Initial renewal application fee £226 (includes deficit)	Scrap Metal Dealer - Collectors (renewal)	187.00	469.00	Initial renewal application fee £281.40 Fee due after renewal granted £187.60	0.00	0.0%
Scrap Metal Dealer Site Manager Variation	90.00		Scrap Metal Dealer Site Manager Variation	90.00	90.00		0.00	0.0%
Scrap Metal Dealer - Site/Collector Licensee Name - Variation (not transfer of licensee)	50.00		Scrap Metal Dealer - Site/Collector Licensee Name - Variation (not transfer of licensee)	50.00	50.00		0.00	0.0%
Scrap Metal Dealer - collector to site variation	451.00	Initial application fee £250 Fee due after variation granted £185	Scrap Metal Dealer - collector to site variation	454.00	454.00	Initial application fee £260.87 Fee due after variation granted £193.13	3.00	0.7%
Scrap Metal Dealer - site to collector variation	105.00		Scrap Metal Dealer - site to collector variation	105.00	105.00		0.00	0.0%
Sex Establishments								
Sex Establishments (New)	2,590.00		Sex Establishments (New)	2,590.00	2,590.00		0.00	0.0%
Sex Establishments (Renewal)	1,837.00		Sex Establishments (Renewal)	1,732.00	1,837.00		0.00	0.0%

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Sex Establishments (Transfer)	1,837.00		Sex Establishments (Transfer)	1,837.00	1,837.00		0.00	0.0%
Street Trading Consents								
Minium charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	173.00		Minium charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	173.00	173.00		0.00	0.0%
Each additional day or part thereof	4.00		Each additional day or part thereof (the dates must be confirmed on application)	4.00	4.00		0.00	0.0%
Street Trading Consents - Annual	494.00		Street Trading Consents - Annual	494.00	494.00		0.00	0.0%
Distribution of free printed matter								
Weekly permit	81.00		Weekly permit	81.00	81.00		0.00	0.0%
Monthly permit	115.00		Monthly permit	115.00	115.00		0.00	0.0%
Annual permit	150.00		Annual permit	150.00	150.00		0.00	0.0%
Miscellaneous								
Pleasure Boats & Vessels	168.00	+ marine surveyor's report fee	Pleasure Boats & Vessels	168.00	168.00	+ marine surveyor's report fee	0.00	0.0%
Gambling Act 2005 and Licensing Act 2003								
Copy of public register entry (per individual entry)	39.00		Copy of public register entry (per individual entry)	39.00	39.00		0.00	0.0%

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2020-2021		2021-2022					
Licence Type	2019/20 Fee (£)	Licence Type	Calculated 2021/22 Fee (£) without surplus/deficit adjustment	Proposed 2021/22 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)	
Animals							
Dog Day Care < 10 new	520.00	Dog Day Care < 10 new	345.69	520.00	Initial application fee £404.46 Fee due after licence granted £115.54	0.00	0.0%
Dog Day Care > 10 new	589.00	Dog Day Care > 10 new	390.32	589.00	Initial application fee £473.61 Fee due after licence granted £115.39	0.00	0.0%
Dog Day Care < 10 renewal	455.00	Dog Day Care < 10 renewal	219.17	455.00	Initial application fee £93.14 Fee due after licence granted £361.86	0.00	0.0%
Dog Day Care > 10 renewal	500.00	Dog Day Care > 10 renewal	241.48	500.00	Initial application fee £92.30 Fee due after licence granted £407.70	0.00	0.0%
Dog Day Care < 10 additional activity	153.00	Dog Day Care < 10 additional activity		153.00		0.00	0.0%
Dog Day Care > 10 additional activity	224.00	Dog Day Care > 10 additional activity		224.00		0.00	0.0%
Breeding for dogs < 10 new	553.00	Breeding for dogs < 10 new	378.17	553.00	Initial application fee £441.07 Fee due after licence granted £111.93	0.00	0.0%
Breeding for dogs > 10 new	622.00	Breeding for dogs > 10 new	467.43	622.00	Initial application fee £520.93 Fee due after licence granted £101.07	0.00	0.0%

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Breeding for dogs < 10 renewal	455.00		Breeding for dogs < 10 renewal	219.17	455.00	Initial application fee £291.43 Fee due after licence granted £163.57	0.00	0.0%
Breeding for dogs > 10 renewal	477.00		Breeding for dogs > 10 renewal	219.17	477.00	Initial application fee £305.52 Fee due after licence granted £171.48	0.00	0.0%
Breeding for Dogs < 10 additional activity	188.00		Breeding for Dogs < 10 additional activity		188.00		0.00	0.0%
Breeding for Dogs > 10 additional activity	260.00		Breeding for Dogs > 10 additional activity		260.00		0.00	0.0%
Boarding for cats < 10 new	520.00		Boarding for cats < 10 new	345.69	520.00	Initial application fee £404.46 Fee due after licence granted £115.54	0.00	0.0%
Boarding for cats > 10 new	589.00		Boarding for cats > 10 new	390.32	589.00	Initial application fee £473.61 Fee due after licence granted £115.39	0.00	0.0%
Boarding for cats < 10 renewal	455.00		Boarding for cats < 10 renewal	219.17	455.00	Initial application fee £93.14 Fee due after licence granted £361.86	0.00	0.0%
Boarding for cats > 10 renewal	500.00		Boarding for cats > 10 renewal	241.48	500.00	Initial application fee £92.30 Fee due after licence granted £407.70	0.00	0.0%
Boarding for cats < 10 additional activity	154.00		Boarding for cats < 10 additional activity		154.00		0.00	0.0%
Boarding for cats > 10 additional activity	224.00		Boarding for cats > 10 additional activity		224.00		0.00	0.0%
Kennel Boarding < 10 animals new	520.00		Kennel Boarding < 10 animals new	345.69	520.00	Initial application fee £404.46 Fee due after licence granted £115.54	0.00	0.0%

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Kennel Boarding > 10 animals new	589.00		Kennel Boarding > 10 animals new	479.57	589.00	Initial application fee £382.79 Fee due after licence granted £206.21	0.00	0.0%
Kennel Boarding < 10 animals renewal	455.00		Kennel Boarding < 10 animals renewal	219.17	455.00	Initial application fee £93.14 Fee due after licence granted £361.86	0.00	0.0%
Kennel Boarding > 10 animals renewal	462.00		Kennel Boarding > 10 animals renewal	241.48	500.00	Initial application fee £92.30 Fee due after licence granted £407.70	38.00	8.2%
Kennel Boarding < 10 animals additional activity	154.00		Kennel Boarding < 10 animals additional activity		154.00		0.00	0.0%
Kennel Boarding > 10 additional activity	224.00		Kennel Boarding > 10 additional activity		224.00		0.00	0.0%
Home boarding < 10 animals new	520.00		Home boarding < 10 animals new	345.69	520.00	Initial application fee £404.46 Fee due after licence granted £115.54	0.00	0.0%
Home boarding > 10 animals new	589.00		Home boarding > 10 animals new	372.47	589.00	Initial application fee £467.90 Fee due after licence granted £121.10	0.00	0.0%
Home boarding < 10 animals renewal	455.00		Home boarding < 10 animals renewal	219.17	455.00	Initial application fee £93.13 Fee due after licence granted £361.87	0.00	0.0%
Home boarding > 10 animals renewal	500.00		Home boarding > 10 animals renewal	286.11	500.00	Initial application fee £77.15 Fee due after licence granted £422.85	0.00	0.0%
Home boarding < 10 animals additional activity	155.00		Home boarding < 10 animals additional activity		155.00		0.00	0.0%

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Home boarding > 10 animals additional activity	226.00		Home boarding > 10 animals additional activity		226.00		0.00	0.0%
Selling animals as pets < 10 new	520.00		Selling animals as pets < 10 new	345.69	520.00	Initial application fee £404.46 Fee due after licence granted £115.54	0.00	0.0%
Selling animals as pets > 10 new	589.00		Selling animals as pets > 10 new	390.32	589.00	Initial application fee £473.61 Fee due after licence granted £115.39	0.00	0.0%
Selling animals as pets < 10 renewal	455.00		Selling animals as pets < 10 renewal	219.17	455.00	Initial application fee £291.43 Fee due after licence granted £163.57	0.00	0.0%
Selling animals as pets > 10 renewal	500.00		Selling animals as pets > 10 renewal	241.48	500.00	Initial application fee £337.90 Fee due after licence granted £162.10	0.00	0.0%
Selling animals for pets < 10 additional activity	155.00		Selling animals for pets < 10 additional activity		155.00		0.00	0.0%
Selling animals for pets > 10 additional activity	226.00		Selling animals for pets > 10 additional activity		226.00		0.00	0.0%
Keeping or training animals for exhibition < 10 new	520.00		Keeping or training animals for exhibition < 10 new	412.63	520.00	Initial application fee £336.44 Fee due after licence granted £183.56	0.00	0.0%
Keeping or training animals for exhibition > 10 new	589.00		Keeping or training animals for exhibition > 10 new	390.32	589.00	Initial application fee £473.61 Fee due after licence granted £115.39	0.00	0.0%

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Keeping or training animals for exhibition < 10 renewal	523.00		Keeping or training animals for exhibition < 10 renewal	286.11	523.00	Initial application fee £381.27 Fee due after licence granted £141.73	0.00	0.0%
Keeping or training animals for exhibition > 10 renewal	592.00		Keeping or training animals for exhibition > 10 renewal	330.74	592.00	Initial application fee £454.24 Fee due after licence granted £137.76	0.00	0.0%
Keeping or training animals for exhibition < 10 additional activity	154.00		Keeping or training animals for exhibition < 10 additional activity		154.00		0.00	0.0%
Keeping or training animals for exhibition > 10 additional activity	224.00		Keeping or training animals for exhibition > 10 additional activity		224.00		0.00	0.0%
Hiring out horses < 10 new	554.00		Hiring out horses < 10 new	177.02	554.00	Initial application fee £441.87 Fee due after licence granted £112.13	0.00	0.0%
Hiring out horses > 10 new	623.00		Hiring out horses > 10 new	243.96	623.00	Initial application fee £510.67 Fee due after licence granted £112.33	0.00	0.0%
Hiring out horses < 10 renewal	489.00		Hiring out horses < 10 renewal	252.76	489.00	Initial application fee £337.95 Fee due after licence granted £151.05	0.00	0.0%
Hiring out horses > 10 renewal	534.00		Hiring out horses > 10 renewal	275.08	534.00	Initial application fee £383.20 Fee due after licence granted £150.80	0.00	0.0%
Hiring out horses < 10 additional activity	187.00		Hiring out horses < 10 additional activity		187.00		0.00	0.0%
Hiring out horses > 10 additional activity	258.00		Hiring out horses > 10 additional activity		258.00		0.00	0.0%

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Horses Annual or variation of the licence inspection	58.00		Horses Annual or variation of the licence inspection		58.00		0.00	0.0%
Licence variation with no inspection	48.00		Licence variation with no inspection		48.00		0.00	0.0%
Licence variation with an inspection < 10 animals	126.00		Licence variation with an inspection < 10 animals		126.00		0.00	0.0%
Licence variation with an inspection > 10 animals	150.00		Licence variation with an inspection > 10 animals		150.00		0.00	0.0%
Re-inspection request < 10 animals with no vet	132.00		Re-inspection request < 10 animals with no vet		132.00		0.00	0.0%
Re-inspection request > 10 animals with no vet	156.00		Re-inspection request > 10 animals with no vet		156.00		0.00	0.0%
Re-inspection request < 10 animals with a vet	166.00		Re-inspection request < 10 animals with a vet		166.00		0.00	0.0%
Re-inspection request > 10 animals with a vet	190.00		Re-inspection request > 10 animals with a vet		190.00		0.00	0.0%

Appendix I – Licensing Costs, Income and Surplus/Deficit

Table 1 – All Licences

	Overall (£)	HCPH* (£)	Licensing Act 2003 (£)	Public Health (£)	Animals (£)	Explosives (£)	Scrap Metal (£)	Misc.** (£)	Gambling Act 2005 (£)
Total Costs	841,488	349,656	259,032	25,433	60,872	14,284	19,211	40,531	50,497
Total Income	707,201	270,375	333,712	8,353	52,301	4,232	25,954	8,240	25,140
(Surplus) / Deficit 2019/20	134,287	79,281	(74,680)	17,080	8,571	10,053	(6,743)	32,291	25,357
Cumulative (Surplus) / Deficit 2014/15-2019/20	223,200	295,261	(558,151)	31,271	91,079	51,907	52,776	236,932	22,124

*Hackney carriage, private hire vehicle and operator licences and hackney carriage and private hire vehicle drivers' licences – see Table 2 for further breakdown

** Includes caravan site licences, sex establishments, free printed matter, street collections, street trading, pleasure boats and vessels

Table 2 – Hackney Carriage and Private Hire Licences

	Hackney Carriages (£)	Private Hire Vehicles (£)	Joint Drivers (£)	Operators (£)
Total Costs	28,470	175,157	121,150	8,962
Total Income	21,669	139,481	74,689	7,270
(Surplus) / Deficit 2018/19	6,801	35,676	46,460	1,692
Cumulative (Surplus) / Deficit 2014/15-2019/20	25,372	123,338	141,762	4,790

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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—

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(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

Appendix I

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—**

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(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).

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

The Regulations, made under the Animal Welfare Act 2006, repealed or revoked all previous legislation relating to the licensing of animal boarding establishments, dog breeding, dog day care, pet shops, performing animals and riding establishments.

- (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 sub-paragraph (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.

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

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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—

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- (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).

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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,

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(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.

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(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.)

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



<u>Committee and Date</u>
Strategic Licensing Committee
7 October 2020 10.00am

<u>Item</u>
Public

REQUEST FOR CHANGE TO HACKNEY CARRIAGE FARE CARD

Responsible Officer Mandy Beever, Transactional and Licensing Manager
e-mail: Mandy.beever@shropshire.gov.uk Tel: 01743 251702

1. Summary

1. On the 19 September 2019 the Council resolved that the five existing Hackney Carriage Zones, which are defined by reference to the five district and borough council areas that existed prior to the creation of Shropshire Council, be removed, and that all provisions of the hackney carriage licensing regime be applied across the whole of the administrative area of Shropshire Council with effect from 1 April 2021.
2. This report concerns the final stage of the process to revise the existing Tables of Fares for the five separate zones and the proposal to undertake a formal consultation on a single Table of Fares to be applied to the whole of the administrative area of Shropshire Council to come into effect from 1 April 2021.

2. Recommendations

1. That the Strategic Licensing Committee note the contents of the report and the legal requirement to consult on this process.

REPORT

3. Financial Implications

1. Any financial implications will be offset against future fee calculations.

4. Background

1. On 1 April 2021, Shropshire Council will remove the five existing Hackney Carriage Zones and they will be replaced by one single zone covering the whole administrative area of Shropshire Council.
2. The existing Hackney Carriage Tables of Fares (Appendix A) needs to be revised to reflect this change.
3. Notification of an informal consultation inviting submissions on the revised Tables of Fares was sent out by email to the trade on 28 July 2020 and closed on 21 August 2020. Two submissions were received one from a representative of Zone 4 see Appendix B and the other from a representative in Zone 2 see Appendix C. The submissions proposed a increase to the minimum fare (Tariff 1, Flag & First Mile) and to remove the Sunday day time Tariff (Tariff 2 Sunday only).
4. Due to the limited number of responses received during the informal consultation it is not proposed to make any amendments to the current Tables of Fares prior to the formal consultation commencing. The amounts as set out in the Tables of Fares at Appendix A will form the basis of the formal consultation.
5. It is important to note that the fare card states the maximum fare that can be charged. The proprietor can agree a lower fare with the passenger. A meter can also be set at a level lower than the Council's agreed fares on condition that the proprietor displays two fare cards, these being the Council's agreed fare card and one to show the lower fare to which the meter has been set.
6. Following the formal consultation, and prior to new fares coming into force, there is a requirement for the table of fares to be advertised in the local paper with a minimum 14 day consultation period. If no representations are received, the fares would be introduced on the date stated, which in this case is 1 April 2021. If representations are made, the council must set a date, no later than two months after the proposed implementation date, for the fares to come into effect, with or without changes.

5. Conclusions

1. A formal consultation on the Table of Fares will begin in the final quarter of this financial year to reflect the change to one Hackney Carriage zone for the whole administrative area of Shropshire Council. The revised Table of Fares will come into effect on 1 April 2021.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Proposed Removal of the Existing Five Hackney Carriage Zones Council Report dated 19 September 2019 <https://shropshire.gov.uk/committee-services/documents/s23017/Proposed%20Removal%20HC%20Zones%20-%20Council%20Report%20-%20FINAL.pdf>

Hackney Carriage and Private Hire Licensing Policy 2019 to 2023
<https://shropshire.gov.uk/media/12328/hcph-licensing-policy-2019-2023.pdf>

Current Hackney Carriage Tables of Fares. Applicable to: Zone 1 – Bridgnorth; Zone 2 – North Shropshire; Zone 3 – Oswestry; Zone 4 – Shrewsbury and Atcham; Zone 5 – Ludlow <https://shropshire.gov.uk/media/1434/hackney-carriage-fare-card.pdf>

Cabinet Member (Portfolio Holder)

Councillor Gwilym Butler Portfolio Holder for Communities, Place Planning and Regulatory Services

Local Member

Cover all areas of Shropshire

Appendices

A - Current Hackney Carriage Tables of Fares

B – Informal Consultation Response Zone 4

C – Informal Consultation Response Zone 2

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**Applicable to: Zone 1 – Bridgnorth; Zone 2 – North Shropshire; Zone 3 – Oswestry;
Zone 4 – Shrewsbury & Atcham; Zone 5 - Ludlow**

Tariff 1

(From 07.00 hrs to 23.00 hrs Mon - Sat)

Flag & First Mile (1,760 yards (1,609 metres))	£4.00
For each 176 yards or uncompleted part thereof (equivalent to £1.50 per mile)	£0.15
Waiting time (equivalent to £18 per hour)	£0.15 per 30 sec

Tariff 2

**(23.00 to 07.00 hrs including all day Sunday and Bank Holidays
with the exception of those listed below)**

Flag & First Mile (1,760 yards (1,609 metres))	£6.00
For each 176 yards or uncompleted part thereof (equivalent to £2.50 per mile)	£0.25
Waiting time (equivalent to £30 per hour)	£0.25 per 30 sec

Tariff 3

**(From 00.01 hrs to 24.00 hrs on Easter Sunday, Christmas Eve,
Christmas Day, New Year's Eve and New Year's Day)**

Flag & First Mile (1,760 yards (1,609 metres))	£6.60
For each 176 yards or uncompleted part thereof (equivalent to £3.00 per mile)	£0.30
Waiting time (equivalent to £36 per hour)	£0.30 per 30 sec

Tariff 4

**Optional tariff for minibus or larger vehicles where 5 or
more passengers are carried.**

Flag & First Mile (1,760 yards (1,609 metres))	£7.50
For each 176 yards or uncompleted part thereof (equivalent to £3.00 per mile)	£0.30
Waiting time (equivalent to £36 per hour)	£0.30 per 30 sec

Extra Charges

Soiling charge	£100.00
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All of the above fees are inclusive of VAT where applicable.
Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND.
Tel: 0345 678 9026
Email: Licensing@shropshire.gov.uk

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Informal Consultation Response - Zone 4

Sent: 30 July 2020 08:48

To: Taxis <Taxis@shropshire.gov.uk>

Subject: Taxi tariffs

Hi there

I think it would be a idea to increase the starting rate on tariff 1 to £5 from the current £4

Also I'd suggest to scrap the current Sunday day time tariff which is tariff 2

Back to a much more competitive rate

Which would be tariff 1

Making it cheaper for the paying public to get home, the amount of complaining we get from passengers on a Sunday daytime is commonplace and justified and should be removed immediately

It has been 6 or 7 years since a last tariff change it well overdue in my opinion

Meant thanks

Hackney driver , Shrewsbury.

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Appendix C

Informal Consultation Response - Zone 2

Sent: 05 August 2020 10:21

To: Taxis <Taxis@shropshire.gov.uk>

Subject: Re: Hackney Carriage - Tables Of Fares - Informal Consultation

Should increase the minimum fare to at least £5

Sent from my iPhone

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<u>Committee and Date</u>	<u>Item</u>
<p>Strategic Licensing Committee</p> <p>7 October 2020</p>	<p><u>Public</u></p>

EXERCISE OF DELEGATED POWERS

Responsible Officer Mandy Beever, Transactional and Licensing – Team Manager
 Email: Mandy.Beever@shropshire.gov.uk Tel: 01743 251702

1. Summary

- 1.1 Licensing officers have been given delegated powers to issue or amend licences, providing no objections have been received in the case of licences issued under the Licensing Act or with regard to general and public health licences.
- 1.2 Further, procedures have been approved for officers with direct line management responsibility for Licensing to use their delegated powers to refuse, suspend or revoke driver, vehicle and operator licences.
- 1.3 This report gives details of the licences issued, variations that have been made and the enforcement action undertaken between 1 May 2020 and the 31 August 2020 and a summary of applications considered by the Committee.

2. Recommendations

- 2.1 That members note the position as set out in the report.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 This is an information report giving Members information on the work undertaken by the Licensing Team and Committee and therefore a risk assessment and opportunities appraisal has not been carried out.

4. Financial Implications

- 4.1 There are no financial implications associated with this report.

5. Background

- 5.1 Information regarding the issue of licences by Officers under delegated powers is reported to Committee on a quarterly basis.
- 5.2 Officers use their delegated powers in a number of situations, including where:

- a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.
 - b) The application has met the Council's policy criteria for accepting an application.
 - c) There are vehicle applications for new or renewal licenses and refusal, suspension and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 is not met and the officer does not consider there to be any special reason for an exception to be made.
 - d) There are driver's applications for new or renewal licences and refusal, suspension or revocation of licences where the criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 is not met and the officer does not consider there to be any special reason for an exception to be made.
 - e) There are Private Hire Operator applications for new or renewal licenses and refusal, suspension and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2019 to 2023 is not met and the officer does not consider there to be any special reason for an exception to be made.
- 5.3 The table in Appendix A shows the complete range of licences issued by the licensing team during the period of 1 May 2020 and the 31 August 2020. During this period the total number of licences issued was 1113.
- 5.4 The Table in Appendix B shows that there were no Licensing and Safety Sub-Committee Meetings held between the 21 May 2020 and the 31 August 2020.
- 5.5 The Licensing Act activities at Sub Committee have also been given in Appendix C.
- 5.6 The Private Hire Vehicle, Private Hire Operator and Hackney Carriage checks undertaken between the 1 May 2020 and the 31 August 2020, results are provided in Appendix D.
- 5.7 Following the decision at the Strategic Licensing Committee on 18 March 2015, vehicles and driver applications are now being considered by Officers using delegated powers. This includes refusal of new licence applications, refusal to renew existing licences and revocation and suspension of existing licences, in relation to any matter concerning a hackney carriage or a private hire driver's licence or a vehicle licence or any matter concerning a private hire operator's licence.

The number of licences and actions determined by this process is as follows:-

Driver	Granted	Granted and/or Warning Letter, Suspension	Letter Council is 'Minded to refuse' or 'Revoke'	Refuse to Grant	Revoke	To refer to Committee
New		3	2			
Renew		1	5	6		
Conduct		2	1		7	
Vehicle	Granted	Granted and/or Warning Letter	Letter Council is 'Minded to refuse' or 'Revoke'	Refuse to Grant	Revoke	To refer to Committee
New		1	2			
Renewal		1	3	2		
Condition						
Operator	Granted	Granted and/or Warning Letter	Letter Council is 'Minded to refuse' or 'Revoke'	Refuse to Grant	Revoke	To refer to Committee
New						
Renewal	1					
Conduct						

6. Conclusion

- 6.1 During the period captured in this report the workload for the Licensing team has continued to be high. The Coronavirus Pandemic has resulted in some changes to our processes and additional queries. The team have worked together to answer all the queries and maintain the flow of applications.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Member (Portfolio Holder)

Councillor Gwilym Butler Portfolio Holder for Communities, Place Planning and Regulatory Services

Local Member

Cover all areas of Shropshire

Appendices:

A – Licences issued between 1 May 2020 and the 31 August 2020

B – Number of Hackney Carriage / Private Hire Vehicle applications considered at the Licensing and Safety Sub-Committees from 1 May 2020 to the 31 August 2020.

C – Hearings held for licensed premises at the Licensing Act Sub-Committees from 1 May 2020 to the 31 August 2020.

D – Private Hire Vehicle and Hackney Carriage checks undertaken between 1 May 2020 and the 31 August 2020.

APPENDIX A

Licences issued – from 1 May 2020 to the 31 August 2020

General Licensing	Total
Acupuncture Personal	1
Acupuncture Premises	0
Activities Involving Animals Licence	5
Animal Breeding	0
Caravan Sites	0
Cosmetic Piercing Personal	0
Cosmetic Piercing Premises	0
House to House Collection	4
House to House Exemption Order	1
Pet Shops	0
Riding Establishments	0
Scrap Metal Site (new/renewal)	0
Scrap Metal Collector (new/renewal)	1
Sex Establishment Licence	0
Street Collection	10
Street Trading Licence (new/renewal)	12
Tattooing Personal	0
Tattooing Premises	0
Electrolysis	0
Dangerous Wild Animals	1
Zoo	0
Performing Animals	0
Distribution of Free Printed Matter	0
Explosives	10
Pavement Licence	25
Pavement Permit	27
Total Applications General	97

Taxi Licensing		Total
Hackney Carriage	N	2
Hackney Carriage	R	26
Joint HC/PH Driver	N	11
Joint HC/PH Driver	R	67
Private Hire Operator	N	5
Private Hire Operator	R	0
Private Hire Vehicle	N	37
Private Hire Vehicle	R	189
Hackney Vehicle Transfer		5

Private Hire Vehicle Transfer	17
Private Hire Licensee Transfer	0
Trailer Licence	0
Total Taxi Applications	359

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	8
Hackney Carriages	1
Total Surrendered Vehicles	9

Licensing Act 2003	Total
Club Certificate with alcohol	0
Personal Alcohol (variation/new)	29
Premises Licence	14
Temp Event Notice no Alcohol	84
Temp Event Notice with Alcohol	0
Minor Variation Application	7
DPS Change/Variation	51
Transfer Application	15
Annual Fee	393
Notification of Interest	2
Premises Licence with Alcohol - Full Variation	0
Premises Licence without Alcohol - Full Variation	0
Total Licensing Act Applications	595

Gambling Act 2005	Total
Bingo Premise Licence	0
Betting Premise Licence (other than track)	0
Licensed Premise Gaming Machine Permit	0
Notification of Intent to have gaming machines	1
Club Machine Permits	0
Occasional Use Licence	0
Adult Gaming Centre	0
Small Society Lotteries	15
Change of Promoter	0
Annual Fee	46
Family Entertainment gaming machine permit	0
Total Gambling Act 2005 Applications	62

Total Applications	1113
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Total Surrendered Vehicles	9
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Licensing and Safety Sub-Committee Meetings from 1 May 2020 to the 31 August 2020

Date of Meeting	Scheduled/ Additional	Item	Meeting Venue	Decisions
None				

Licensing Act Sub-Committees.

Hearings held for licensed premises from 1 May 2020 to the 31 August 2020

Date	Premises	Type of Application	Councillors	Decision	Review Requested by
None					

Private Hire Vehicle, Private Hire Operator and Hackney Carriage checks undertaken between 1 May 2020 and the 31 August 2020

Inspection Date	Total Number of Vehicles Inspected	Advisory Note	No Action Required
19/06/2020	2	0	2
22/06/2020	1	0	1
Total	3	0	3

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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