

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

15 FEBRUARY 2017
ALL WARDS

REVIEW OF LICENSING SERVICE FEES AND CHARGES 2017/2018

1. Summary

- 1.1 The Corporate Charging Policy and Financial Regulations require that fees and charges levied by the Licensing and Public Protection Committee be reviewed on an annual basis to ensure the continued full recovery of costs.
- 1.2 It should be noted that some of the fees relating to areas which come within your Committee's remit are set nationally through statute, and these cannot be varied by your Committee.
- 1.3 The report covers the following Fees and Charges:
 - a) Hackney Carriage & Private Hire Licences.
 - b) General Licensing.
 - c) Licensing Act 2003 (Prescribed).
 - d) Gambling Act 2005 (Statutory Maximum).
 - e) Gambling Act 2005 (Prescribed).

2. Recommendations

- 2.1 That the changes to the Licensing Service fees and charges be approved to take effect from 1 April 2017 as detailed in Appendices 1, 1(a), 1(b) & 1(d).
- 2.2 That the Licensing Service fees and charges as detailed in Appendix 1(c), and 1(e) be noted.
- 2.3 That the calculation of licence fees utilises brought forward credit balances for Hackney Carriage and Private Hire that have been allocated on the basis set out in paragraph 1.23.
- 2.4 That the pricing strategy as detailed in paragraph 1.27 and 1.28 of Appendix 1 be approved and retained.
- 2.5 That the proposal in paragraph 2.5 of the appendix to remove 6 month licences from the fees structure for Sex shops and Sex Cinemas be approved.

Contact officer: Chris Neville, Head of Licensing
Telephone: 0121 303 6111
Email: Chris.Neville@birmingham.gov.uk

3. Background

3.1 The City Council's Corporate Charging Policy and Financial Regulations require that Chief Officers, at least annually, report to and seek approval from Committee on a review of all fees and charges levied for services provided. This report also acknowledges and responds to corporate savings requirements and takes account of the legal framework within which certain licence fees must be set.

4. Proposals

4.1 In order to ensure the fees accurately reflect the true cost of administering and processing the licences the fee calculations are based on the finalised accounts from 2015/2016. This is more reliable than trusting in projections and estimates.

4.2 The time taken to process and administer each licence type is verified each year to ensure the calculations are accurate. Costs for peripheral items such as vehicle plates, badges, semi-permanent door signs, meter testing etc. are added in after the time is calculated. This accounts for the variance in cost between the different types of vehicle licence.

4.3 The proposed fees and charges for 2017/2018 are detailed within Appendix 1.

4.4 Members will note a blanket percentage change has not been applied, but that each fee has been adjusted to take into account the use of carry forward balances (where applicable), changes in overhead costs, processing times and also the cost of physical items such as badges/plates.

5. Consultation

5.1 Under Section 70(2) of the Local Government (Miscellaneous Provisions) Act 1976 (LGMPA 76), a Local Authority is required to advertise changes to its fees and charges in respect of hackney carriage and private hire vehicles by placing an advert in a local newspaper for 28 days before it can apply the new fees and it must consider any objections. Although it must consider them it does not have to vary the proposal as a result of them. There is no requirement upon the Local Authority to advertise an alteration to driver fees. Should any objections be received within that time, they must be considered by Committee, thereby potentially delaying the date of implementation for the revised fees for the Licensing Service as set out in Appendix 1(a) in this report.

5.2 A draft version of this report was presented to the Deputy Leader's Star Chamber on 9 February 2017.

6. Implications for Resources

6.1 The proposals are consistent with the proposed budget for 2017/2018 for the Licensing and Public Protection Committee that will be reported to you in March, subject to prior approval by City Council. This will ensure that the services continue to be managed within the approved cash limits and in line with the financial regulations relating to these services.

6.2 The fees and charges proposed within this report are calculated based on historic income and expenditure for 2015/2016 (in line with previous practice) and include the direct costs of the delivery of services and a proportion of indirect central business support costs e.g. Human Resources, Legal, IT, Finance, Procurement and Democratic costs.

6.3 The total available carry forward balance for the relevant period was £52,000, with the amount utilized being £18,150. This is a significantly lower amount than the previous year (£189,000). This is due to the office relocation costs and the first stage of the licensing database replacement. This lower amount provided a smaller figure to be deducted from the proposed fees than the previous year, which has resulted in the increase to hackney carriage and private hire fees that can be seen in appendix 1(a).

6.4 The fees and charges for Hackney Carriage and Private Hire Licences have been calculated by again utilising a third of the carry forward balance from 2015/2016 which equates to £18,150, the apportionment of which can be seen in paragraph 1.23 of Appendix 1. It should be noted that fees and charges are recalculated annually and that they may increase or decrease depending on the cost of delivering the service in the previous year and any carry forward balances.

6.5 Further to the right to object as detailed in 5.1 above, there are three possible ways in which the fees could be challenged:

- Judicial review of the Council decision based on the decision being Ultra Vires or considered to be unreasonable or irrational (known as Wednesbury Principles).
- Through the District Auditor – if a Birmingham resident objects to the Local Authority accounts on the grounds that an item is contrary to law or
- If the Council proposes to set an unlawful fee. This must be reported to and considered by the Monitoring Officer.

6.6 The proposed fees have been calculated having regard to finalised accounts in accordance with best practice advice and also with regard to significant case law. There is no statutory method in which to calculate the fees.

6.7 Any decision to set fees otherwise than in accordance with the proposals within this report without appropriate justification is likely to increase the risk of challenge.

7. Implications for Policy Priorities

7.1 The recommendations are in accordance with Financial Regulations and budget requirements.

7.2 The legal requirement for a Licensing Service to recover only “reasonable costs” takes precedence over the City Council’s Corporate Charging Policy and the requirement to maximise income. Licence fees prescribed by statute also take precedence over the Corporate Charging Policy.

8. Public Sector Equality Duty

8.1 The fees that are proposed in this report will relate to all licence holders and applicants for licences regardless of their protected characteristics. The fees are calculated on the cost of delivering the service or are prescribed by regulation, and consequently an Equalities Assessment has not been undertaken.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background Papers: Birmingham City Council – Corporate Charging Policy

LICENCE FEES AND CHARGES 2016/2017

- 1.1 This Appendix refers to fees and charges proposed for the Licensing Service and it should be noted that some of these fees are nationally set, in particular those relating to the Licensing Act 2003.
- 1.2 In relation to the Gambling Act 2005 fees are determined by Licensing Authorities subject to Government prescribed maximum limits.
- 1.3 The fees proposed in this report are calculated to recover the full cost of carrying out the service. This includes all administrative costs, any recharge of officers' time in appropriate cases when carrying out inspections of premises and other compliance duties (where applicable).
- 1.4 The fees proposed fulfil the main requirement of assuring that full costs are recovered from the income generated wherever possible.
- 1.5 The legal requirement for a Licensing Service to recover only "reasonable costs" takes precedence over the City Council's Corporate Charging Policy and the requirement to maximise income. Licence fees prescribed by statute also take precedence over the Corporate Charging Policy. In setting the fees we have also taken account of the Supreme Court decision in the case of Hemming v Westminster City Council. Brief details of the case are provided below and it is referred to again specifically in relation to sex shop fees at paragraphs 3.1 to 3.3.
- 1.6 The case of R (on the application of Hemming (t/a Simply Pleasure Ltd) and others) v Westminster City Council [2015] UKSC 25 focused on whether the local authority's scheme of charging fees for licensing sex shops (under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982) in Soho was permitted by European Services Directive 206/123/EC as implemented by The Provision of Services Regulations 2009 which became law on 28 December 2009.
- 1.7 Westminster's fee was calculated so as to cover the cost of: enforcing the licensing regime against unlicensed operators and monitoring compliance by licensed operators (accounting for around 90% of the fee); and administering the application.
- 1.8 The sex shop owners brought a judicial review in 2011 claiming that Westminster's setting of the fee was unlawful. They argued, inter alia, that since the Provision of Services Regulations 2009 had come into effect the council was disentitled from including in the fee the cost of enforcing the licensing system against unlicensed operators.
- 1.9 The High Court and Court of Appeal had held that Westminster's fees for sex establishment licences were contrary to the European Services Directive

because the fee charged included the costs of enforcing against unlicensed operators.

- 1.10 At the beginning of 2015, Westminster took the case to the Supreme Court which in April allowed part of Westminster's appeal i.e. that licensing authorities can fund enforcement activities against unlicensed operators through licensing fees but referred a relatively narrow issue about the precise way in which the fee was charged and collected to the European Court of Justice.
- 1.11 The most significant outcome from the Hemming case was the ruling that the fee should be charged as an application fee, followed by a licence fee. This has been effected in the proposed fees and charges.
- 1.12 This change will result in more administration, but will also rectify the current position whereby unsuccessful applicants do not pay for the cost of processing and dealing with their application.
- 1.13 The European Services Directive does not have direct applicability to hackney carriage, private hire and gambling licences (which are exempt), but it is regarded as best practice to apply its principles to all licence types.

Hackney Carriage and Private Hire Licensing Proposed Charges 2017/2018

- 1.14 We have assessed our fees for hackney carriage and private hire licences based on the true cost of delivering the service during 2015/2016. Each individual transaction type has been costed according to the time it takes to deliver, and all overheads associated to the running of that part of the service. This ensures that fees accurately reflect the true cost of administering each licence type. Calculating the fees in this thorough and rigorous manner leads to proposed amendments to the fees which do not equate to a uniform percentage change.
- 1.15 In some cases the proposed fee is able to be reduced. This is as a result of the review of officer time spent on the transactions identifying where it has been possible to accelerate the process and the inclusion of one third of the carry forward surplus applicable to hackney carriage and private hire licences.
- 1.16 Levels of future income are dependent on how many transactions are carried out and which type of licence is applied for. It is impossible to predict how many drivers will choose a three year licence over a one or two year licence, or indeed whether a driver will choose to renew at all.
- 1.17 When considering the fees it is necessary to have regard to the case law R (on the application of Cummings) v Cardiff City Council, [2014] EWHC 2544 (Admin), in that case it was held that the Licensing Authority had not had regard to or accounted for any surplus or deficit in their carry forward balances.

- 1.18 In accordance with the Licensing and Public Protection Committee decision of July 2015, the 2017/2018 fees have been calculated utilising a proportion of the existing carry forward surplus. Having regard to the legal advice and best practice advice, it was proposed in 2015 that the carry forward reserves be 'run down' over a three year period.
- 1.19 The total available carry forward balance for the relevant period was £52,000, with the amount utilized being £18,150. This is a significantly lower amount than the previous year (£189,000). This is due to the office relocation costs and the first stage of the licensing database replacement. This lower amount provided a smaller figure to be deducted from the proposed fee than the previous year, contributing to a bigger differential in fees.
- 1.20 Notwithstanding the need to 'run-down' the carry forward balances, it is also necessary to ensure the carry forward balance is attributed proportionately to the different types of licence. Historically, carry forward balances, be they surplus or deficit, were amalgamated into one figure. In order to ensure any surplus or deficit is properly recorded, it is necessary to apportion the balance correctly.
- 1.21 In order to establish a fair apportionment, officers calculated the total number of transactions of each type carried out over the past 6 years to establish a percentage.
- 1.22 By not utilising the entire carry forward balance, the service is able to maintain a degree of protection from sharp increases to the licence fees in the event of anticipated expenditure such as the replacement licensing software package which was required in 2016/2017 and the costs associated to the Licensing service's move from Crystal Court to new accommodation at Ashted Lock in December 2015.
- 1.23 The current and proposed fees for Hackney Carriage and Private Hire Licensing are detailed at Appendix 1(a).
- 1.24 A number of services are delivered as part of the licensing application process which incur fees set by the service provider. These fees are neither set nor controlled by the Licensing and Public Protection Committee. They include:
- Medicals.
 - Vehicle tests.
 - Driving tests for all new applicants.
 - Disability Awareness Training Seminar.
 - Disclosure and Barring Service (DBS) fee. (This is in addition to the processing fee detailed in Appendix 1(a).)

Fees proposed otherwise than in accordance with the calculations

- 1.25 The fees charged previously for the items listed in the table below in paragraph 1.26 do not reflect the true cost of providing that part of the service, but were maintained at this level to prevent them acting as a deterrent to new

applicants, which might encourage them to seek hackney carriage licences from other local authorities and operate as private hire in Birmingham.

- 1.26 The knowledge test was introduced for private hire drivers in 2010 to set high standards for new drivers in terms of their knowledge of Birmingham’s roads, their understanding of the legal requirements and conditions attached to their role and to check their ability to speak English. The proposed fee increases will not achieve full cost recovery, but should not be so high as to deter new drivers from applying for licences.

| Fee Type | Current (2016/2017) Charges | Actual cost (17-18) | Proposed (2017/2018) charges |
|---------------------------------|-----------------------------|---------------------|------------------------------|
| Hackney Carriage Knowledge Test | £100 | £585 | £100 |
| Private Hire Knowledge Test | £58 | £373 | £58 |
| Verbal communication test* | £49 | £798 | £49 |

*This test can be required at the discretion of the Licensing Sub Committee if the Sub Committee needs to determine a driver’s ability to speak English. It is separate to the Knowledge Test in which verbal communication skills are included.

- 1.27 Members are requested to note the proposed charges for 2017/2018 (as set out in the table at 1.26 above) and approve the recommendation in paragraph 2.4 of the report.
- 1.28 The Private Hire Knowledge Test Folder is no longer included in the fees as applicants download the required information from the website.
- 1.29 It has not been possible to determine categorically whether setting an artificially low cost for the knowledge tests has achieved the desired effect of reducing any potential deterrent effect. However, when the ease with which Birmingham drivers are able to obtain licences in neighbouring authorities is considered, it is difficult to imagine a situation where anyone would choose to pay hundreds of pounds if they could easily avoid it. The knowledge test is an important factor in establishing the suitability of applicants to drive the public around this City.
- 1.30 The time taken to check and verify the Disclosure and Barring Service applications increased following a change in the system leading to an increase in officer time spent on the transaction. The true cost of carrying out this function is reflected in the proposed fee. However, officers are still seeking alternative ways for this function to be carried out in a more cost effective and streamlined manner.

General Licensing Proposed Charges 2017/2018

- 2.1 The same approach has been taken for General Licensing Fees as for the Hackney Carriage and Private Hire fees, and for 2017/2018 the current and proposed fees for those functions where the Licensing Authority has discretion to set fees are detailed at Appendix 1(b).
- 2.2 The time taken to process each transaction type has been individually reviewed, and, coupled with the efficiencies savings made, the fee calculations demonstrate in some cases reduction should be made, whereas in others a slight increase is required. Calculating the fees in this thorough and rigorous manner leads to proposed amendments to the fees which do not equate to a uniform percentage change.
- 2.3 As per paragraph 1.11 above, the most significant outcome from the Hemming case was the ruling that fees should be charged as an application fee, followed by a licence fee. This has been effected wherever possible in the proposed fees and charges.
- 2.4 2015/2016 saw a slight decrease in operational costs which was due to lower staffing costs, resulting from staff vacancies in General Licensing.
- 2.5 It should be noted that the cost of administering a 6 month sex shop/sex cinema licence is equal to that of a 12 month licence. For this reason it is proposed to withdraw this provision. It should be noted that this does not preclude a licence being issued for an alternative duration on application should the Licensing Committee deem it appropriate.

Sex Establishment Fees - Legal Background

- 3.1 In setting fees for Sexual Entertainment Venues, Sex Shops and Sex Cinemas we have taken note of the case of Hemming v Westminster (2013). Details of the case are explained above at paragraphs 1.6 to 1.11. The case involved a challenge to Westminster's fees for sex shop licences. The challenge was made under the European Services Directive, which, amongst other things, makes clear that licence fees covered by the Directive can only be used to recover costs and should not be used to make a profit or deter service providers from entering the market. In reaching its decision that the fees charged by Westminster were unlawful, the Court of Appeal concluded:
 - The original cost of a sex shop licence in Westminster was £29,102.
 - Westminster licensed thirteen sex shops.
 - Westminster's fees had been reviewed annually by officers, but not by a committee or elected member since 2004.
 - The fees that a local authority sets may not exceed the costs of administering the licensing process.
- 3.2 The judgement of the Court of Appeal required Westminster to return almost £2 million in fees to sex shops to cover the period during which its fees had been determined to be unlawful.

3.3 Members should note that sex establishment fees in Birmingham have been reviewed annually by the Licensing and Public Protection Committee and that as it has not been necessary for officers to take enforcement action against an unlicensed sex establishment our fees have not included the cost of enforcement, other than the cost of achieving compliance amongst licensed businesses.

3.4 The European Services Directive is applicable to all aspects of licensing apart from hackney carriage and private hire licences due to an exemption under the directive for transportation.

3.5 Schedule 3 to the 1982 Local Government (Miscellaneous Provisions) Act states that an applicant for the grant, renewal, variation or transfer of a sex establishment licence shall pay a **reasonable fee** determined by the appropriate authorities, but does not expand on what would be considered to be reasonable. Case law relating to fee levels in various licensing cases has agreed a general principle that licensing fees should not be used as a method of creating revenue, for example:

- R v Manchester City Council ex parte King (The Times, 3 April 1991)

established that local authorities may only charge reasonable fees for licences and cover the Council's costs in the administration of those application types and issue costs and not use them to raise revenue.

- R v Westminster City Council ex parte Hutton (1985) LGR

established the need to only take into account relevant material when setting the fees, and that the Council has to determine the annual licence fee for sex establishments by adjusting what would otherwise have been the appropriate fee to reflect any previous deficit or surplus: (This case which was one of a number of cases tried together and reported collectively as R v Birmingham City Council ex p. Quietlynn Ltd and ors. (1985))

- R (app Simply Pleasure and Ors) v Westminster City Council (2012)*

The High Court confirmed that it was unlawful for a local authority to charge lawful licensees for the cost of enforcement against unlicensed operators. In addition the judgment contained an important decision relating to the setting of sex establishment applications fees, stating that licensing authorities cannot simply rollover it's licensing fees without determining the licence fee.

*This case was considered in light of the European Union Services Directive. Sex establishments are covered by the European Union Services Directive as Schedule 3 to the 1982 Local Government (Miscellaneous Provisions) Act constitutes an authorisation scheme under Article 9 of the Directive.

3.6 Regulation 18 of the Provision of Services Regulations 2009 which implements the EU Services Directive into UK law requires that fees charged in relation to authorisations must be proportionate to the effective cost of the

process. The proposed fees must recover the council's costs in relation to the licensing process and cannot be used as an economic deterrent or to raise funds. The fees as proposed should enable to Council to recover its reasonable costs.

- 3.7 The implications are that if trade bodies or applicants believe the authority's fees are at a level which is greater than the costs of the statutory functions then it would be open to them to undertake judicial review proceedings. Should this arise, the authority would need to evidence how it arrived at the fee levels to demonstrate that they have been calculated on a cost recovery basis only. It is important, therefore, that the fees set by the City Council are based on actual costs incurred. It is also important to ensure that our fees do not include potential enforcement costs. The proposed fees in this report meet all of the legal tests outlined above.
- 3.8 Our proposed fees for Sexual Entertainment Venues, Sex Shops and Sex Cinemas are detailed in Appendix 1(b).

Refunds

- 4.1 Fees for all General Licensing functions are payable on application.
- 4.2 In previous years, in respect of Sexual Entertainment Venue, Sex Shop and Sex Cinema Licences a single fee has been charged, with a varying proportion refunded to the applicant should the application be withdrawn / refused.
- 4.3 By separating the costs into the elements of 'Application' and 'Licence' Fee such a mechanism is no longer appropriate.
- 4.4 All applications must be accompanied by the requisite Application Fee before the application will be accepted or administered. Following determination, should the application be successful, the 'Licence' fee will become due. No licence will be issued until such time as the licence fee has been received.
- 4.5 The application fee is non-refundable. This includes those applications that are refused following a hearing by the Committee, or applications which are withdrawn or discontinued.
- 4.6 For Licensing Act 2003 fees detailed at Appendix 1(c) under the heading 'Other Fees', no refund is payable for any withdrawn or refused applications/notifications.
- 4.7 In accordance with the Licensing Act 2003, the full fee is refundable for minor variations if the Licensing Authority fails to determine the application within the statutory time period.

Statutory Fees

- 5.1 Statutory Fees are prescribed for certain licences and the Committee does not have any discretion in relation to these fees. They are detailed in appendices 1(c), 1(d) and 1(e).

Licensing Act 2003

- 5.2 The fees for this licensing regime are set nationally by the Government and are detailed at Appendix 1(c).

Gambling Act 2005

- 6.1 Fees for licences in Appendix 1(d) are determined by Licensing Authorities subject to Government prescribed maximum limits. Some Gambling Act fees will increase slightly in 2017/2018. The fees for licences listed in Appendix 1(e) are set by Government and we are not aware of any proposals to increase them.
- 6.2 In addition to the fees at Appendix 1(d) there is a range of prescribed fees set by the Government and for completeness these are shown at Appendix 1(e). We do not refund any of these fees in respect of applications/notifications that are withdrawn or refused.

Permits and Licences for which no fee can be charged.

- 7.1 House to House Collections are regulated by the House to House Collections Act 1939 and the House to House Collection Regulations 1947. The object of the Act is to provide for the regulation of house to house collections for charitable purposes. The legislation does not allow the Local Authority to charge a fee for processing these licences.
- 7.2 Likewise, charitable street collections are regulated by The Police, Factories etc. (Miscellaneous Provisions) Act 1916. The Act requires collectors to obtain a permit from the Licensing Authority. The legislation does not allow the Local Authority to charge a fee for processing these permits.
- 7.3 The costs of administering these licences and permits is been met by an ongoing budget allocation of £60,000.

Future Financial Plan

- 8.1 In 2015/2016 the Licensing Service relocated to new office accommodation, and made progress towards replacing the licensing software system (SOPRA) and sourcing an online application system for hackney carriage and private hire licences.
- 8.2 Although fees are calculated using historic accounts, it is important to also have regard to the future. The costs of replacing the licensing system have yet to be fully realised.

APPENDIX 1(a)

HACKNEY CARRIAGE AND PRIVATE HIRE

| Licence type | sub type | 15-16 Fee | 16-17 fee | Proposed 17-18 Application fee | Proposed 17-18 Licence fee | Total amount payable 17-18 | variation from 16-17 | % | Variation from 15-16 | % |
|--------------|------------------------------------------------|-----------|-----------|--------------------------------|----------------------------|----------------------------|----------------------|-----|----------------------|-----|
| Hackney | Driver Grant 1 | £265 | £183 | £167 | £57 | £224 | £41 | 22 | -£41 | -16 |
| Hackney | Driver Grant 2 | £315 | £217 | £167 | £94 | £261 | £44 | 20 | -£54 | -17 |
| Hackney | Driver Grant 3 | £370 | £250 | £167 | £131 | £298 | £48 | 19 | -£72 | -19 |
| Hackney | Driver Renewal 1 | £140 | £133 | £111 | £57 | £168 | £35 | 26 | £28 | 20 |
| Hackney | Driver Renewal 2 | £210 | £167 | £111 | £94 | £205 | £38 | 23 | -£5 | -2 |
| Hackney | Driver Renewal 3 | £265 | £200 | £111 | £131 | £242 | £42 | 21 | -£23 | -9 |
| Hackney | Driver Late Renewal 1 | £265 | £183 | £167 | £57 | £224 | £41 | 22 | -£41 | -16 |
| Hackney | Driver Late Renewal 2 | £315 | £217 | £167 | £94 | £261 | £44 | 20 | -£54 | -17 |
| Hackney | Driver Late Renewal 3 | £370 | £250 | £167 | £131 | £298 | £48 | 19 | -£72 | -19 |
| Hackney | Vehicle Grant | £230 | £124 | £111 | £78 | £190 | £66 | 53 | -£40 | -17 |
| Hackney | Vehicle Renewal | £125 | £107 | £74 | £78 | £153 | £46 | 43 | £28 | 22 |
| Hackney | Vehicle Late Renewal | £250 | £124 | £93 | £78 | £171 | £47 | 38 | -£79 | -31 |
| Private Hire | Driver Grant 1 | £265 | £161 | £167 | £54 | £221 | £60 | 38 | -£44 | -16 |
| Private Hire | Driver Grant 2 | £315 | £195 | £167 | £91 | £259 | £64 | 33 | -£56 | -18 |
| Private Hire | Driver Grant 3 | £370 | £228 | £167 | £129 | £296 | £68 | 30 | -£74 | -20 |
| Private Hire | Driver Renewal 1 | £140 | £111 | £111 | £54 | £166 | £55 | 49 | £26 | 18 |
| Private Hire | Driver Renewal 2 | £210 | £145 | £111 | £91 | £203 | £58 | 40 | -£7 | -3 |
| Private Hire | Driver Renewal 3 | £265 | £178 | £111 | £129 | £240 | £62 | 35 | -£25 | -9 |
| Private Hire | Driver Late Renewal 1 | £265 | £161 | £167 | £54 | £221 | £60 | 38 | -£44 | -16 |
| Private Hire | Driver Late Renewal 2 | £315 | £195 | £167 | £91 | £259 | £64 | 33 | -£56 | -18 |
| Private Hire | Driver Late Renewal 3 | £370 | £228 | £167 | £129 | £296 | £68 | 30 | -£74 | -20 |
| Private Hire | Vehicle Grant | £250 | £128 | £111 | £73 | £184 | £56 | 44 | -£66 | -26 |
| Private Hire | Vehicle Renewal | £145 | £128 | £93 | £73 | £166 | £38 | 30 | £21 | 14 |
| Private Hire | Vehicle Late Renewal | £250 | £128 | £111 | £73 | £184 | £56 | 44 | -£66 | -26 |
| Private Hire | Small Op Grant 1 | £1,050 | £628 | £297 | £239 | £513 | -£92 | -15 | -£537 | -51 |
| Private Hire | Small Op Grant 5 | £3,567 | £2,232 | £297 | £1,131 | £1,428 | -£804 | -36 | -£2,139 | -60 |
| Private Hire | Small Op Renewal 1 | £630 | £578 | £241 | £239 | £460 | -£97 | -17 | -£170 | -27 |
| Private Hire | Small Op Renewal 5 | £2,518 | £2,182 | £241 | £1,131 | £1,372 | -£810 | -37 | -£1,146 | -46 |
| Private Hire | Operator Grant 1 | £1,260 | £895 | £297 | £908 | £1,205 | £310 | 35 | -£55 | -4 |
| Private Hire | Operator Grant 5 | £3,777 | £3,569 | £297 | £4,473 | £4,770 | £1,201 | 34 | £993 | 26 |
| Private Hire | Operator Renewal 1 | £840 | £845 | £241 | £908 | £1,149 | £304 | 36 | £309 | 37 |
| Private Hire | Operator Renewal 5 | £2,728 | £3,519 | £241 | £4,473 | £4,505 | £1,196 | 34 | £1,777 | 65 |
| Private Hire | Amend details | £160 | £84 | £93 | n/a | £93 | £9 | 11 | -£67 | -42 |
| Vehicle | Replacement/Lost/Stolen Vehicle Identity Plate | £50 | £33 | £37 | n/a | £37 | £4 | 13 | -£13 | -26 |
| Driver | Replacement/Lost/Stolen Driver Identity Badge | £35 | £33 | £37 | n/a | £37 | £4 | 13 | £2 | 6 |
| All | Replacement/Copy Paper Licence | £35 | £33 | £37 | n/a | £37 | £4 | 13 | £2 | 6 |
| Driver | Administration fee for DBS check | £35 | £67 | £74 | n/a | £74 | £7 | 11 | £39 | 112 |
| Vehicle | Replacement/Transfer of Vehicle Licence | £85 | £100 | £111 | n/a | £111 | £11 | 11 | £26 | 31 |
| Driver | Hackney Carriage Knowledge Test Folder | £30 | £33 | £37 | n/a | £37 | £4 | 13 | £7 | 24 |
| Driver | Hackney Carriage Knowledge Test | £85 | £100 | £100 | n/a | £100 | £0 | 0 | £15 | 18 |
| Driver | Hackney Carriage Written/Verbal Test | £42 | £49 | £49 | n/a | £49 | £0 | 0 | £7 | 17 |
| Driver | Private Hire Knowledge Test Folder | £25 | £33 | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Driver | Private Hire Knowledge Test | £50 | £58 | £58 | | £58 | £0 | 0 | £8 | 16 |
| Driver | Private Hire Verbal Test | £42 | £49 | £49 | | £49 | £0 | 0 | £7 | 17 |
| All | photocopying | 20p/sheet | 20p/sheet | 20p/sheet | n/a | 20p/sheet | nil | NIL | nil | nil |

APPENDIX 1(b)

| Licence Type | 17/18 Application Fee | 17/18 Licence Fee | 17/18 'Total' | 16-17 fee | DIFFERENCE | % |
|---------------------------------------|--------------------------|----------------------|------------------|-----------|------------|-----|
| Massage and Special Treatment | | | | | | |
| - 1 level of treatment | £196 | £0 | £196 | £197 | -£1 | -0 |
| renewal | £153 | £0 | £153 | £153 | £0 | 0 |
| - 2+ levels of treatment | £230 | £0 | £230 | £230 | -£0 | -0 |
| renewal | £204 | £0 | £204 | £205 | -£1 | -0 |
| Transfer of Ownership | £89 | £0 | £89 | £90 | -£1 | -1 |
| Application for additional treatments | £89 | £0 | £89 | £90 | -£1 | -1 |
| Skin Piercers | £54 | £0 | £54 | £74 | -£20 | -26 |
| Sex Shop/Sex Cinema GRANT | £6,354 | £179 | £6,533 | £6,547 | -£14 | -0 |
| renewal | £3,572 | £179 | £3,751 | £3,760 | -£9 | -0 |
| 6 month licence GRANT | £6,354 | £179 | £6,533 | £5,141 | £1,392 | 27 |
| renewal | £3,572 | £179 | £3,751 | £3,760 | -£9 | -0 |
| Transfer of ownership | £2,067 | £0 | £2,067 | £2,097 | -£30 | -1 |
| Variation | £2,705 | £0 | £2,705 | £2,558 | £147 | 6 |
| Sexual Entertainment Venues GRANT | £6,609 | £255 | £6,864 | £6,880 | -£16 | -0 |
| renewal | £3,611 | £230 | £3,841 | £3,977 | -£136 | -3 |
| Transfer | £2,054 | £0 | £2,054 | £2,097 | -£43 | -2 |
| Variation | £3,509 | £0 | £3,509 | £3,517 | -£8 | -0 |

APPENDIX 1(c)

LICENSING ACT 2003 - PRESCRIBED FEES

These fees were set nationally by Government in 2005 and may not be changed. There are proposals to permit fees to be set locally and should that occur the matter will be reported to your Committee.

Application Fee

| Rateable Value | Premises Value | Published |
|----------------------------|--------------------------------|-----------------|
| | | 21 January 2005 |
| A | No rateable value up to £4,300 | £100 |
| B | £4,301 to £33,000 | £190 |
| C | £33,001 to £87,000 | £315 |
| D | £87,001 to £125,000 | £450 |
| E | £125,001 and above | £635 |
| D primarily alcohol | 2 x multiplier | £900 |
| E primarily alcohol | 3 x multiplier | £1,905 |

Annual Charge

| Rateable Value | Premises Value | Published |
|----------------------------|--------------------------------|-----------------|
| | | 21 January 2005 |
| A | No rateable value up to £4,300 | £70 |
| B | £4,301 to £33,000 | £180 |
| C | £33,001 to £87,000 | £295 |
| D | £87,001 to £125,000 | £320 |
| E | £125,001 and above | £350 |
| D primarily alcohol | 2 x multiplier | £640 |
| E primarily alcohol | 3 x multiplier | £1,050 |

Other Fees

| | |
|-----------------------------------------------------------------------------------|---------------|
| Personal Licence (grant) | £37 |
| Temporary Event Notice (TEN) | £21 |
| Theft/loss of premises licence/club certificate, summary, personal licence or TEN | £10.50 |
| Provisional Statement | £315 |
| Change of name, address, club rules | £10.50 |
| Personal Licence Change of details. | £10.50 |
| Variation of DPS | £23 |
| Transfer of premises licence | £23 |
| Interim Authority Notice | £23 |
| Right of Freeholder notification | £21 |
| Minor Variation | £89 |
| Variation to include alternative condition (no DPS) | £23 |

GAMBLING ACT FEES
(Figures in Brackets show maximum fee limit)

| Premises Type | New Licence | 1 st Annual Fee | Annual Fee | Variation | Transfer | Re-instatement | Provisional Statement | Licence Application (Provisional) | Copy Licence | Change Notification |
|-------------------------------------|---------------|----------------------------|-------------|---------------|---------------|----------------|-----------------------|-----------------------------------|--------------|---------------------|
| Casinos | | | (£3,000) | (£2,000) | (£1,350) | (£1,350) | N/A | N/A | (£25) | (£50) |
| Current fee | £2,783 | £425 | £557 | £2,000 | £930 | £930 | £2,684 | £1,302 | £25 | £50 |
| proposed fee | £3,140 | £480 | £628 | £2,000 | £1,049 | £1,049 | £3,028 | £1,469 | £25 | £50 |
| Bingo Clubs | (£3,500) | | (£1,000) | (£1,750) | (£1,200) | (£1,200) | (£3,500) | (£1,200) | (£25) | (£50) |
| Current fee | £2,783 | £425 | £557 | £1,750 | £930 | £930 | £2,783 | £1,200 | £25 | £50 |
| proposed fee | £3,140 | £480 | £628 | £1,750 | £1,049 | £1,049 | £3,140 | £1,200 | £25 | £50 |
| Adult Gaming Centre | (£2,000) | | (£1,000) | (£1,000) | (£1,200) | (£1,200) | (£2,000) | (£1,200) | (£25) | (£50) |
| Current fee | £2,000 | £327 | £452 | £1,000 | £518 | £518 | £2,000 | £886 | £25 | £50 |
| proposed fee | £2,000 | £369 | £510 | £1,000 | £584 | £584 | £2,000 | £999 | £25 | £50 |
| Race Tracks | (£2,500) | | (£1,000) | (£1,250) | (£950) | (£950) | (£2,500) | (£950) | (£25) | (£50) |
| Current fee | £2,500 | £425 | £557 | £1,250 | £930 | £930 | £2,500 | £950 | £25 | £50 |
| proposed fee | £2,500 | £480 | £628 | £1,250 | £950 | £950 | £2,500 | £950 | £25 | £50 |
| Family Entertainment Centres | (£2,000) | | (£750) | (£1,000) | (£950) | (£950) | (£2,000) | (£950) | (£25) | (£50) |
| Current fee | £2,000 | £327 | £452 | £1,000 | £518 | £518 | £2,000 | £886 | £25 | £50 |
| proposed fee | £2,000 | £369 | £510 | £1,000 | £584 | £584 | £2,000 | £950 | £25 | £50 |
| Betting Premises | (£3,000) | | (£600) | (£1,500) | (£1,200) | (£1,200) | (£3,000) | (£1,200) | (£25) | (£50) |
| Current fee | £2,783 | £327 | £452 | £1,500 | £518 | £518 | £2,783 | £886 | £25 | £25 |
| proposed fee | £3,000 | £369 | £510 | £1,500 | £584 | £584 | £3,000 | £999 | £25 | £25 |
| Temporary Use Notice | (£500) | N/A | N/A | N/A | N/A | N/A | N/A | N/A | (£25) | N/A |
| Current fee | £362 | | | | | | | | £25 | |
| proposed fee | £409 | | | | | | | | £25 | |

GAMBLING ACT 2005 – PRESCRIBED FEES

These fees were set nationally by Government in 2007 and may not be changed. There are no proposals from Government to revise these fees.

Alcohol Licensed Premises

| | |
|-------------------------------------------------|-------------|
| Notification of up to 2 machines | £50 |
| Permit for 3 or more machines (transitional) | £100 |
| New Permit for 3 or more machines | £150 |
| Variation | £100 |
| Transfer of permit | £25 |
| New name to be substituted | £25 |
| Copy permit | £15 |
| 1 st Annual fee (3 or more machines) | £50 |
| Annual fee (3 or more machines) | £50 |

Club Gaming and Machine Permits

| | |
|----------------------------|-------------|
| Renewal and Transitional | £100 |
| New | £200 |
| Renewal after 10 years | £200 |
| Variation | £100 |
| Copy permit | £15 |
| 1 st Annual fee | £50 |
| Annual fee | £50 |

Unlicensed Family Entertainment Centres

| | |
|----------------------------|-------------|
| Transitional | £100 |
| New | £300 |
| Renewal after 10 years | £300 |
| New name to be substituted | £25 |
| Copy permit | £15 |

Lotteries

| | |
|------------|------------|
| New | £40 |
| Annual Fee | £20 |