



Leicester  
City Council

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# **REGULATORY FEES AND CHARGES**

## **LICENSING**

**September 2018**

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## Background

Decisions on fees and charges are bound by a series of statutes and regulations.

Some services – such as those associated with regulatory activity e.g. the issue of licences - are statutory and the associated fees and charges are authorised by specific legislation whilst other services are discretionary.

The Council has general power under section 93 of the Local Government Act 2003 (“LGA 2003”) to charge a person for discretionary services, that is, the provision of a service where the Council is authorised, but not required, to provide the service and the person has agreed to its provision.

Powers to charge are augmented by the Localism Act 2011 and the general power of competence. The general power of competence is wide such that ‘local authorities should be free to do anything – provided they do not break other laws’.

The overall position on charging can be summarised as follows:

- Authorities must not charge for a service if legislation so provides.
- Authorities must charge for a service if legislation so provides.
- There is a further range of services where specific legislative provisions allow authorities to decide whether to charge and how much.
- Then there is a further range of discretionary services supported by empowering legislation where there are no legislative provisions on charging. The local authority may then use its charging powers for discretionary services under the Local Government Act 2003.
- The general power of competence may be exercised for other services where they do not fall into the categories above. Where, in exercise of the general power, a local authority does things for a commercial purpose, the authority must do so through a company.
- All services provided in the Council should be for a non-commercial purpose and therefore the authority may not recover more than the cost of providing that kind of service. Recovery is assessed taking one year with another. Leicester City Council has discretion in defining what the cost of provision is.
- Prior year surpluses or deficits should be taken into consideration when calculating the new charge as services should not over-recover ‘taking one year with another’. Any over- or under-recovery that resulted in a surplus or deficit of income in one period should be addressed by an authority when setting its charges for future periods so that, over time, revenue equates to cost.

## 1. CHARGES FOR BESPOKE ADVICE, SUPPORT AND RECOVERY OF COSTS

	From 19 September 2018
Front-line Officer (LG 8 Band 34)	<b>£66 per hour + VAT</b>
Admin Officer (LG 5 Band 22)	<b>£46 per hour + VAT</b>
Team Manager (LG 11 Band 46)	<b>£89 per hour + VAT</b>
Head of Service (LG 14 Band 58)	<b>£120 per hour + VAT</b>
In-house Legal Costs	<b>As per Legal Services schedule</b>
Expenses and other disbursements	<b>At cost</b>

### Statutory basis

VAT chargeable when discretionary service is delivered [i.e. the service is provided by commercial bodies]

As per, Neville v Gardner Merchant (1983), the courts when awarding prosecution costs may award costs in respect of time spent in bringing offences to light.

**2. CHARGES FOR LICENSING OF HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES, DRIVERS AND OPERATORS UNDER TOWN POLICE CLAUSES ACT 1847 AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

Type of application	From 19 September 2018
<b>Vehicles</b>	
New & Renewal	£216
Euro 6 or Ultra low emission vehicle (50% discount)	£108
Replacement licence, plate or door signs	£19
<b>Drivers</b>	
New 1 year (excluding DBS fee)	£100
Renewal 1 year (excluding DBS fee)	£81
New 2 year (excluding DBS fee)	£155
Renewal 2 year (excluding DBS fee)	£135
New 3 year (excluding DBS fee)	£215
Renewal 3 year (excluding DBS fee)	£195
Replacement badge or documents	£19
CSE Course for New Drivers	£21
<b>Operators</b>	
1 vehicle (1 year licence)	£399
1 vehicle (5 year licence)	£1855
2-20 vehicles (1 year licence)	£475
2-20 vehicles (5 year licence)	£2175
21+ vehicles (1 year licence)	£561
21+ vehicles (5 year licence)	£2550
Replacement licence	£19

Statutory basis

Town Police Clauses Act 1847

- Section 37 – licence hackney carriage
- Section 46 – licence hackney carriage driver and charge a fee
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Local Government (Miscellaneous Provisions) Act 1976

- Section 48 – licence private hire vehicle
- Section 51 – licence private hire vehicle driver
- Section 53(2) charge fee for hackney carriage driver and private hire vehicle driver
- Section 55 – licence private hire operator
- Section 70 – charge fee for hackney carriage, private hire vehicle and private hire operator

The proposed Taxi fees have been advertised in the Leicester Mercury and no objections or representations were received.

### 3. VEHICLE TESTING STATION FEES

Service	From 19 September 2018
Taxi Test	£58
Taxi Test retest where rolling road or emission test needed	£13
Taxi Test retest where none of the above equipment needed	n/a
Private MOT	£40
Private MOT retest within 14 days	Free
Private MOT in conjunction with Taxi Test	£15

Statutory basis

Local Government Act 2003 – s.93 – 94

#### 4. LICENCE CHARGES UNDER GAMBLING ACT 2005

Type of application	From 19 September 2018
<b>Regional casino premises licence</b>	
New application	£12,326
First annual fee	£10,863
Annual fee	£12,327
Variation	£6,904
Transfer	£5,983
Reinstatement of licence	£5,983
Provisional statement	£13,809
New licence where provisional statement already exists	£7,364
<b>Large casino premises licence</b>	
New application	£7,401
First annual fee	£6,398
Annual fee	£7,401
Variation	£4,603
Transfer	£1,980
Reinstatement of licence	£1,980
Provisional statement	£9,206
New licence where provisional statement already exists	£4,603
<b>Small casino premises licence</b>	
New application	£3,949
First annual fee	£2,964
Annual fee	£3,949
Variation	£3,682
Transfer	£1,658
Reinstatement of licence	£1,658
Provisional statement	£7,364
New licence where provisional statement already exists	£2,762
<b>Converted casino premises licence</b>	
Annual fee	£3,000
Variation	£2,000
Transfer	£1,350
Reinstatement of licence	£1,350
<b>Bingo premises licence</b>	
New application	£3,500
First annual fee	£ 691
Annual fee	£1,000

Type of application	From 19 September 2018
Variation	£1,750
Transfer	£1,200
Reinstatement of licence	£1,200
Provisional statement	£3,500
New licence where provisional statement already exists	£1,105
<b>Adult gaming centre premises licence</b>	
New application	£2,000
First annual fee	£ 691
Annual fee	£1,000
Variation	£1,000
Transfer	£1,200
Reinstatement of licence	£1,200
Provisional statement	£2,000
New licence where provisional statement already exists	£1,105
<b>Betting premises licence (track)</b>	
New application	£2,500
First annual fee	£ 691
Annual fee	£1,000
Variation	£1,250
Transfer	£950
Reinstatement of licence	£950
Provisional statement	£2,500
New licence where provisional statement already exists	£ 875
<b>Betting premises licence (other than track)</b>	
New application	£3,000
First annual fee	£ 295
Annual fee	£600
Variation	£1,500
Transfer	£1,200
Reinstatement of licence	£1,200
Provisional statement	£3,000
New licence where provisional statement already exists	£1,105
<b>Family entertainment centre premises licence</b>	
New application	£2,000
First annual fee	£ 447
Annual fee	£750
Variation	£1,000

Type of application	From 19 September 2018
Transfer	£950
Reinstatement of licence	£950
Provisional statement	£2,000
New licence where provisional statement already exists	£ 875
<b>ALL GAMBLING LICENCES</b>	
Change of circumstances	£25
Copy licence	£25

Statutory basis

Gambling Act 2005<sup>12</sup>

- Section 159 – licence gambling premises and charge a fee
- Section 184 – annual fee for gambling premises licence

Gambling (Premises Licence Fees) (England & Wales) Regulations 2007

- Prescribes fees for all other permissions / permits under the GA 2005



**5. CHARGES FOR STREET TRADING CONSENTS UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT**

Type of application	Application Fee From 19 September 2018	Consent Fee From 19 September 2018
12 month street trading consent for static pitch	£350	£1650
Renewal of an existing 12 month street trading consent for static pitch	£180	£1650
12 month street trading consent for static pitch associated with LCFC / Tigers	£350	£150
Renewal of an existing 12 month street trading consent for static pitch associated with LCFC / Tigers	£180	£150
3 month street trading consent for static pitch	£350	£350
Renewal of an existing 3 month street trading consent for static pitch	£180	£350
Limited period consent for static pitch (in conjunction with specific events in the city)	£53 (per day)	
12 month street trading consent for mobile operators who move from place to place	£350	Year 1 - £50 Year 2 - £50 Year 3 - £50 Year 4 - £50 Year 5 - £50
12 month street trading consent for ice cream venders who move from place to place	£50	Year 2 - £50 Year 3 - £50 Year 4 - £50 Year 5 - £50
Transfer of an existing street trading consent	£50	-

Statutory basis

Local Government (Miscellaneous Provisions) Act 1982

- Schedule 4 details licensing provisions, including charging a fee (paragraph 9 of schedule 4)

## 6. CHARGES FOR OTHER PERMISSIONS AND REGISTRATIONS UNDER VARIOUS ACTS

Type of application	From 19 September 2018
Distribution of Free Printed Matter	
Basic application fee	£114
Annual consent	£1,302
Per distributor (badge associated with annual consent)	£31
Per distributor (badge associated with daily consent)	£31
Animal Welfare	
Pet shop (new and renewal)	Statutory changes effective 1 October 2018 have amended the categories of licences available. Please see Fee Matrix under Animal Licencing Fee Matrix
Animal boarding (new and renewal)	
Animal breeding (new and renewal)	
Horse riding	
Dangerous wild animal (grant)	
Dangerous wild animal (variation)	
Dangerous wild animal (renewal)	
Performing Animals (New)	
Performing Animals (Renewal/Variation)	
Zoos (New)	
Zoos (Change)	
Zoos (Renewal)	

### Statutory basis

#### Environmental Protection Act 1990 (amended by Clean Neighbourhoods and Environment Act 2005)

- Schedule 3A includes consent process and fees

Performing Animals (Regulation) Act 1925 – section 1(2)

Pet Animals Act 1951 – section 1(2)

Animal Boarding Establishments Act 1963 – section 1(2)

Riding Establishments Act 1964 (amended by Riding Establishments Act 1970) – section 1(2)

Breeding of Dogs Act 1973 – section 3A

Dangerous Wild Animals Act 1976 – section 1(2)

Zoo Licensing Act 1981 – section 15

Type of application	From 19 September 2018
<b>Sex Establishments</b>	
Sex shop	£4,962
Sex shop (renewal)	£2,108
Sexual entertainment venue (new)	£6,559
Sexual entertainment venue (renewal)	£3,279
Sexual entertainment venue (variation)	£1,608
Sexual entertainment venue (transfer)	£1,072
<b>Film authorisation</b>	
Application and first 15 minutes viewing time	£90
Every subsequent 30 minutes viewing time	£45
<b>Scrap Metal Dealers</b>	
Site Licence	£585
Mobile Collector	£359
Vary Site to Collector	£149
Vary Collector to Site	£149
Change Site Manager	£149
Add site to Site licence	£149
Change other details on licence	£46
<b>Skips and Scaffolding</b>	
All Permits (per week)	£46
<b>Street Cafés</b>	
Street café (new)	£278
Street café (renewal)	£185
Transfer	£160
Variation (major)	£235
Variation (minor)	£66
Copy licence	£19

### Statutory basis

Local Government (Miscellaneous Provisions) Act 1983 – paragraph 19 of schedule 3

Licensing Act 2013

Scrap Metal Dealers Act 2013 – paragraph 6 of schedule 1

### Highways Act 1980

- Section 139 – control of builders’ skips
- Section 169 – control of scaffolding
- Section 171 – control of deposit of building materials / excavations
- Section 115J (3) – consents and payment of reasonable sum

Local Authorities (Transport Charges) Regulations 1998

- section 3 – regarding fees

Highways Act 1980 – Section 115J

**END**