

<b>DECISION-MAKER:</b>	Licensing Committee		
<b>SUBJECT:</b>	Licensing Fees		
<b>DATE OF DECISION:</b>	11 <sup>th</sup> March 2010		
<b>REPORT OF:</b>	Solicitor to the Council		
<b>AUTHOR:</b>	Name:	Richard Black	Tel: 023 8083 3523
	E-mail:	licensing@southampton.gov.uk	

**STATEMENT OF CONFIDENTIALITY None**

**SUMMARY** The proposals are to consider the variation of certain fees relevant to specific areas of licensable activities

**RECOMMENDATIONS:**

- (i) To consider the scale of discretionary fees and charges for licences and services carried out by the City Council set out in Appendix 1 to this report, and
- (ii) To authorise the publication of the amended fees structure
- (iii) In the absence of any representation to authorise the Solicitor to the Council to implement the fees as advertised.

**REASONS FOR REPORT RECOMMENDATIONS**

1. As a matter of good practice, the City Council should regularly review the scale of fees and charges for licences, permits and registrations, where it has discretion as to the level of the fee concerned.
2. Such reviews are usually carried out on an annual basis however none of the fees available to the City Council to review have been considered since November 2007.

**CONSULTATION**

No consultation has been undertaken as the proposed alterations to fees for Hackney Carriage and Private Hire vehicles will if recommended by this Committee be advertised in the press for consultation purposes.

The fees in relation to sex shops are for the Council to set so at this time there has been no consultation except with Finance colleagues.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

None

**DETAIL****Licensing Fees General Information.**

Where the City Council has discretion as to the level of fees, the law makes it clear that the City Council may only charge a reasonable fee for the purpose of recouping the costs of administering a licensing system and not treat licensing fees as an opportunity to raise general revenue. The effect of this is that licensing fee income must be “ring fenced” to the licensing function, including using a holding account in respect of future capital investment in items such as IT, and that the income from one such function must not be used to cross subsidise a deficit in another area.

**Hackney Carriage and Private Hire Licensing.**

Hackney Carriage and Private Hire fees were last increased in November 2007. Since that date there have been significant increases in the provision of service costs such as IT and enforcement and indeed an increase in prosecutions as a direct result. A new full time enforcement officer post has been approved and will be filled in the very near future.

It is only proposed to raise certain fees, namely Hackney Carriage and Private Hire vehicle fees, transfer fees and change of vehicle fees. It is considered by officers that the current fees do not reasonably reflect the cost of resources that can be attributed to those discrete functions

A comparison of fees across Hampshire and like authorities is attached at appendix 2.

**Sex Establishment Licensing.**

The fees for sex establishment licenses were last reviewed in November 2007 at which time the fee was set at £7,500 and there were four establishments. Since that date there has been no increase in the number of establishments and there is one pending application.

Some Local Authorities are currently being challenged in relation to the level of fees they charge and this review and action should protect the City Council from any challenge in the future.

The setting of fees at this level will not require any contribution from Council funds to support the administration of this area, including enforcement action.

**FINANCIAL/RESOURCE IMPLICATIONS****Capital**

None

**Revenue**

It is estimated that the fee increases detailed in this report would generate on

average an additional £13,400 in a full year

The fee variations are detailed in appendix 1

Any increase in income as a result of the increase in these fees will be ring fenced within Hackney and Private Hire Licensing and used to fund additional enforcement.

**Property**

None

**Other**

None

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

As a matter of law, the City Council can only charge reasonable fees for the purpose of recouping the cost of administering the Licensing system.

Relevant statutory provisions for the setting of the fees outlined include:

S53,S70 Local Government(Miscellaneous Provisions) Act 1976

Schedule 6, Local Government Planning and Land Act 1980

S46 Town Police Clauses Act 1847

Paragraph 19, Schedule 3, Local Government (Miscellaneous Provisions) Act 1982.

**Other Legal Implications:**

In the case of fees for hackney carriages, private hire vehicles and private hire operators, the City Council is required to advertise any proposed variations to the fees and consider any representations made.

**POLICY FRAMEWORK IMPLICATIONS**

None

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**PREMISES LICENCES (Licensing Act 2003)**

Fees fixed by Statute - no discretion

Conversion/Grant/Variation - Band A = RV < £4,300	07 Feb 2005	£100.00	<b>£100.00</b>
Conversion/Grant/Variation - Band B = RV >£4,300 < £33,000	07 Feb 2005	£190.00	<b>£190.00</b>
Conversion/Grant/Variation - Band C = RV >£33,001 < £87,000	07 Feb 2005	£315.00	<b>£315.00</b>
Conversion/Grant/Variation - Band D = RV >£87,001 < £125,000	07 Feb 2005	£450.00	<b>£450.00</b>
Conversion/Grant/Variation - Band E = RV >£125,000	07 Feb 2005	£635.00	<b>£635.00</b>
Annual Fee - Band A = RV < £4,300	07 Feb 2005	£70.00	<b>£70.00</b>
Annual Fee - Band B = RV >£4,300 < £33,000	07 Feb 2005	£180.00	<b>£180.00</b>
Annual Fee - Band C = RV >£33,001 < £87,000	07 Feb 2005	£295.00	<b>£295.00</b>
Annual Fee - Band D = RV >£87,001 < £125,000	07 Feb 2005	£320.00	<b>£320.00</b>
Annual Fee - Band E = RV >£125,000	07 Feb 2005	£350.00	<b>£350.00</b>
Premises licence or summary theft or loss - section 25	07 Feb 2005	£10.50	<b>£10.50</b>
Provisional statement - section 29	07 Feb 2005	£315.00	<b>£315.00</b>
Premises licence change of name or address - section 33	07 Feb 2005	£10.50	<b>£10.50</b>
Premises licence variation of designated premises supervisor - section 37	07 Feb 2005	£23.00	<b>£23.00</b>
Premises licence transfer - section 42	07 Feb 2005	£23.00	<b>£23.00</b>
Premises licence interim authority - section 47	07 Feb 2005	£23.00	<b>£23.00</b>
Club premises certificate or summary theft or loss - section 79	07 Feb 2005	£10.50	<b>£10.50</b>
Club premises certificate change of name or rules - section 82	07 Feb 2005	£10.50	<b>£10.50</b>
Club premises certificate change of address - section 83(1) or (2)	07 Feb 2005	£10.50	<b>£10.50</b>
Temporary event notice - section 100	07 Feb 2005	£21.00	<b>£21.00</b>
Temporary event notice loss or theft - section 110	07 Feb 2005	£10.50	<b>£10.50</b>
Registration of interest (freeholder etc)	07 Feb 2005	£21.00	<b>£21.00</b>

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**PERSONAL LICENCES (Licensing Act 2003)**

Fees fixed by Statute - no discretion	07 Feb 2005		
Personal licence grant or renewal	07 Feb 2005	£37.00	<b>£37.00</b>
Personal licence theft or loss	07 Feb 2005	£10.50	<b>£10.50</b>
Personal licence name or address change	07 Feb 2005	£10.50	<b>£10.50</b>

**TAXI & PRIVATE HIRE LICENCES**

Fee discretion (but vehicle and operators' licence fees must be advertised)

**Hackney Carriage**

Grant (excluding inspection fee and licence plate)	01 Jan 2008	£150.00	<b>£165.00</b>
Renewal (excluding inspection fee and licence plate)	01 Jan 2008	£150.00	<b>£165.00</b>

**Private Hire Vehicle**

Grant (excluding inspection fee and licence plate)	01 Jan 2008	£150.00	<b>£165.00</b>
Renewal (excluding inspection fee and licence plate)	01 Jan 2008	£150.00	<b>£165.00</b>

**Hackney Carriage Driver**

Three year licence	01 Jan 2008	£120.00	<b>£120.00</b>
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**Private Hire Driver**

Three year licence	01 Jan 2008	£120.00	<b>£120.00</b>
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**Drivers' Topography Tests**

(per test if failed)	01 Jan 2008	£20.00	<b>£20.00</b>
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**Private Hire Operator**

Grant	01 Jan 2008	£50.00	<b>£50.00</b>
Renewal	01 Jan 2008	£50.00	<b>£50.00</b>
(three yearly licence from 01/01/08) - fee per vehicle & maximum			
Plus per vehicle	01 Jan 2008	£50.00	<b>£50.00</b>
To a maximum of	01 Jan 2008	£1,000.00	<b>£1,000.00</b>

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***Miscellaneous licence fees not included above***

**Licence Plates for HC and PHV**

New	01 Jan 2008	£36.00	<b>£36.00</b>
Replacement	01 Jan 2008	£6.00	<b>£6.00</b>
(including returnable deposit of)	01 Jan 2008	£30.00	<b>£30.00</b>

Criminal Record checks for drivers' licences The City Council is charged the fee for each check by the Criminal Records Bureau	06 Apr 2006	£36.00	<b>£36.00</b>
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DVLA driving history checks The City Council is charged the fee for each check by the DVLA		£5.00	<b>£5.00</b>
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Notification of transfer of vehicle licence	01 Jan 2008	£25.00	<b>£35.00</b>
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Replacement Certificates of Compliance	01 Jan 2008	£10.00	<b>£10.00</b>
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Change of vehicle (other than on renewal)	01 Jan 2008	£25.00	<b>£35.00</b>
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Temporary changes of vehicle	01 Jan 2008	£25.00	<b>£35.00</b>
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***Replacement documents***

Duplicate drivers' badges	01 Jan 2008	£5.00	<b>£5.00</b>
Duplicate drivers' licences	01 Jan 2008	£5.00	<b>£5.00</b>
Duplicate vehicle licences	01 Jan 2008	£5.00	<b>£5.00</b>

**SEX ESTABLISHMENT LICENCES**

Fee discretion

Sex Shops

Application for Grant	14 Nov 2007	£7,500.00	<b>£3,500.00</b>
Application for Renewal	14 Nov 2007	£7,500.00	<b>£3,500.00</b>
Application for Transfer	14 Nov 2007	£7,500.00	<b>£3,500.00</b>

Sex Cinemas

Application for Grant	14 Nov 2007	£7,500.00	<b>£3,500.00</b>
Application for Renewal	14 Nov 2007	£7,500.00	<b>£3,500.00</b>
Application for Transfer	14 Nov 2007	£7,500.00	<b>£3,500.00</b>



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**STREET TRADING CONSENTS**

Fee discretion

Street Trading Consents (all grant or renewal - except Guildhall Square) per annum

Hot food traders (vehicles)

01 Apr 1999 £1,245.00 **£1,245.00**

Hot food traders (stand or stall)

01 Apr 1999 £934.00 **£934.00**

Fruit and Vegetable traders (stand or stall)

01 Apr 1999 £686.00 **£686.00**

Flower traders (stand or stall)

24 May 2002 £156.00 **£156.00**

Guildhall Square Street Trading Consents (of seven days per consent)

All traders (subject to meeting criteria)

24 May 2002 £30.00 **£30.00**

**MISCELLANEOUS**

**Motor Salvage Operators registrations**

registration & renewal

21 Oct 2002 £100.00 **£100.00**

**Boats & Boatmen's licences**

Boat - grant & renewal

01 Jan 2004 £135.00 **£135.00**

Boatman - grant & renewal

01 Jan 2004 £60.00 **£60.00**

**Street Collection permits**

No fee recoverable

N/A **N/A**

**House to House Collection licences**

No fee recoverable

N/A **N/A**

**Scrap Metal Dealers' registrations**

No fee recoverable

N/A **N/A**

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**GAMBLING ACT 2005**

Premises **licence** and **notice** fee maxima are set by SI but **permit** and **registration** fees are prescribed by SIs under the Gambling Act 2005

***Licence fees (discretion up to maxima)***

**Large casino premises licence**

Conversion application fee for non-fast track application	-	N/A	N/A
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£5,000.00	£5,000.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£10,000.00	£10,000.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£10,000.00	£10,000.00
Fee for application to vary licence	19 Apr 2007	£5,000.00	£5,000.00
Fee for application to transfer a licence	19 Apr 2007	£2,150.00	£2,150.00
Fee for application for reinstatement of a licence	19 Apr 2007	£2,150.00	£2,150.00
Fee for application for provisional statement	19 Apr 2007	£10,000.00	£10,000.00

**Converted casino premises licence**

Conversion application fee for non-fast track application	19 Apr 2007	£2,000.00	£2,000.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	N/A	N/A
Non-conversion application fee in respect of other premises	19 Apr 2007	N/A	N/A
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£3,000.00	£3,000.00
Fee for application to vary licence	19 Apr 2007	£2,000.00	£2,000.00
Fee for application to transfer a licence	19 Apr 2007	£1,350.00	£1,350.00
Fee for application for reinstatement of a licence	19 Apr 2007	£1,350.00	£1,350.00
Fee for application for provisional statement	19 Apr 2007	N/A	N/A

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**Bingo premises licence**

Conversion application fee for non-fast track application	19 Apr 2007	£1,750.00	£1,750.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£1,200.00	£1,200.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£3,500.00	£3,500.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to vary licence	19 Apr 2007	£1,750.00	£1,750.00
Fee for application to transfer a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for reinstatement of a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for provisional statement	19 Apr 2007	£3,500.00	£3,500.00

**Adult gaming centre premises licence**

Conversion application fee for non-fast track application	19 Apr 2007	£1,000.00	£1,000.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£1,200.00	£1,200.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£2,000.00	£2,000.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to vary licence	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to transfer a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for reinstatement of a licence	19 Apr 2007	£1,200.00	£1,200.00
Fee for application for provisional statement	19 Apr 2007	£2,000.00	£2,000.00

**Betting premises (track) licence**

Conversion application fee for non-fast track application	19 Apr 2007	£1,250.00	£1,250.00
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£950.00	£950.00
Non-conversion application fee in respect of other premises	19 Apr 2007	£2,500.00	£2,500.00
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£1,000.00	£1,000.00
Fee for application to vary licence	19 Apr 2007	£1,250.00	£1,250.00
Fee for application to transfer a licence	19 Apr 2007	£950.00	£950.00
Fee for application for reinstatement of a licence	19 Apr 2007	£950.00	£950.00
Fee for application for provisional statement	19 Apr 2007	£2,500.00	£2,500.00

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### Family entertainment centre premises licence

Conversion application fee for non-fast track application	19 Apr 2007	£1,000.00	<b>£1,000.00</b>
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£950.00	<b>£950.00</b>
Non-conversion application fee in respect of other premises	19 Apr 2007	£2,000.00	<b>£2,000.00</b>
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£750.00	<b>£750.00</b>
Fee for application to vary licence	19 Apr 2007	£1,000.00	<b>£1,000.00</b>
Fee for application to transfer a licence	19 Apr 2007	£950.00	<b>£950.00</b>
Fee for application for reinstatement of a licence	19 Apr 2007	£950.00	<b>£950.00</b>
Fee for application for provisional statement	19 Apr 2007	£2,000.00	<b>£2,000.00</b>

### Betting premises (other) licence

Conversion application fee for non-fast track application	19 Apr 2007	£1,500.00	<b>£1,500.00</b>
Non-conversion application fee in respect of provisional statement premises	19 Apr 2007	£1,200.00	<b>£1,200.00</b>
Non-conversion application fee in respect of other premises	19 Apr 2007	£3,000.00	<b>£3,000.00</b>
Annual fee (within 30 days of issue and then on the anniversary)	19 Apr 2007	£600.00	<b>£600.00</b>
Fee for application to vary licence	19 Apr 2007	£1,500.00	<b>£1,500.00</b>
Fee for application to transfer a licence	19 Apr 2007	£1,200.00	<b>£1,200.00</b>
Fee for application for reinstatement of a licence	19 Apr 2007	£1,200.00	<b>£1,200.00</b>
Fee for application for provisional statement	19 Apr 2007	£3,000.00	<b>£3,000.00</b>

### Other discretionary gambling fees:

Conversion of premises licence – fast track application	19 Apr 2007	£300.00	<b>£300.00</b>
Change of circumstance fee	19 Apr 2007	£50.00	<b>£50.00</b>
Copy of a licence	19 Apr 2007	£25.00	<b>£25.00</b>
Temporary Use Notice	19 Apr 2007	£500.00	<b>£500.00</b>
Endorsed copy of TUN	19 Apr 2007	£50.00	<b>£50.00</b>
Occasional Use Notice (no power to charge a fee)	19 Apr 2007	N/A	<b>N/A</b>

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**Permit and Registration fees (prescribed)**

**Family Entertainment Centre - 10 years from date of issue**

Application fee - Existing Operator	01 Sep 2007	£100.00	£100.00
Application fee - New Operator	01 Sep 2007	£300.00	£300.00
Renewal fee	01 Sep 2007	£300.00	£300.00
Annual fee	01 Sep 2007	N/A	N/A
Variation	01 Sep 2007	N/A	N/A
Transfer	01 Sep 2007	N/A	N/A
Change of name	01 Sep 2007	£25.00	£25.00
Copy of permit	01 Sep 2007	£15.00	£15.00

**Prize Gaming Permit - 10 years from date of issue**

Application fee - Existing Operator	01 Sep 2007	£100.00	£100.00
Application fee - New Operator	01 Sep 2007	£300.00	£300.00
Renewal fee	01 Sep 2007	£300.00	£300.00
Annual fee	01 Sep 2007	N/A	N/A
Variation	01 Sep 2007	N/A	N/A
Transfer	01 Sep 2007	N/A	N/A
Change of name	01 Sep 2007	£25.00	£25.00
Copy of permit	01 Sep 2007	£15.00	£15.00

**Alcohol Licensed Premises Gaming Machine Permit - Indefinite**

Application fee - Existing Operator	01 Sep 2007	£100.00	£100.00
Application fee - New Operator	01 Sep 2007	£150.00	£150.00
Renewal fee	01 Sep 2007	N/A	N/A
Annual fee (within 30 days of issue and then on the anniversary)	01 Sep 2007	£50.00	£50.00
Variation	01 Sep 2007	£100.00	£100.00
Transfer	01 Sep 2007	£25.00	£25.00
Change of name	01 Sep 2007	£25.00	£25.00
Copy of permit	01 Sep 2007	£15.00	£15.00

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**Alcohol Licensed Premises Notifications - Indefinite**

*A change in the Licensing Act 2003 premises licence will require a new notification.*

Application fee - Existing Operator	01 Sep 2007	£50.00	<b>£50.00</b>
Application fee - New Operator	01 Sep 2007	N/A	<b>N/A</b>
Renewal fee	01 Sep 2007	N/A	<b>N/A</b>
Annual fee	01 Sep 2007	N/A	<b>N/A</b>
Duration of Permit	01 Sep 2007	<i>Indefinitely</i>	<b>Indefinitely</b>
Variation	01 Sep 2007	N/A	<b>N/A</b>
Transfer	01 Sep 2007	N/A	<b>N/A</b>
Change of name	01 Sep 2007	N/A	<b>N/A</b>
Copy of permit		N/A	<b>N/A</b>

**Club Gaming and Club Machine Permits - Existing holders of registrations or Club Premises**

**Certificates - 10 years from date of issue**

Application fee - Existing Operator	01 Sep 2007	£100.00	<b>£100.00</b>
Application fee - New Operator	01 Sep 2007	N/A	<b>N/A</b>
Renewal fee	01 Sep 2007	£100.00	<b>£100.00</b>
Annual fee (within 30 days of issue and then on the anniversary)	01 Sep 2007	£50.00	<b>£50.00</b>
Variation	01 Sep 2007	£100.00	<b>£100.00</b>
Transfer	01 Sep 2007	N/A	<b>N/A</b>
Change of name	01 Sep 2007	N/A	<b>N/A</b>
Copy of permit	01 Sep 2007	£15.00	<b>£15.00</b>

**Club Gaming and Club Machine Permits - All other cases - 10 years from date of issue**

Application fee - Existing Operator	01 Sep 2007	N/A	<b>N/A</b>
Application fee - New Operator	01 Sep 2007	£200.00	<b>£200.00</b>
Renewal fee	01 Sep 2007	£200.00	<b>£200.00</b>
Annual fee (within 30 days of issue and then on the anniversary)	01 Sep 2007	£50.00	<b>£50.00</b>
Variation	01 Sep 2007	£100.00	<b>£100.00</b>
Transfer	01 Sep 2007	N/A	<b>N/A</b>
Change of name	01 Sep 2007	N/A	<b>N/A</b>
Copy of permit	01 Sep 2007	£15.00	<b>£15.00</b>

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**APPENDIX 1****Small Society Lottery Registration - Indefinite**

Application fee - Existing Operator

01 Sep 2007

N/A

**N/A**

Application fee - New Operator

01 Sep 2007

£40.00

**£40.00**

Renewal fee

01 Sep 2007

£20.00

**£20.00**

Annual fee

01 Sep 2007

N/A

**N/A**

Variation

01 Sep 2007

N/A

**N/A**

Transfer

01 Sep 2007

N/A

**N/A**

Change of name

01 Sep 2007

N/A

**N/A**

Copy of permit

01 Sep 2007

N/A

**N/A**

<b>Authority</b>	<b>Hackney Carriage</b>	<b>Private Hire Vehicle</b>
Portsmouth	£160	£160
Gosport	£190	£190
Eastleigh	£180	£180
Basingstoke	£210	£210
IOW	£228	£228
Brighton and Hove	£180	£157
Bath	£330	£283
Bristol	£177	£177
Oxford	£351	£262
Exeter	£215	£220
<b>Southampton</b>	<b>£165 (proposed)</b>	<b>£165 (proposed)</b>