



**WATFORD
BOROUGH
COUNCIL**

LICENSING COMMITTEE

13 January 2022

7.00 pm

Town Hall, Watford

Contact

Laura MacMillan

democraticservices@watford.gov.uk

01923 278306

For information about attending meetings please visit the [council's website](#).

Publication date: Wednesday, 5 January 2022

Committee Membership

Councillor G Saffery (Chair)

Councillor M Devonish (Vice-Chair)

Councillors K Crout, S Feldman, A Grimston, P Hannon, M Hofman, A Khan, B Mauthoor, A Saffery, R Smith, B Stanton, J Stiff, D Watling and R Wenham

Agenda

Part A - Open to the Public

1. Apologies for absence

2. Disclosure of interests

3. Minutes

The minutes of the Licensing Committee held on 30 September 2021 were approved and signed.

4. Licensing Fees & Charges 2022-2023 (Pages 3 - 11)

Report of the Senior Licensing Officer.

Part A

Report to: Licensing Committee

Date of meeting: Thursday, 13 January 2022

Report author: Senior Licensing Officer (AY)

Title: Licensing Fees & Charges 2022-2023

1.0 Summary

1.1 This report seeks the Licensing Committee’s approval to charge fees for the 2022/2023 financial year for some of the different licensing regimes administered by the Council. Setting licensing fees is generally a Council rather than an Executive function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).

2.0 Risks

2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
Level of fees challenged by district auditor	May have to justify cost recovery calculations	Maintain cost recovery calculations	Treat	2
Level of fees challenged by judicial review	May have to justify cost recovery calculations	Maintain cost recovery calculations	Treat	3

3.0 Recommendations

3.1 That the fees and charges set out in pages 1 and 2 of appendix 1 for the financial year 2022/2023 be approved and that the fees and charges in pages 3 and 4 of appendix be recommended to Council for approval.

3.2 To delegate to the Head of Community Protection, in consultation with the Chair of Licensing, the authority to increase or decrease charges in respect of the provision of:

- compulsory door signage for hackney carriages

- Disclosure and Barring Service and Driver and Vehicle Licensing Agency checks
- licence badges and plates

For the reasons outlined in sections 4.9 and 4.10.

Further information:

Austen Young, Senior Licensing Officer
01923 278474
austen.young@watford.gov.uk

Report approved by: Justine Hoy

4.0 Detailed proposal

4.1 The council is responsible for administering a number of statutory and discretionary licensing regimes, including the Licensing Act 2003, Gambling Act 2005, hackney carriages and private hire vehicles, street trading, pavement cafes, sex establishments and leaflet distribution.

4.2 Whilst some of these licensing fees are set by the Licensing Committee, rather than by Council, they are being considered at this particular meeting to coincide with the overall budget setting of the organisation. Other fees are set by the Council so if agreed here will be recommended to Council for approval in the budget papers.

4.3 Some general principles apply to the setting of licence fees:

- they cannot be used to generate a profit, and any surplus should be identified and carried over to the following year
- it is acceptable to carry forward deficits from previous years
- income from licence fees may only be spent on the specific regime from which they were generated
- fees may not be discriminatory or to be used as an economic deterrent

4.4 When not prescribed by statute, licence fees are set on a cost-recovery basis. Below are details of the statute and restrictions that apply:

- Licensing Act 2003 – centrally set out in regulations by Parliament.
- Gambling Act 2005 – decided by the Council subject to statutory maxima.

- Hackney carriage and private hire vehicle licensing – reasonable charges may be made for the cost of administering and enforcing the regime, and providing taxi ranks.
- Street trading fees – reasonable charges may be made for the cost of administering and enforcing the regime in relation to licensed traders.
- Pavement licence fees – reasonable charges may be made for the cost of administering the regime.
- Sex establishment fees – reasonable charges may be made for the cost of administering the regime and enforcing it in relation to licensed traders.
- Leaflet distribution – reasonable charges may be made for the cost of administering the regime and enforcing it in relation to licensed distributors.
- Animal welfare and licensing – cost recovery fee calculation regime set out in government guidance.

4.5 The proposed schedule of fees and charges is set out in Appendix 1.

4.6 Where fees are calculated on a cost recovery basis, the proposed fees have been raised by approximately 3% to reflect the increased cost of delivering these services.

4.7 There is one exception to this approach; licenses issued under the hackney carriage and private hire licensing regime, including driver, vehicle, and private hire operator licences. The ongoing introduction of operational efficiencies, particularly with regards to introducing digital applications and fine tuning this application process in response to the Covid-19 pandemic over the last two years, has allowed us to offset these increased costs since 2017.

4.8 Members should also be aware that we are obliged to consult current driver and vehicle licence holders on any changes to these licence fees. As we are not proposing to change the fees for these licences no consultation has been carried out. Please note if members are minded to increase these fees consultation with the hackney carriage and private hire trade will need to take place and the results brought back to a subsequent meeting before being implemented.

4.9 The Licensing Committee is also asked to approve that the Head of Community Protection, in consultation with the Chair of Licensing Committee, can immediately change the charges that arise in respect of the cost to the council of materials/external fees for:

- Compulsory door signage for hackney carriages

- Disclosure and Barring Service checks, and practical driver assessments.
- Licence badges and plates and related consumables

4.10 This flexibility is requested so that officers can, where necessary, change contractors or service providers or respond to changes in pricing and pass those costs or savings on to licence-holders without requiring further committee approval.

4.11 For the sake of clarity, it is not proposed to increase or amend any other licence fee or charge other than those mentioned above.

5.0 **Implications**

5.1 **Financial**

5.2 The Shared Director of Finance comments that the financial implications of the proposed fees and charges are set out in the Budget Planning report to Council on 26 January.

5.3 **Legal Issues** (Monitoring Officer)

5.4 The Group Head of Democracy and Governance comments that the legal implications are contained in the body of the report.

5.5 **Equalities, Human Rights and Data Protection**

5.6 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, to the need to –

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act,
- advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them,
- foster good relations between persons who share relevant protected characteristics and persons who do not share them.

5.7 Having had regard to the council's obligations under s149, it is considered that there are no human rights or equalities implications associated with the proposed fees and charges as they will apply equally to everyone regardless of any protected characteristic.

5.8 Having had regard to the council's obligations under the General Data Protection Regulations (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment for this report.

5.9 **Staffing**

5.10 There are no staffing implications associated with this report.

5.11 **Accommodation**

5.12 There are no accommodation implications associated with this report.

5.13 **Community Safety/Crime and Disorder**

5.14 There are no community safety or crime and disorder implications associated with this report

5.15 **Sustainability**

5.16 There are no sustainability implications associated with this report.

Appendices

Appendix 1 – Proposed Fees & Charges 2022-2023

Background papers

No papers were used in the preparation of this report.

COMMUNITY & CUSTOMER SERVICES

2022/23 FEES & CHARGES PROPOSED FOR :-
ENVIRONMENTAL HEALTH & LICENSING

Description	2021/22 Charge	PRICING STRATEGY					Proposed 2022/23 Charge	Annual Increase / Decrease (-) %	Comments
		COMMERCIAL	FULL COST REC	SUBSIDISED	FREE	STATUTORY			
Outside Scope for VAT purposes									
Taxi & Private Hire Vehicle Licences									
Annual Vehicle Licence - Initial Application	£235.00	*	✓	*	*	*	£235.00	NO CHANGE	
Annual Vehicle Licence - Initial Application(wholly electric vehicle)	£117.50	*	*	✓	*	*	£117.50	NO CHANGE	
Annual Vehicle Licence - Initial Application (Limousines)	£235.00	*	✓	*	*	*	£235.00	NO CHANGE	
Annual Vehicle Licence - Initial Application (Courtesy vehicles)	£235.00	*	✓	*	*	*	£235.00	NO CHANGE	
Annual Vehicle Licence - Renewal	£225.00	*	✓	*	*	*	£225.00	NO CHANGE	
Annual Vehicle Licence - Renewal (wholly electric vehicles)	£112.50	*	*	✓	*	*	£112.50	NO CHANGE	
Transfer of vehicle ownership (payable by buyer)	£18.00	*	✓	*	*	*	£18.50	2.78 %	
Taximeter tests	£18.00	*	✓	*	*	*	£18.50	2.78 %	
Replacement vehicle plates	£21.00	*	✓	*	*	*	£21.00	NO CHANGE	
Optional plate fitting brackets	£21.00	*	✓	*	*	*	£21.00	NO CHANGE	
Compulsory door signs for hackney carriages (vinyl, per pair)	£10.50	*	✓	*	*	*	£10.50	NO CHANGE	
Compulsory door signs for hackney carriages (magnetic, per pair)	£25.00	*	✓	*	*	*	£25.00	NO CHANGE	Fee increased 30/11/21
Advertising approval on hackney carriages (agency)	£154.50	*	✓	*	*	*	£159.00	2.91 %	
Advertising approval per hackney carriage	£51.50	*	✓	*	*	*	£53.00	2.91 %	
Advertising approval (Licensing Committee referral)	£257.50	*	✓	*	*	*	£265.00	2.91 %	
Private Hire Operators - initial application (5 yrs)	£771.00	*	✓	*	*	*	£771.00	NO CHANGE	
Private Hire Operators - renewal (5 yrs)	£769.00	*	✓	*	*	*	£769.00	NO CHANGE	
Driver Licences - initial application (3 yrs)	£329.00	*	✓	*	*	*	£329.00	NO CHANGE	
Driver Licences - renewal application (3 yrs)	£325.00	*	✓	*	*	*	£325.00	NO CHANGE	
Theory Knowledge Test	£105.00	*	✓	*	*	*	£108.00	2.86 %	
Repeat Knowledge Test with Training	£72.00	*	✓	*	*	*	£74.00	2.78 %	
Repeat Knowledge Test (Test Only)	£32.50	*	✓	*	*	*	£33.50	3.08 %	
Replacement drivers badges	£18.50	*	✓	*	*	*	£19.00	2.70 %	
Duplicate documents	£18.50	*	✓	*	*	*	£19.00	2.70 %	
Driver change of address	£7.20	*	✓	*	*	*	£7.40	2.78 %	
Street Trading									
Street Trading Consent (per annum)	£515.00	*	✓	*	*	*	£530.00	2.91 %	
Street Trading Consent (per annum) - Vicarage Road	£515.00	*	✓	*	*	*	£530.00	2.91 %	
Street Trading Consent daily rate (if less than one year)	£23.30	*	✓	*	*	*	£24.00	3.00 %	
Street Trading Consent (Town Centre Markets per stall per day, waived for charitable etc stalls)	£23.30	*	✓	*	*	*	£24.00	3.00 %	
Permit for Tables & Chairs on the Highway									
Initial application (1 year permit)	£409.00	*	✓	*	*	*	£421.00	2.93 %	
Renewal of annual permit	£111.00	*	✓	*	*	*	£114.00	2.70 %	
Limited duration pavement licence	£100.00	*	*	*	*	✓	£100.00	NO CHANGE	
Free Printed Matter Distribution									
First distributor	£55.50	*	✓	*	*	*	£57.00	2.70 %	
Each additional distributor	£33.50	*	✓	*	*	*	£34.50	2.99 %	
Additional fee for each distributor between 1700 and 0900	£22.00	*	✓	*	*	*	£22.50	2.27 %	

COMMUNITY & CUSTOMER SERVICES

**2022/23 FEES & CHARGES PROPOSED FOR :-
ENVIRONMENTAL HEALTH & LICENSING (continued)**

Prices quoted below are exclusive of VAT

Description	2021/22 Charge	PRICING STRATEGY					Proposed 2022/23 Charge	Annual Increase / Decrease (-) %	Comments
		COMMERCIAL	FULL COST REC	SUBSIDISED	FREE	STATUTORY			
Outside Scope for VAT purposes									
Sex Establishment Licence									
Grant of Licence	£561.00	*	✓	*	*	*	£577.50	2.94 %	
Annual renewal fee	£140.00	*	✓	*	*	*	£144.00	2.86 %	
Sexual Entertainment Venue Licence									
Application for grant of licence	£667.00	*	✓	*	*	*	£687.00	3.00 %	
Renewal of licence	£246.00	*	✓	*	*	*	£253.00	2.85 %	
Major variations (at officer's discretion)	£539.00	*	✓	*	*	*	£555.00	2.97 %	
Minor variations (at officer's discretion)	£119.00	*	✓	*	*	*	£122.50	2.94 %	
Skin Piercing									
Operator (each)	£55.50	*	✓	*	*	*	£57.50	3.60 %	
Premises	£178.00	*	✓	*	*	*	£183.00	2.81 %	
Animal Welfare Licensing (New applications excl. veterinary fees)									
Day care residential	£171.00	*	✓	*	*	*	£176.00	2.92 %	
Day care commercial	£220.00	*	✓	*	*	*	£227.00	3.18 %	
Breeding residential	£191.00	*	✓	*	*	*	£197.00	3.14 %	
Breeding commercial	£220.00	*	✓	*	*	*	£227.00	3.18 %	
Home boarding	£171.00	*	✓	*	*	*	£176.00	2.92 %	
Kennels	£235.00	*	✓	*	*	*	£242.00	2.98 %	
Cattery	£235.00	*	✓	*	*	*	£242.00	2.98 %	
Hiring Horses	£255.00	*	✓	*	*	*	£263.00	3.14 %	
Pet Vending Commercial	£235.00	*	✓	*	*	*	£242.00	2.98 %	
Pet Vending Small / domestic	£171.00	*	✓	*	*	*	£176.00	2.92 %	
Exhibiting of Animals Commercial	£235.00	*	✓	*	*	*	£242.00	2.98 %	
Exhibiting of Animals Domestic	£171.00	*	✓	*	*	*	£176.00	2.92 %	
Dangerous Wild Animal			✓				£206.00	new	
Dangerous Wild Animal licence amendment			✓				£75.00	new	
Animal Welfare Licensing (renewals excl. veterinary fees)									
Day care residential	£131.50	*	✓	*	*	*	£135.50	3.04 %	
Day care commercial	£181.00	*	✓	*	*	*	£186.50	3.04 %	
Breeding residential	£153.00	*	✓	*	*	*	£157.50	2.94 %	
Breeding commercial	£181.00	*	✓	*	*	*	£186.50	3.04 %	
Home boarding	£131.50	*	✓	*	*	*	£135.50	3.04 %	
Kennels	£195.00	*	✓	*	*	*	£201.00	3.08 %	
Cattery	£195.00	*	✓	*	*	*	£201.00	3.08 %	
Hiring Horses	£216.00	*	✓	*	*	*	£223.00	3.24 %	
Pet Vending Commercial	£195.00	*	✓	*	*	*	£201.00	3.08 %	
Pet Vending Small / domestic	£131.50	*	✓	*	*	*	£135.50	3.04 %	
Exhibiting of Animals Commercial	£195.00	*	✓	*	*	*	£201.00	3.08 %	
Exhibiting of Animals Domestic	£131.50	*	✓	*	*	*	£135.50	3.04 %	
Dangerous Wild Animal							£155.00		
Scrap metal Dealers									
Grant of Licence	£268.00	*	✓	*	*	*	£276.00	2.99 %	
Renewal of Licence	£208.00	*	✓	*	*	*	£214.00	2.88 %	
Variation of Licence	£55.00	*	✓	*	*	*	£56.50	2.73 %	
Change of Name	£55.00	*	✓	*	*	*	£56.50	2.73 %	
Change of Site	£55.00	*	✓	*	*	*	£56.50	2.73 %	
A request for a DBS check would be subject to VAT at the Standard rate.									
A request for a DBS check which forms part of a Licence application would be Outside Scope for VAT purposes.									
DBS checks									
Disclosure & Barring Service check for selected licences	£40.00	*	*	*	*	✓	£40.00	NO CHANGE	
Fee charged by processing company.	£11.34	*	✓	*	*	*	£11.34	NO CHANGE	Fee increased on 01/04/21

COMMUNITY & CUSTOMER SERVICES

2022/23 FEES & CHARGES PROPOSED FOR :-
ENVIRONMENTAL HEALTH & LICENSING (continued)

Description	2021/22 Charge	PRICING STRATEGY					Proposed 2022/23 Charge	Annual Increase / Decrease (-) %	Comments
		COMMERCIAL	FULL COST REC	SUBSIDISED	FREE	STATUTORY			
Outside Scope for VAT purposes									
<u>GAMBLING ACT 2005</u>									
<u>New applications</u>									
Bingo	£940.00	*	✓	*	*	*	£968.00	2.98 %	
Betting (off-course)	£940.00	*	✓	*	*	*	£968.00	2.98 %	
Betting (track)	£940.00	*	✓	*	*	*	£968.00	2.98 %	
Adult Gaming Centre	£940.00	*	✓	*	*	*	£968.00	2.98 %	
Family Entertainment Centre	£940.00	*	✓	*	*	*	£968.00	2.98 %	
Family Entertainment Centre with permit	£300.00	*	*	*	*	✓	£300.00	NO CHANGE	
Licensed Premises Gaming Machine Notification	£50.00	*	*	*	*	✓	£50.00	NO CHANGE	
Licensed Premises Gaming Machine Permit	£100.00	*	*	*	*	✓	£100.00	NO CHANGE	
Club Gaming Permit	£100.00	*	*	*	*	✓	£100.00	NO CHANGE	
Club Gaming Machine Permit	£100.00	*	*	*	*	✓	£100.00	NO CHANGE	
Small society lottery	£40.00	*	*	*	*	✓	£40.00	NO CHANGE	
Prize Gaming Permit	£100.00	*	*	*	*	✓	£100.00	NO CHANGE	
<u>Miscellaneous fees</u>									
Duplicate licences	£25.00	*	✓	*	*	*	£25.00	NO CHANGE	At statutory maximum
Change of circumstances	£50.00	*	✓	*	*	*	£50.00	NO CHANGE	At statutory maximum
Provisional statements	£875.00	*	✓	*	*	*	£900.00	2.86 %	
Transfer of licence re-instatement of licence	£940.00	*	✓	*	*	*	£950.00	1.06 %	Statutory maximum
Variation of licence	£940.00	*	✓	*	*	*	£968.00	2.98 %	
Change of name of prize gaming or entertainment centre permit	£25.00	*	*	*	*	✓	£25.00	NO CHANGE	
copy of prize gaming or family	£25.00	*	*	*	*	✓	£25.00	NO CHANGE	
copy of family entertainment centre permit	£15.00	*	*	*	*	✓	£15.00	NO CHANGE	

COMMUNITY & CUSTOMER SERVICES

2022/23 FEES & CHARGES PROPOSED FOR :- ENVIRONMENTAL HEALTH & LICENSING (continued)

Description	2021/22 Charge	PRICING STRATEGY					Proposed 2022/23 Charge	Annual Increase / Decrease (-) %	Comments
		COMMERCIAL	FULL COST REC	SUBSIDISED	FREE	STATUTORY			
Outside Scope for VAT purposes									
GAMBLING ACT 2005									
Annual Fee									
Bingo	£1,000.00	*	✓	*	*	*	£1,000.00	NO CHANGE	
Betting (off-course)	£489.00	*	✓	*	*	*	£503.00	2.86 %	
Betting (track)	£1,000.00	*	✓	*	*	*	£1,000.00	NO CHANGE	
Adult Gaming Centre	£1,000.00	*	✓	*	*	*	£1,000.00	NO CHANGE	
Family Entertainment Centre	£750.00	*	✓	*	*	*	£750.00	NO CHANGE	
Family Entertainment Centre with permit	£300.00	*	*	*	*	✓	£300.00	NO CHANGE	
Licensed Premises Gaming Machine Notification	£50.00	*	*	*	*	✓	£50.00	NO CHANGE	
Licensed Premises Gaming Machine permit	£50.00	*	*	*	*	✓	£50.00	NO CHANGE	
Club Gaming Permit	£50.00	*	*	*	*	✓	£50.00	NO CHANGE	
Club Gaming Machine Permit	£50.00	*	*	*	*	✓	£50.00	NO CHANGE	
Small society lottery	£20.00	*	*	*	*	✓	£20.00	NO CHANGE	
Prize Gaming Permit	£300.00	*	*	*	*	✓	£300.00	NO CHANGE	
Licensing Act 2003 (Statutory fees)									
Premises Licence/Club Premises Application fees									
Rateable value £0-4300	£100.00	*	*	*	*	✓	£100.00	NO CHANGE	
Rateable value £ 4301 - £33,000	£190.00	*	*	*	*	✓	£190.00	NO CHANGE	
Rateable value £ 33,001 - £ 87,000	£315.00	*	*	*	*	✓	£315.00	NO CHANGE	
Rateable value £87001 - £125,000	£450.00	*	*	*	*	✓	£450.00	NO CHANGE	
Rateable value £125,001 and above	£635.00	*	*	*	*	✓	£635.00	NO CHANGE	
Premises Licence/Club Premises Annual Fees									
Rateable value £0- £4300	£70.00	*	*	*	*	✓	£70.00	NO CHANGE	
Rateable value £ 4301 - £33,000	£180.00	*	*	*	*	✓	£180.00	NO CHANGE	
Rateable value £ 33,001 - £ 87,000	£295.00	*	*	*	*	✓	£295.00	NO CHANGE	
Rateable value £87001 - £125,000	£320.00	*	*	*	*	✓	£320.00	NO CHANGE	
Rateable value £125,001 and above	£350.00	*	*	*	*	✓	£350.00	NO CHANGE	
Replacement licence	£10.50	*	*	*	*	✓	£10.50	NO CHANGE	
Application for provisional licence	£315.00	*	*	*	*	✓	£315.00	NO CHANGE	
Change of licence details (name or address)	£10.50	*	*	*	*	✓	£10.50	NO CHANGE	
Variation of designated premises supervisor	£23.00	*	*	*	*	✓	£23.00	NO CHANGE	
Transfer of premises licence	£23.00	*	*	*	*	✓	£23.00	NO CHANGE	
Interim authority notice	£23.00	*	*	*	*	✓	£23.00	NO CHANGE	
Variation of designated premises supervisor	£23.00	*	*	*	*	✓	£23.00	NO CHANGE	
Variation of premises	£315.00	*	*	*	*	✓	£315.00	NO CHANGE	
Minor variation of premises	£89.00	*	*	*	*	✓	£89.00	NO CHANGE	
Notification of change of name or club rules	£10.50	*	*	*	*	✓	£10.50	NO CHANGE	
Change of relevant registered address of club	£10.50	*	*	*	*	✓	£10.50	NO CHANGE	
Temporary event notice	£21.00	*	*	*	*	✓	£21.00	NO CHANGE	
Replacement temporary event notice	£10.50	*	*	*	*	✓	£10.50	NO CHANGE	
Application for personal licence	£37.00	*	*	*	*	✓	£37.00	NO CHANGE	
Replacement personal licence	£10.50	*	*	*	*	✓	£10.50	NO CHANGE	
Notification of change of name etc for personal licence	£10.50	*	*	*	*	✓	£10.50	NO CHANGE	
Entry on freeholder register	£21.00	*	*	*	*	✓	£21.00	NO CHANGE	