



Licensing and Health and Safety Enforcement Committee

TUESDAY 27 FEBRUARY 2018 AT 7.30 PM

Council Chamber, The Forum

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Adeleke	Councillor Link
Councillor Mrs Bassadone	Councillor Mills
Councillor Conway	Councillor Peter
Councillor Douris	Councillor R Sutton
Councillor P Hearn (Chairman)	Councillor Taylor
Councillor Howard	Councillor Whitman

For further information, please contact Trudi Angel - 01442 228224 or

AGENDA

1. MINUTES

There are no minutes to be signed at this meeting.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered –

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules on Public Participation.

5. LICENSING FEES & CHARGES 2018-19 (Pages 3 - 17)

6. LICENCE CONDITIONS FOR WHEELCHAIR-ACCESSIBLE HACKNEY CARRIAGE VEHICLES (Pages 18 - 21)



AGENDA ITEM: 5

Report for:	Licensing and Health & Safety Enforcement Committee
Date of meeting:	27 February 2018
PART:	I
If Part II, reason:	

Title of report:	Licensing fees & charges 2018-19
Contact:	Ross Hill – Business Systems Support Officer / Acting Licensing Team Leader
Purpose of report:	To set the fees and charges payable in connection with licensing applications for the financial year 2018-19
Recommendations	That the fees and charges payable in connection with licensing applications from 1 April 2018 to 31 March 2019 are set at the levels proposed in Annex B.
Corporate objectives:	Dacorum Delivers <ul style="list-style-type: none"> • VFM
Implications:	<p><u>Financial</u> There will be a small cost in adoption of fees, as some require public notice to be given.</p> <p><u>Value for Money</u> The proposed fees have been calculated using recent costs incurred by the Licensing service, with the aim of ensuring that administrative, processing and certain compliance costs are recovered in full.</p> <p><u>Risk / Community Impact / Health And Safety Implications</u> None identified</p>
Consultees:	Public notice and an opportunity for objections will be provided for a number of fees where there is a statutory duty for such.
Background papers:	

Glossary of acronyms and any other abbreviations used in this report:	
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1. BACKGROUND

- 1.1. Dacorum Borough Council has statutory responsibility for the administration and enforcement of a wide range of licences, registrations and permits. Many of these schemes allow the Council to charge a fee, payable by an applicant for a licence, in order to cover the costs (or a proportion thereof) of the administration of those licence types. In some cases, costs are also permitted to cover other aspects of providing the regulatory scheme, such as enforcement.
- 1.2. The basis in setting such fees is generally to ensure full cost recovery, or as close to it as possible. Numerous legal cases over the years have confirmed that licensing fees may not be used to generate a profit for councils, and that fees should be reviewed regularly (generally annually) to ensure that neither a significant surplus nor deficit is created. Surpluses or deficits may be carried forward to future years to be redistributed or recouped, as applicable.
- 1.3. Many licensing schemes fall within the definition of ‘services’, and are therefore subject to the EU Services Directive, incorporated in to UK law as the Provision of Services Regulations 2009. For such schemes, fees and charges must “*be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities*”.¹ This principle was affirmed by the UK Supreme Court in *R. (on the application of Hemming (t/a Simply Pleasure Ltd)) v Westminster City Council*.²
- 1.4. In the above case, the Supreme Court referred one issue, on the legality of a demand for upfront payment relating to the ongoing enforcement and compliance of licensing and regulatory schemes, to the European Court of Justice for consideration. The ECJ issued its judgement³ in November 2016, stating that the law precludes any requirement for payment at the time of submitting an application, of part of a fee which relates to the ongoing management and enforcement of the authorisation scheme concerned, even if that part is refundable if that application is subsequently refused. As a result of this, and earlier decisions in the Hemming case, fees for licence types which fall within the scope of the Services Directive are now set in a two-stage structure:
 - an initial **application fee** payable at the time of application, representing the authority’s costs in considering and determining the application;
 - a subsequent **licence fee** payable upon the grant of the application but prior to the issue of the licence, covering the costs of ongoing enforcement and compliance checks of the authorisation scheme, and any other costs which the authority is permitted to recover through its licence fees.

¹ Reg 18(4), Provision of Services Regulations 2009 (S.I. 2009 / 2999)

² [2015] UKSC 25

³ [2016] EUECJ C-316/15 – [Link to judgement](#)

- 1.5. The key exclusions from the above provisions relate to gambling and taxi licences, as those categories of services are excluded from the Directive and the 2009 Regulations. Fees in connection with taxi applications are defined in the subject legislation as licence fees, as they are payable for the grant of a licence, not for an application (ancillary charges, e.g. DBS checks, are payable at the time, however). Gambling fees are treated as application fees, as the legislation makes no provision for refund in the event of an application being unsuccessful. Fees under the Licensing Act 2003 for alcohol/entertainment licences, which are set nationally within legislation, are also treated as application fees as the legislation is again silent on the subject of refunds.
- 1.6. The table at Annex A summarises the Council's powers to set its fees in respect of licensing applications, and any limitations on those powers.

2. PROPOSALS

- 2.1. A proposed list of service-wide fees and charges (excluding those fees set by statute or under executive arrangements) for the period from 1 April 2018 to 31 March 2019, is appended to this report as Annex B.
- 2.2. In addition to the general explanatory note at para 1.4-1.5, the following comments are made on specific proposals:

Alcohol/entertainment fees (1.1.-1.7)

These continue to be set nationally in legislation, at levels which have not changed since 2005. In November 2017, the Government responded⁴ to a House of Lords Select Committee report examining the legislation for these licences, stating that the Government had decided not to commence statutory powers allowing licensing authorities to set these fees at a local level, citing additional costs facing licensed premises as a result of recent business rates revaluations. It therefore appears that these fees will remain at current levels, which result in a substantial deficit against costs, for the foreseeable future.

Animal licences (2.1-2.6)

Legislation implementing a new combined licensing scheme for businesses engaged in animal boarding, dog breeding, sales of pet animals, or hiring of horses for riding or riding tuition is expected to be laid before Parliament shortly. The new single 'animal activity licences' are likely to be available from October 2018, with current licences converting to the new style licence upon the first successful renewal application after that date.

Further reports on the implementation of the new legislation will be brought to the Committee later this year.

Dangerous wild animal licences (currently 2 in force) and zoo licences (0 in force) will remain separate from the new licences, due to their specialist nature.

- 2.3. As with last year, no prior consultation has been carried out on these proposed fees, save for discussions with the service accountant. As licensing authorities are legally obliged to set fees on a cost recovery basis, costs are the only factor they should consider, and comparisons with fees charged by other authorities, comparisons with

⁴ <https://www.gov.uk/government/publications/the-government-response-to-the-report-from-the-house-of-lords-select-committee-on-the-licensing-act-2003>; Recommendation 61, page 39

inflation rates or other indices (including regulated taxi fares) or responses generally opposing an increase as it will raise costs for businesses should carry little weight. In previous years almost all of the responses received to consultations have fallen under these descriptions, as it is very difficult for third parties to make any other comment on the costs incurred by the licensing authority. The Committee will be only too aware that any increase in fees and charges will be unwelcome among licensed businesses, and for this reason increases in fees have been minimized insofar as is possible.

- 2.4. For fees covered by a public notice requirement, an opportunity will be available to make representations on the proposed fees prior to their going live, following the publication of a public notice in a local newspaper. The authority must consider any representations received prior to deciding whether to go ahead with the proposed fee levels.

3. RECOMMENDATIONS

- 3.1. In pursuance of the fee-setting powers conferred upon the Council as specified in Annex A of this report, that the Licensing, Health & Safety and Enforcement Committee set as the fees and charges payable by applicants in connection with applications and other processes for licences, registrations and permits the fees and charges as set out in Annex B, for the period from 1st April 2018 to 31st March 2019; and**
- 3.2. That authority to consider any objections arising from statutory notices pertaining to these fees be delegated to the Solicitor to the Council in consultation with the Chairman of the Licensing, Health & Safety and Enforcement Committee.**

Summary of powers to set application fees

Section	Area	Power arises from
General principle		Reg. 18, Provision of Services Regulations 2009 (2) Authorisation procedures and formalities provided for by a competent authority under an authorisation scheme must not— (a) be dissuasive, or (b) unduly complicate or delay the provision of the service. ... (4) Any charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.
1.1 – 1.7	Alcohol, entertainment, etc	Prescribed in regulations made by the Secretary of State under the Licensing Act 2003. Section 197A of that Act will allow licensing authorities to set fees locally on a cost-recovery basis, but is yet to be commenced.
2.1	Animal boarding	s.1(2), Animal Boarding Establishments Act 1963 Fee as may be determined by LA.
2.2	Dangerous wild animals	s.1(2)(e), Dangerous Wild Animals Act 1976 Sufficient to meet direct and indirect costs incurred
2.3	Dog breeding	s.3A(2), Breeding of Dogs Act 1973 Reasonable costs incurred in administration and enforcement.
2.4	Pet shops	s.1(2), Pet Animals Act 1951 Fee as may be determined by LA.
2.5	Riding establishments	s.1(2), Riding Establishments Act 1964 Fee as may be determined by LA. Cost of veterinary inspection.
2.6	Zoos	s.15(1), Zoo Licensing Act 1981 Sufficient to cover reasonable expenditure incurred by the authority. Special provisions for inspections, closures, and direction making.
3.2, 3.4 – 3.5	Gambling notices, premises licences	Set on a cost recovery basis by the authority, up to maximum amounts prescribed in regulations under the Gambling Act 2005. No fee chargeable for OUN's
3.1, 3.3	Gaming permits, lotteries	Prescribed in regulations made by the Secretary of State under the Gambling Act 2005
4.1, 4.2	Charity collections	No fees chargeable
5.1	Hypnosis	No fees chargeable (except by London boroughs)
6.1	Scrap metal	Sch 1 para 6, Scrap Metal Dealers Act 2013 Fee set by the authority, with regard to guidance FEE-SETTING IS AN EXECUTIVE FUNCTION
7.1	Sex establishments	Sch 3, para 19, Local Gov't (Misc. Provisions) Act 1982 Reasonable fee
8.1	Skin piercing, etc	s.14(6), 15(6) , Local Gov't (Misc. Provisions) Act 1982 Reasonable fee
9.1	Street trading	Sch 4, para 9, Local Gov't (Misc. Provisions) Act 1982 Such fees as LA considers reasonable Different fees permissible for different types of licence/consent, including duration, location and type of goods.
10.1, 10.2	HC/PH drivers	s.53(2), Local Gov't (Misc. Provisions) Act 1976 Recovering the costs of issue and administration. <i>Refundable if licence not granted.</i>
10.2, 10.3	HC/PH vehicles, PH operators	s.70(1), Local Gov't (Misc. Provisions) Act 1976 Sufficient to cover the cost of: inspection of vehicle for licensing purposes, providing hackney carriage stands, or other costs for administration and control/supervision of vehicles. <i>Refundable if licence not granted. Max. fees must be advertised.</i>

Annex B
Proposed Licensing Fees and Charges 2018-19

See attached document.

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code	
1.1 (Alcohol, Entertainment, etc – Club Premises Certificates - Applications)						
1.1	Application for new club premises certificate	Band A	100.00	-	100.00	5260ED300ALCCLUB
1.1		Band B	190.00	-	190.00	5260ED300ALCCLUB
1.1		Band C	315.00	-	315.00	5260ED300ALCCLUB
1.1		Band D	450.00	-	450.00	5260ED300ALCCLUB
1.1		Band E	635.00	-	635.00	5260ED300ALCCLUB
1.1		Site under construction/development	315.00	-	315.00	5260ED300ALCCLUB
1.1	Application for full variation of club premises certificate	Band A	100.00	-	100.00	5260ED300ALCCLUB
1.1		Band B	190.00	-	190.00	5260ED300ALCCLUB
1.1		Band C	315.00	-	315.00	5260ED300ALCCLUB
1.1		Band D	450.00	-	450.00	5260ED300ALCCLUB
1.1		Band E	635.00	-	635.00	5260ED300ALCCLUB
1.1		Site under construction/development	315.00	-	315.00	5260ED300ALCCLUB
1.1	Application for minor variation of club premises certificate	89.00	-	89.00	5260ED300ALCCLUB	
1.1	Request for duplicate copy of certificate following loss/theft/damage	10.50	-	10.50	5260ED300ALCCLUB	
1.1	Change of name or address on club premises certificate	10.50	-	10.50	5260ED300ALCCLUB	
1.1	Change of club rules	10.50	-	10.50	5260ED300ALCCLUB	
1.2 (Alcohol, Entertainment, etc – Club Premises Certificates – Annual fees)						
1.2	Annual fee (payable on anniversary of grant of certificate)	Band A	-	70.00	70.00	5261ED300ALCCLUB
1.2		Band B	-	180.00	180.00	5261ED300ALCCLUB
1.2		Band C	-	295.00	295.00	5261ED300ALCCLUB
1.2		Band D	-	320.00	320.00	5261ED300ALCCLUB
1.2		Band E	-	350.00	350.00	5261ED300ALCCLUB
1.2		Site under construction/development	-	295.00	295.00	5261ED300ALCCLUB
1.3 (Alcohol, Entertainment, etc – Personal Licences)						
1.3	Application for new personal licence	37.00	-	37.00	5260ED300ALCPERSONAL	
1.3	Duplicate copy of licence following theft/loss/damage	10.50	-	10.50	5260ED300ALCPERSONAL	
1.3	Change of name or address	10.50	-	10.50	5260ED300ALCPERSONAL	
1.4 (Alcohol, Entertainment, etc – Premises Licences – Applications)						
1.4	Application for new premises licence	Band A	100.00	-	100.00	5260ED300ALCPREMISES
1.4		Band B	190.00	-	190.00	5260ED300ALCPREMISES
1.4		Band C	315.00	-	315.00	5260ED300ALCPREMISES
1.4		Band D	450.00	-	450.00	5260ED300ALCPREMISES
1.4		Band D with multiplier	900.00	-	900.00	5260ED300ALCPREMISES
1.4		Band E	635.00	-	635.00	5260ED300ALCPREMISES
1.4		Band E with multiplier	1,905.00	-	1,905.00	5260ED300ALCPREMISES
1.4		Site under construction/development	315.00	-	315.00	5260ED300ALCPREMISES
1.4	Application for full variation of premises licence	Band A	100.00	-	100.00	5260ED300ALCPREMISES
1.4		Band B	190.00	-	190.00	5260ED300ALCPREMISES
1.4		Band C	315.00	-	315.00	5260ED300ALCPREMISES

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code
1.4	Band D	450.00	-	450.00	5260ED300ALCPREMISES
1.4	Band D with multiplier	900.00	-	900.00	5260ED300ALCPREMISES
1.4	Band E	635.00	-	635.00	5260ED300ALCPREMISES
1.4	Band E with multiplier	1,905.00	-	1,905.00	5260ED300ALCPREMISES
1.4	Site under construction/development	315.00	-	315.00	5260ED300ALCPREMISES
1.4	Capacity: 5,000–9,999	1,000.00	-	1,000.00	5260ED300ALCPREMISES
1.4	Capacity: 10,000–14,999	2,000.00	-	2,000.00	5260ED300ALCPREMISES
1.4	Capacity: 15,000–19,999	4,000.00	-	4,000.00	5260ED300ALCPREMISES
1.4	Capacity: 20,000–29,999	8,000.00	-	8,000.00	5260ED300ALCPREMISES
1.4	Capacity: 30,000–39,999	16,000.00	-	16,000.00	5260ED300ALCPREMISES
1.4	Capacity: 40,000–49,999	24,000.00	-	24,000.00	5260ED300ALCPREMISES
1.4	Capacity: 50,000–59,999	32,000.00	-	32,000.00	5260ED300ALCPREMISES
1.4	Capacity: 60,000–69,999	40,000.00	-	40,000.00	5260ED300ALCPREMISES
1.4	Capacity: 70,000–79,999	48,000.00	-	48,000.00	5260ED300ALCPREMISES
1.4	Capacity: 80,000–89,999	56,000.00	-	56,000.00	5260ED300ALCPREMISES
1.4	Capacity: 90,000+	64,000.00	-	64,000.00	5260ED300ALCPREMISES
1.4	Application for transfer of premises licence	23.00	-	23.00	5260ED300ALCPREMISES
1.4	Application for variation of premises licence to specify premises supervisor	23.00	-	23.00	5260ED300ALCPREMISES
1.4	Application for minor variation of premises licence	89.00	-	89.00	5260ED300ALCPREMISES
1.4	Application to substitute mandatory condition for community premises (if not made simultaneously with another application)	23.00	-	23.00	5260ED300ALCPREMISES
1.4	Application for interim authority notice	23.00	-	23.00	5260ED300ALCPREMISES
1.4	Request for duplicate copy of premises licence following loss/theft/damage	10.50	-	10.50	5260ED300ALCPREMISES
1.4	Change of name or address on premises licence	10.50	-	10.50	5260ED300ALCPREMISES
1.5 (Alcohol, Entertainment, etc – Premises Licences – Annual Fees)					
1.5	Band A	-	70.00	70.00	5261ED300ALCPREMISES
1.5	Band B	-	180.00	180.00	5261ED300ALCPREMISES
1.5	Band C	-	295.00	295.00	5261ED300ALCPREMISES
1.5	Band D	-	320.00	320.00	5261ED300ALCPREMISES
1.5	Band D with multiplier	-	640.00	640.00	5261ED300ALCPREMISES
1.5	Band E	-	350.00	350.00	5261ED300ALCPREMISES
1.5	Band E with multiplier	-	1,050.00	1,050.00	5261ED300ALCPREMISES
1.5	Site under construction/development	-	295.00	295.00	5261ED300ALCPREMISES
1.5	Exempt	-	-	-	5261ED300ALCPREMISES
1.5	Capacity: 5,000–9,999	-	500.00	500.00	5261ED300ALCPREMISES
1.5	Capacity: 10,000–14,999	-	1,000.00	1,000.00	5261ED300ALCPREMISES
1.5	Capacity: 15,000–19,999	-	2,000.00	2,000.00	5261ED300ALCPREMISES
1.5	Capacity: 20,000–29,999	-	4,000.00	4,000.00	5261ED300ALCPREMISES
1.5	Capacity: 30,000–39,999	-	8,000.00	8,000.00	5261ED300ALCPREMISES
1.5	Capacity: 40,000–49,999	-	12,000.00	12,000.00	5261ED300ALCPREMISES
1.5	Capacity: 50,000–59,999	-	16,000.00	16,000.00	5261ED300ALCPREMISES
1.5	Capacity: 60,000–69,999	-	20,000.00	20,000.00	5261ED300ALCPREMISES

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code
1.5	Capacity: 70,000–79,999	-	24,000.00	24,000.00	5261ED300ALCPREMISES
1.5	Capacity: 80,000–89,999	-	28,000.00	28,000.00	5261ED300ALCPREMISES
1.5	Capacity: 90,000+	-	32,000.00	32,000.00	5261ED300ALCPREMISES
1.6 (Alcohol, Entertainment, etc – Temporary Event Notices)					
1.6	Temporary event notice (standard) - submission fee	21.00	-	21.00	5260ED300ALCTEN
1.6	Temporary event notice (late) - submission fee	21.00	-	21.00	5260ED300ALCTEN
1.6	Duplicate copy of notice following theft/loss/damage	10.50	-	10.50	5260ED300ALCTEN
1.7 (Alcohol, Entertainment, etc - Miscellaneous)					
1.7	Application for provisional statement	315.00	-	315.00	5260ED300ALCPREMISES
1.7	Notification of legal/financial interest in premises	21.00	-	21.00	5260ED300ALCPREMISES

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code
2.1 (Animals – Animal Boarding Establishments)					
2.1	Application for new animal boarding establishment licence (<1yr)	230.00	62.00	292.00	5260ED300ANIMBOARD
2.1	Application to renew animal boarding establishment licence (1yr)	230.00	62.00	292.00	5260ED300ANIMBOARD
2.1	Application to vary animal boarding establishment licence	136.50	21.00	157.50	5260ED300ANIMBOARD
2.1	Application for new animal boarding establishment licence (home boarding) (<1yr)	188.00	42.00	230.00	5260ED300ANIMBOARD
2.1	Application to renew animal boarding establishment licence (home boarding) (1yr)	188.00	42.00	230.00	5260ED300ANIMBOARD
2.1	Application to vary animal boarding establishment licence (home boarding)	79.00	21.00	100.00	5260ED300ANIMBOARD
2.1	Veterinary inspection of premises *	Recharged at cost			6140ED300
2.2 (Animals – Dangerous Wild Animals)					
2.2	Application for licence to keep dangerous wild animals (2yr) <i>plus vet inspection</i>	268.00	63.00	331.00	5260ED300ANIMDWA
2.2	Application to renew licence to keep dangerous wild animals (2yr) <i>plus vet inspection</i>	268.00	63.00	331.00	5260ED300ANIMDWA
2.2	Application to vary licence conditions (new species/increased numbers of animals)	186.00	21.00	207.00	5260ED300ANIMDWA
2.2	Application to vary licence conditions (administrative matters only)	70.00	-	70.00	5260ED300ANIMDWA
2.2	Veterinary inspection of premises *	Recharged at cost			6140ED300
2.3 (Animals – Dog Breeding Establishments)					
2.3	Application for new dog breeding licence (<1yr) <i>plus vet inspection</i>	174.00	63.00	237.00	5260ED300ANIMBREED
2.3	Application to renew dog breeding licence (1yr) <i>plus vet inspection</i>	174.00	63.00	237.00	5260ED300ANIMBREED
2.3	Veterinary inspection of premises *	Recharged at cost			6140ED300
2.4 (Animals – Pet Shops)					
2.4	Application for new pet shop licence (<1yr)	115.00	63.00	178.00	5260ED300ANIMPET
2.4	Application to renew pet shop licence (<1yr)	115.00	63.00	178.00	5260ED300ANIMPET
2.4	Veterinary inspection of premises *	Recharged at cost			6140ED300
2.5 (Animals – Riding Establishments)					
2.5	Application for riding establishment licence (1yr) <i>plus vet inspection</i>	204.00	63.00	267.00	5260ED300ANIMRIDING
2.5	Veterinary inspection of premises *	Recharged at cost			6140ED300
2.6 (Animals – Zoos)					
2.6	Application for new zoo licence (4yr) <i>plus vet inspection</i>	1,634.00	301.00	1,935.00	5260ED300ANIMZOO
2.6	Application to renew zoo licence (6yr) <i>plus vet inspection</i>	1,154.00	301.00	1,455.00	5260ED300ANIMZOO
2.6	Application to vary zoo licence <i>plus vet inspection</i>	1,154.00	301.00	1,455.00	5260ED300ANIMZOO
2.6	Application to transfer zoo licence <i>plus vet inspection</i>	198.00	42.00	240.00	5260ED300ANIMZOO
2.6	Veterinary inspection of premises *	Recharged at cost			6140ED300

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code
3.1 (Betting, Gambling, etc – Lotteries)					
3.1	Registration of society for small society lotteries	40.00	-	40.00	5260ED300GAMLOTTERY
3.1	Annual fee (payable on anniversary of registration)	-	20.00	20.00	5261ED300GAMLOTTERY
3.2 (Betting, Gambling, etc – Notices)					
3.2	Temporary use notice submission fee	366.00	-	366.00	5260ED300GAMPERMIT
3.2	Duplicate copy of temporary use notice following theft/loss/damage	16.00	-	16.00	5260ED300GAMPERMIT
3.2	Occasional use notice submission fee	-	-	-	-
3.3 (Betting, Gambling, etc – Permits)					
3.3	Notification of 1-2 gaming machine in alcohol-licensed premises	50.00	-	50.00	5260ED300GAMPERMIT
3.3	Application for new permit	150.00	-	150.00	5260ED300GAMPERMIT
3.3	Application for variation of permit	100.00	-	100.00	5260ED300GAMPERMIT
3.3	Licensed premises gaming machine permit Application for transfer of permit	25.00	-	25.00	5260ED300GAMPERMIT
3.3	Change of name or address	25.00	-	25.00	5260ED300GAMPERMIT
3.3	Replacement - theft/loss	15.00	-	15.00	5261ED300GAMPERMIT
3.3	Annual fee *	-	50.00	50.00	5261ED300GAMPERMIT
3.3	Application for new permit (standard)	200.00	-	200.00	5260ED300GAMPERMIT
3.3	Application for new permit (fast track)	100.00	-	100.00	5260ED300GAMPERMIT
3.3	Application for variation of permit	100.00	-	100.00	5260ED300GAMPERMIT
3.3	Club gaming permit Application for renewal of permit (standard)	200.00	-	200.00	5260ED300GAMPERMIT
3.3	Application for renewal of permit (fast track)	100.00	-	100.00	5260ED300GAMPERMIT
3.3	Replacement - theft/loss	15.00	-	15.00	5261ED300GAMPERMIT
3.3	Annual fee *	-	50.00	50.00	5261ED300GAMPERMIT
3.3	Application for new permit (standard)	200.00	-	200.00	5260ED300GAMPERMIT
3.3	Application for new permit (fast track)	100.00	-	100.00	5260ED300GAMPERMIT
3.3	Application for variation of permit	100.00	-	100.00	5260ED300GAMPERMIT
3.3	Club machine permit Application for renewal of permit (standard)	200.00	-	200.00	5260ED300GAMPERMIT
3.3	Application for renewal of permit (fast track)	100.00	-	100.00	5260ED300GAMPERMIT
3.3	Replacement - theft/loss	15.00	-	15.00	5261ED300GAMPERMIT
3.3	Annual fee *	-	50.00	50.00	5261ED300GAMPERMIT
3.3	Application for new permit	300.00	-	300.00	5260ED300GAMPERMIT
3.3	Prize gaming permit Application for renewal of permit	300.00	-	300.00	5260ED300GAMPERMIT
3.3	Change of name or address	25.00	-	25.00	5260ED300GAMPERMIT
3.3	Replacement - theft/loss	15.00	-	15.00	5261ED300GAMPERMIT
3.3	Family entertainment centre gaming machine permit Application for new permit	300.00	-	300.00	5260ED300GAMPERMIT
3.3	Application for renewal of permit	300.00	-	300.00	5260ED300GAMPERMIT
3.3	Change of name or address	25.00	-	25.00	5260ED300GAMPERMIT
3.3	Replacement - theft/loss	15.00	-	15.00	5261ED300GAMPERMIT

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code	
3.4 (Betting, Gambling, etc – Premises Licences – Applications)						
3.4	Adult gaming centre	1,128.00	-	1,128.00	5260ED300GAMPREMISES	
3.4	Application for new premises licence (without provisional statement)	Betting (track)	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Betting (other)	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Bingo	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Family entertainment centre	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Adult gaming centre	770.00	-	770.00	5260ED300GAMPREMISES
3.4	Application for new premises licence (with provisional statement)	Betting (track)	770.00	-	770.00	5260ED300GAMPREMISES
3.4		Betting (other)	770.00	-	770.00	5260ED300GAMPREMISES
3.4		Bingo	770.00	-	770.00	5260ED300GAMPREMISES
3.4		Family entertainment centre	770.00	-	770.00	5260ED300GAMPREMISES
3.4	Application for provisional statement	Adult gaming centre	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Betting (track)	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Betting (other)	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Bingo	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4		Family entertainment centre	1,128.00	-	1,128.00	5260ED300GAMPREMISES
3.4	Application for variation of premises licence	Adult gaming centre	770.00	-	770.00	5260ED300GAMPREMISES
3.4		Betting (track)	770.00	-	770.00	5260ED300GAMPREMISES
3.4		Betting (other)	770.00	-	770.00	5260ED300GAMPREMISES
3.4		Bingo	770.00	-	770.00	5260ED300GAMPREMISES
3.4		Family entertainment centre	770.00	-	770.00	5260ED300GAMPREMISES
3.4	Application for transfer of premises licence	Adult gaming centre	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Betting (track)	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Betting (other)	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Bingo	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Family entertainment centre	331.00	-	331.00	5260ED300GAMPREMISES
3.4	Application for reinstatement of premises licence	Adult gaming centre	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Betting (track)	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Betting (other)	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Bingo	331.00	-	331.00	5260ED300GAMPREMISES
3.4		Family entertainment centre	331.00	-	331.00	5260ED300GAMPREMISES
3.4	Duplicate copy of licence following theft/loss/damage	15.00	-	15.00	5260ED300GAMPREMISES	
3.4	Change of name or address on premises licence	35.00	-	35.00	5260ED300GAMPREMISES	
3.5 (Betting, Gambling, etc - Premises Licences – Annual Fees)						
3.5	Annual fee (payable 30 days after the licence takes effect, and then annually on the anniversary of the grant of the licence)	Adult gaming centre	-	525.00	525.00	5261ED300GAMPREMISES
3.5		Betting (track)	-	525.00	525.00	5261ED300GAMPREMISES
3.5		Betting (other)	-	458.00	458.00	5261ED300GAMPREMISES
3.5		Bingo	-	525.00	525.00	5261ED300GAMPREMISES
3.5		Family entertainment centre	-	458.00	458.00	5261ED300GAMPREMISES

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code	
4.1 (Charity Collections – Street Collections)						
4.1	Application for street collection licence	-	-	-	-	
4.2 (Charity Collections – House-to-House Collections)						
4.2	Application for house to house collection licence	-	-	-	-	
5.1 (Hypnotism)						
5.1	Hypnotism authorisation	-	-	-	-	
6.1 (Scrap Metal Dealers)						
6.1	Application for new scrap metal site licence	235.00	63.00	298.00	5260ED300SCRAP	
6.1	Application for new scrap metal collectors licence	180.00	32.00	212.00	5260ED300SCRAP	
6.1	Application to renew scrap metal site licence	217.00	63.00	280.00	5260ED300SCRAP	
6.1	Application to renew scrap metal collectors licence	162.00	32.00	194.00	5260ED300SCRAP	
6.1	Application to vary scrap metal licence - change of licensee details	16.00	-	16.00	5260ED300SCRAP	
6.1	Application to vary scrap metal licence - change of licensed sites	81.00	-	81.00	5260ED300SCRAP	
6.1	Application to vary scrap metal licence - change of site managers	46.00	-	46.00	5260ED300SCRAP	
6.1	Application to vary scrap metal licence - site to collectors licence	27.00	-	27.00	5260ED300SCRAP	
6.1	Application to vary scrap metal licence - collectors to site licence	102.00	42.00	144.00	5260ED300SCRAP	
7.1 (Sex Establishments)						
7.1	Application for new sex establishment licence	1,815.00	250.00	2,065.00	5260ED300SEXLICENCE	
7.1	Application for renewal of sex establishment licence	1,398.00	250.00	1,648.00	5260ED300SEXLICENCE	
7.1	Application for variation of sex establishment licence	791.00	113.00	904.00	5260ED300SEXLICENCE	
7.1	Application for transfer of sex establishment licence	393.00	-	393.00	5260ED300SEXLICENCE	
8.1 (Skin Piercing, etc)						
8.1	Application for registration of skin piercing premises	213.00	-	213.00	5260ED300SKINPIERCE	
8.1	Application for registration of skin piercing operator	87.00	-	87.00	5260ED300SKINPIERCE	
9.1 (Street Trading)						
9.1	Street trading consent (annual)	New (1 vehicle/pitch, 1 year)	396.50	259.00	655.50	5260ED300STREETTRAD
9.1		Renewal (1 vehicle/pitch, 1 year)	396.50	259.00	655.50	5260ED300STREETTRAD
9.1		Additional fee per extra vehicle/pitch	29.00	42.00	71.00	5260ED300STREETTRAD
9.1		Interim substitution of vehicle	24.50	-	24.50	5260ED300STREETTRAD
9.1		Other consent variation	137.00	-	137.00	5260ED300STREETTRAD
9.1	Street trading consent (single event)	Commercial event	158.00	-	158.00	5260ED300STREETTRAD
9.1		Community/charity event	25.00	-	25.00	5260ED300STREETTRAD

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item		APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code
10.1 (Taxis and Private Hire - Drivers)						
10.1	Hackney Carriage Drivers Licence (3 years)	New	-	160.00	160.00	5260ED300TAXIDRIVER
10.1		Renewal	-	160.00	160.00	5260ED300TAXIDRIVER
10.1		Theft/loss of badge	20.00	-	20.00	5260ED300TAXIDRIVER
10.1	Private Hire Drivers Licence (3 years)	New	-	160.00	160.00	5260ED300TAXIDRIVER
10.1		Renewal	-	160.00	160.00	5260ED300TAXIDRIVER
10.1		Theft/loss of badge	20.00	-	20.00	5260ED300TAXIDRIVER
10.1	Dual HC/PH Drivers Licence (3 years)	New	-	215.00	215.00	5260ED300TAXIDRIVER
10.1		Renewal	-	215.00	215.00	5260ED300TAXIDRIVER
10.1		Renewal & Upgrade	-	215.00	215.00	5260ED300TAXIDRIVER
10.1		Interim Upgrade (+£1 / unexpired month)	-	38.00	38.00	5260ED300TAXIDRIVER
10.1		Theft/loss of badge (per)	20.00	-	20.00	5260ED300TAXIDRIVER
10.1	Disclosure & Barring Service (DBS) enhanced disclosure *		Recharged at cost (currently 44.00)			6020ED300CRB
10.1	External identity check (where required for DBS route 2 verification) *		Recharged at cost (current 7.20)			6020ED300CRB
10.1	Driving licence verification check *		Recharged at cost (currently 6.90)			6008ED300
10.2 (Taxis and Private Hire – Driver Knowledge Tests)						
10.2	Hackney carriage written local/legal test	Full test	50.00		50.00	5270ED300
10.2		Conditions only	33.00		33.00	5270ED300
10.2	Private hire written local/legal test	Full test	50.00		50.00	5270ED300
10.2		Conditions only	33.00		33.00	5270ED300
10.2	Dual HC/PH driver written local/legal test	Full test	50.00		50.00	5270ED300
10.2		Conditions only	33.00		33.00	5270ED300
10.2	Versant English language assessment	Test fee *	Recharged at cost (currently 31.80)			5270ED300
10.2		Administration fee	13.00		13.00	5270ED300
10.2		Total fee payable	44.80	-	44.80	5270ED300
10.3 (Taxis and Private Hire – Vehicles)						
10.3	Hackney carriage vehicle licence (excludes compliance test fee)	New (1 year)	-	242.00	242.00	5260ED300TAXIVEHICLE
10.3		Renewal (1 year)	-	242.00	242.00	5260ED300TAXIVEHICLE
10.3		Renewal & substitution (1 yr)	-	242.00	242.00	5260ED300TAXIVEHICLE
10.3		Interim substitution	-	124.50	124.50	5260ED300TAXIVEHICLE
10.3		Transfer of ownership	-	68.00	68.00	5260ED300TAXIVEHICLE
10.3		Theft/loss of rear plate	20.00	-	20.00	5260ED300TAXIVEHICLE
10.3		Theft/loss of front plate	20.00	-	20.00	5260ED300TAXIVEHICLE
10.3		Change of vehicle particulars	55.00	-	55.00	5260ED300TAXIVEHICLE
10.3		Private hire vehicle licence (excludes compliance test fee)	New (1 year)	-	217.00	217.00
10.3	Renewal (1 year)		-	217.00	217.00	5260ED300TAXIVEHICLE
10.3	Renewal & substitution (1 yr)		-	217.00	217.00	5260ED300TAXIVEHICLE
10.3	Interim substitution		-	124.50	124.50	5260ED300TAXIVEHICLE
10.3	Transfer of ownership		-	68.00	68.00	5260ED300TAXIVEHICLE
10.3	Theft/loss of rear plate		20.00	-	20.00	5260ED300TAXIVEHICLE
10.3	Theft/loss of front plate		20.00	-	20.00	5260ED300TAXIVEHICLE
10.3	Change of vehicle particulars		55.00	-	55.00	5260ED300TAXIVEHICLE
10.3	Vehicle MOT and compliance test * (payable direct to test station)			Recharged at cost (currently 52.00)		

Dacorum Borough Council – Licensing fees and charges – 1 April 2018 to 31 March 2019

Cat.	Item	APPLICATION fee 2018-19 £	LICENCE fee 2018-19 £	TOTAL fee 2018-19 £	Account code	
10.4 (Taxis and Private Hire – Operators)						
10.4		New (1-3 vehicles)	-	425.00	425.00	5260ED300TAXIOPERATOR
10.4	Private hire operator licence (5 years)	New (4+ vehicles)	-	716.00	716.00	5260ED300TAXIOPERATOR
10.4		Renewal (1-3 vehicles)	-	425.00	425.00	5260ED300TAXIOPERATOR
10.4		Renewal (4+ vehicles)	-	716.00	716.00	5260ED300TAXIOPERATOR
10.5 (Taxis and Private Hire – Miscellaneous)						
10.5	Duplicate copy of licence following theft/loss/damage		15.00	-	15.00	various
11.1 (Miscellaneous Licensing Fees)						
11.1	Photocopies (per A4 side, at officers discretion, subject to legal restrictions)		0.20	-	0.20	5260ED300MISCLIC
11.1	Additional copies of PACE interview recording (per tape/disc)		15.00	-	15.00	5260ED300MISCLIC
11.1	Copy of public register entry (where kept and made available by statute) (per entry)		15.00	-	15.00	5260ED300MISCLIC
11.1	Duplicate copy of licence following loss/theft/damage (where not otherwise listed)		15.00	-	15.00	5260ED300MISCLIC
11.1	Licensing pre-application advice (per whole or part hour)		46.00	-	46.00	5490ED300

Application fee - payable at time of application, non-refundable if application refused.

Licence fee - payable upon grant of licence, refundable if paid earlier and application refused

* recharged fee, to be automatically adjusted in event of supplier price changes

Agenda Item 6



AGENDA ITEM: 6

Report for:	Licensing and Health & Safety Enforcement Committee
Date of meeting:	27 February 2017
PART:	I
If Part II, reason:	

Title of report:	Licence conditions for wheelchair-accessible hackney carriage vehicles
Contact:	Ross Hill – Business Systems Support Officer / Acting Licensing Team Leader
Purpose of report:	To agree additional standard licence conditions, to be imposed on wheelchair-accessible hackney carriages
Recommendations	To impose further conditions on all hackney carriage vehicle licences issued in respect of designated wheelchair-accessible vehicles (in addition to all current standard licence conditions), as set out at para 3.1-3.2.
Corporate objectives:	Safe and Clean Environment <ul style="list-style-type: none"> • Maintain a clean and safe environment
Implications:	<u>Financial</u> If a requirement for additional signage is adopted, there will be a small cost involved in the manufacture of such signage, to be met from existing Licensing budget. <u>Value for Money / Community Impact / Risk / Health And Safety Implications</u> None identified
Consultees:	A consultation with the taxi trade on the proposal for additional signage on designated vehicles is underway at the time of writing, and the results will be reported verbally at the meeting.
Background papers:	Current hackney carriage vehicle licence conditions - http://www.dacorum.gov.uk/docs/default-source/licensing-documents/taxi/hackney-carriage-vehicle-licence---standard-conditions.pdf
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. As part of its duties to license a range of vehicles suitable for the public to use as hackney carriages (taxis), in 2017 by way of a portfolio holder decision, the Council began designating licensed hackney carriages which are constructed or adapted to safely carry passengers in wheelchairs, under section 167 of the Equality Act 2010. Drivers of designated vehicles are subject to legal duties to convey and assist passengers in wheelchairs, and commit a criminal offence if they fail to perform these duties.
- 1.2. Designated vehicles are included on a list published on the Council's website¹.
- 1.3. A policy, intended to guide the exercise of the Council's powers under the Equality Act 2010, was adopted as part of the same portfolio holder decision, and is also available on the website².

2. PROPOSAL

- 2.1. The policy above includes four new standard conditions to be imposed upon the licences of designated vehicles. These are intended to reinforce the statutory duties by requiring the carriage of suitable and safe equipment for loading and restraining wheelchairs and occupants, and for drivers to be competent in the usage of that equipment.
- 2.2. While matters under the Equality Act 2010 are 'executive functions' and must be exercised by the Council's executive branch, the setting of licence conditions is a 'non-executive function' and thus falls to the Committee. The Committee are therefore asked to formally adopt the following conditions as standard licence conditions applying to hackney carriage vehicle licences for wheelchair-accessible vehicles, to help promote the Council's duties under the Equality Act 2010:
 - a. Appropriate Wheelchair Tie-down and Occupant Restraint Systems (WTORS) for securing a 'reference wheelchair' and occupant must be carried in the licensed vehicle at all times, and maintained in good order. Equipment should be clearly labelled to show the level/standard to which tested.
 - b. The vehicle must be fitted with or otherwise carry either a ramp or a lift for loading passengers while seated in a 'reference wheelchair', designed for that specific purpose, maintained in good order, and with visible marked reference to a safe working load (SWL) of at least 250kgs and certification to BS 6109 (or equivalent standard).
 - c. All drivers of the licensed vehicle must be trained by the proprietor in the safe usage of the equipment referred to in the preceding paragraphs.
 - d. Where a lift is fitted to the licensed vehicle, evidence of thorough inspection by a competent person under the Lifting Operations and Lifting Equipment Regulations (LOLER) must be provided to the licensing authority, at 6-monthly intervals.

¹ <http://www.dacorum.gov.uk/home/environment-street-care/licensing/taxis-private-hire-vehicles/wheelchair-accessible-taxis-and-assistance-dogs>

² [http://www.dacorum.gov.uk/docs/default-source/licensing-documents/taxi/taxi-\(wheelchairs-and-assistance-dogs\)-policy-2017-\(pdf-361kb\).pdf](http://www.dacorum.gov.uk/docs/default-source/licensing-documents/taxi/taxi-(wheelchairs-and-assistance-dogs)-policy-2017-(pdf-361kb).pdf)

- 2.3. Since work began on designation, a small number of drivers and other parties have contacted licensing officers suggesting that designated vehicles should be made more visible. Although designated vehicles are currently listed on the Council's website, there is currently no requirement for anything to be displayed on the vehicle itself indicating this status, nor advising of the legal effect of designation. The Government's guidance on the exercise of these duties is silent on the subject of vehicular signage³.
- 2.4. Officers were already considering whether such signage would be advisable, to assist passengers in wheelchairs to find an appropriate vehicle to convey them. A simple sticker using the internationally-recognised accessibility symbol has been designed, as shown below, which could be professionally printed on a suitable and durable material, and displayed at strategic points on the designated vehicle. The nearside edge of the rear windscreen, and a passenger window on the nearside of the vehicle are preferred for this, as these locations would be most visible to a prospective passenger on a footpath next to a taxi rank, and are not currently subject to any signage requirements (unlike the front windscreen).



Figure 1: Proposed sticker design/size

- 2.5. The Committee are therefore asked to consider whether the display of such stickers should be included as a further licence condition.
- 2.6. To help inform this decision, a short consultation with the taxi trade on the display of additional signage on relevant vehicles is underway at the time of writing, and the results will be reported verbally to the Committee at the meeting.

³ <https://www.gov.uk/government/publications/access-for-wheelchair-users-to-taxis-and-private-hire-vehicles>

3. RECOMMENDATION

3.1. To impose the following conditions on all hackney carriage vehicle licences issued in respect of designated wheelchair-accessible vehicles (in addition to all current standard licence conditions):

- a. Appropriate Wheelchair Tie-down and Occupant Restraint Systems (WTORS) for securing a 'reference wheelchair' and occupant must be carried in the licensed vehicle at all times, and maintained in good order. Equipment should be clearly labelled to show the level/standard to which tested.
- b. The vehicle must be fitted with or otherwise carry either a ramp or a lift for loading passengers while seated in a 'reference wheelchair', designed for that specific purpose, maintained in good order, and with visible marked reference to a safe working load (SWL) of at least 250kgs and certification to BS 6109 (or equivalent standard).
- c. All drivers of the licensed vehicle must be trained by the proprietor in the safe usage of the equipment referred to in the preceding paragraphs.
- d. Where a lift is fitted to the licensed vehicle, evidence of thorough inspection by a competent person under the Lifting Operations and Lifting Equipment Regulations (LOLER) must be provided to the licensing authority, at 6-monthly intervals.

3.2. Subject to the results of consultation, to include the following additional condition within the above paragraph:

- e. Signage issued by the Council (or alternative signage agreed in writing by the licensing officer) indicating the wheelchair-accessibility of the licensed vehicle shall be displayed in the following locations on the vehicle, so as to be clearly visible and readable to persons outside of the vehicle:
 - i. On the rear windscreen (or a rear nearside window, if the vehicle features split rear doors), in the upper nearside corner, outside of the area swept by any windscreen wipers;
 - ii. On a lower corner of a suitable passenger window on the nearside of the vehicle.