



Licensing and Health and Safety Enforcement Committee

TUESDAY 28 MARCH 2023 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 Allen	Councillor Link
Councillor Bassadone	Councillor Peter
Councillor Bhinder (Vice-Chairman)	Councillor Pringle
Councillor Hearn (Chairman)	Councillor Rogers
Councillor Imarni	Councillor Sutton
Councillor Johnson	

For further information, please contact Corporate and Democratic Support on 01442 228209 or email member.support@dacorum.gov.uk

AGENDA

- 1. MINUTES** (Pages 3 - 18)
To approve the minutes from the last meeting of the Full Committee.
- 2. APOLOGIES FOR ABSENCE**
To receive any apologies for absence
- 3. DECLARATIONS OF INTEREST**
To receive any declarations of interest.
- 4. PUBLIC PARTICIPATION**
- 5. MOBILE HOMES POLICY AND FEES** (Pages 19 - 31)

Agenda Item 1

DACORUM BOROUGH COUNCIL

LICENSING AND HEALTH AND SAFETY ENFORCEMENT COMMITTEE

24 JANUARY 2023

Present-

MEMBERS:

Councillor Hearn (Chairman), Allen, Bassadone, Link, Peter, Pringle, Rogers and Sutton

OFFICERS:

Sally Mcdonald	Lead Licensing Officer
Kim Knight	Licensing Compliance & Technical Officer
Trudi Angel	Corporate & Democratic Support Officer (Minutes)

The meeting began at 7.30 pm

1. MINUTES

The minutes of the meeting held on 11 May 2022 were agreed by the members present and then signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Bhinder and Johnson.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. PUBLIC PARTICIPATION

There was no public participation.

5. LICENSING FEES & CHARGES 2023-24

The Chairman invited the officers to introduce the report.

S Mcdonald introduced the licensing fees and charges report for 2023-2024. As previously advised by email, Phil Wortley (Licensing Team Leader), was unfortunately not available for this meeting. That being the case, S Mcdonald and K Knight would try and answer any questions that members may have.

The report before members set out the draft licence fees and charges for the next financial year.

In addition to the content of the report, there were a small number of errors on the proposed list in Annex B as follows:

Pages 26 and 27 of the report, specifically the fees for Lottery registrations and Licensed premises, Club Gaming, Club Machine and Prize Gaming permits and their associated annual fees and administration fees cannot be raised, as these fees are set in Gambling Act regulations.

Pavement licensing fees have unfortunately been omitted from this list – the £100 fee is capped within the 2020 Business and Planning Act Regulations, and therefore the 10% uplift cannot be applied to these.

However, a review of this activity is currently being undertaken and a new licensing regime is expected to be announced in its final form around September 2023, potentially introducing longer term licences, with a revised fee structure.

A report will be presented to the Committee at that time, to appraise them of the new arrangements and to agree revised fees if appropriate.

It should also be noted that we cannot charge or recoup costs for charity collections or hypnosis registrations.

Consideration for fees for scrap metal licences are an Executive function, delegated to officers, and would therefore fall to the Assistant Director of Legal and Democratic Services along with final agreement following consultation for proposed taxi vehicle and operator charges, dependent on initial agreement this evening.

They therefore requested, that, following consideration of this report, the Committee agree the draft fees and delegate authority to officers to complete the process where required, as per the recommendations on page 6 of the report.

She welcomed questions from the committee.

The Chairman thanked the officers for all their hard work producing the new fees and charges for the coming year. She also thanked them for all the additional information they provided and for all the queries they had answered prior to this meeting.

Councillor Rogers also thanked the officers for the additional information they had provided him with prior to the meeting. He noted there had been a significant and consistent fall in taxi licences and asked if the officers had an indication of the impact Uber and other App based companies were having.

K Knight felt that although Uber had made an impact it wasn't significant. She explained that Uber wasn't licenced to cover Berkhamsted or Tring, so Uber drivers could only drop-off there but weren't able to pick up customers. This generated more work for local drivers. She advised that some private hire operators were also introducing App based services similar to Uber to keep up with the movement in technology.

Councillor Rogers expressed concern that an increase in fees could deter drivers and cause them to favour Uber. He queried if the officers were aware of the fees for Uber drivers.

K Knight felt that the increase in fees was minimal, particularly when broken down over a three year period to cover the term of a licence. She said the officers often speak to drivers and the general feeling was that they were happy to stay licenced

with DBC. Covid had had a big impact on drivers but that had been improving steadily. She added that Uber didn't advertise their fees on their website, someone would need to apply to find out.

Councillor Allen asked, what was the overall rationale for the majority of fees being increased by 10% on a seemingly blanket basis. He understood that there were inflationary pressures and that these are generally at over 10%, but these are not always uniform. For example pay increases in the public sector are not generally being pitched to meet the rate of inflation. He felt it was important that councils only raise fees in relation to the increase in actual costs rather than apply blanket increases – otherwise they were perpetuating the inflationary cycle and adding more pressure on businesses who are potentially struggling.

S McDonald read the following response from the Assistant Director, Legal and Democratic Services: 'The principle behind the fee increases is set out in the covering report to the budget proposals that was approved by the scrutiny committees in December 2022. As part of the Commercial Strategy, the Council have undertaken a review of all fees and charges. In order to ensure that fees for 2023/24 reflect expected increases in staffing and other costs, where we have discretion to do so we have applied expected inflationary increases to proposed 23/24 charges. This approach has helped us deliver a balanced proposed budget proposal for the Council for 23/24, which in turn supports the continued delivery of Council service.'

To give context to the increases, the average pay award for 2021/22 – 2022/23 was 5.92%. The assumption in the medium term financial strategy is that the award for 2023/24 which will be effective from 1st April 2023 will be a further 4% increase. In addition the Council has incurred significant increases in utilities and other premises costs.'

Councillor Allen commented that when fees were set in 2021 several fees relating to keeping wild animals, breeding, keeping performing animals and riding establishments saw increases of 8+%, and asked if officers knew what the rationale for the increases was? Given businesses in these fields are facing cost-of-living pressures, what is DBC's justification for further increasing the costs these businesses must pay to operate moving forward?

S McDonald replied that the Animal Activity regulations came in to force in 2018 replacing a much simpler system, at which time fees were set against estimates of the time it would take to process the applications and carry out the inspections. During 2019-20, DEFRA set out the legal requirement that any officers inspecting licensed premises would need to complete a Level 3 qualification, comprising over 130 hours of study. This came with a cost implication of around £1k per officer. Two officers were subsequently put on this training, one of which unfortunately passed away. A further officer is now working through the qualification to ensure resilience in the team. In addition to this, it was realised that, due to an increased number of new applications, the volume of documentation the applicants needed to show which needed checking, and the length of time it took to carry out inspections thoroughly, a lot more time was being taken to process these licences than was previously envisaged. S McDonald also explained that Animal Activity Licensing fees have not been reviewed since 2021 so no increase was implemented in the 2022-23 financial year.

Councillor Allen felt that a blanket approach could be seen as unreasonable. He then questioned if other comparable authorities were increasing their fees and how do our fees compare with theirs.

S McDonald replied it was difficult to draw comparisons with other authorities, as no single authority has exactly the same team structure, salaries and overheads etc. She had asked other local authorities in this area to provide us with their fees but had not yet had a response.

Councillor Pringle echoed Councillor Allen's concerns and felt we should avoid contributing to inflation. She said we needed to consider how increasing these fees would be affecting local businesses.

Councillor Allen thanked the officers for all the additional information they had provided him with.

It was proposed by Councillor Peter and seconded by Councillor Bassadone to agree the draft licensing fees and charges for 2023-24.

The Chairman asked members to vote on the recommendation.

For: 6 (Bassadone, Hearn, Link, Peter, Rogers and Sutton)

Against: 0

Abstain: 2 (Allen and Pringle)

Decision

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 A to these minutes, for the period from 1st April 2023 to 31st March 2024;

And,

That authority to consider any objections arising from statutory notices pertaining to these fees be delegated to the Assistant Director (Legal and Democratic Services) in consultation with the Chairman of the Licensing, Health & Safety and Enforcement Committee.

The meeting finished at 7.50 pm.

Dacorum Borough Council – Licensing fees and charges – 1 April 2023 to 31 March 2024

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
1.1	Band A	100.00	-	100.00
1.1	Band B	190.00	-	190.00
1.1	Band C	315.00	-	315.00
1.1	Band D	450.00	-	450.00
1.1	Band E	635.00	-	635.00
1.1	Site under construction/development	315.00	-	315.00
1.1	Band A	100.00	-	100.00
1.1	Band B	190.00	-	190.00
1.1	Band C	315.00	-	315.00
1.1	Band D	450.00	-	450.00
1.1	Band E	635.00	-	635.00
1.1	Site under construction/development	315.00	-	315.00
1.1	Application for minor variation of club premises certificate	89.00	-	89.00
1.1	Request for duplicate copy of certificate following loss/theft/damage	10.50	-	10.50
1.1	Change of name or address on club premises certificate	10.50	-	10.50
1.1	Change of club rules	10.50	-	10.50
1.2	Band A	-	70.00	70.00
1.2	Band B	-	180.00	180.00
1.2	Band C	-	295.00	295.00
1.2	Band D	-	320.00	320.00
1.2	Band E	-	350.00	350.00
1.2	Site under construction/development	-	295.00	295.00
1.3	Application for new personal licence	37.00	-	37.00
1.3	Duplicate copy of licence following theft/loss/damage	10.50	-	10.50
1.3	Change of name or address	10.50	-	10.50
1.4	Band A	100.00	-	100.00
1.4	Band B	190.00	-	190.00
1.4	Band C	315.00	-	315.00
1.4	Band D	450.00	-	450.00
1.4	Band D with multiplier	900.00	-	900.00

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
1.4	Band E	635.00	-	635.00
1.4	Band E with multiplier	1,905.00	-	1,905.00
1.4	Site under construction/development	315.00	-	315.00
1.4	Band A	100.00	-	100.00
1.4	Band B	190.00	-	190.00
1.4	Band C	315.00	-	315.00
1.4	Band D	450.00	-	450.00
1.4	Band D with multiplier	900.00	-	900.00
1.4	Band E	635.00	-	635.00
1.4	Band E with multiplier	1,905.00	-	1,905.00
1.4	Site under construction/development	315.00	-	315.00
1.4	Capacity: 5,000–9,999	1,000.00	-	1,000.00
1.4	Capacity: 10,000–14,999	2,000.00	-	2,000.00
1.4	Capacity: 15,000–19,999	4,000.00	-	4,000.00
1.4	Capacity: 20,000–29,999	8,000.00	-	8,000.00
1.4	Capacity: 30,000–39,999	16,000.00	-	16,000.00
1.4	Capacity: 40,000–49,999	24,000.00	-	24,000.00
1.4	Capacity: 50,000–59,999	32,000.00	-	32,000.00
1.4	Capacity: 60,000–69,999	40,000.00	-	40,000.00
1.4	Capacity: 70,000–79,999	48,000.00	-	48,000.00
1.4	Capacity: 80,000–89,999	56,000.00	-	56,000.00
1.4	Capacity: 90,000+	64,000.00	-	64,000.00
1.4	Application for transfer of premises licence	23.00	-	23.00
1.4	Application for variation of premises licence to specify premises supervisor	23.00	-	23.00
1.4	Application for minor variation of premises licence	89.00	-	89.00
1.4	Application to substitute mandatory condition for community premises (if not made simultaneously with another application)	23.00	-	23.00
1.4	Application for interim authority notice	23.00	-	23.00
1.4	Request for duplicate copy of premises licence following loss/theft/damage	10.50	-	10.50
1.4	Change of name or address on premises licence	10.50	-	10.50
1.5 (Alcohol, Entertainment, etc – Premises Licences – Annual Fees)				
1.5	Annual fee (payable on Band A	-	70.00	70.00

Cat	Item	APPLICATIO N fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £	
1.5	anniversary of grant of licence)	Band B	-	180.00	180.00
1.5		Band C	-	295.00	295.00
1.5		Band D	-	320.00	320.00
1.5		Band D with multiplier	-	640.00	640.00
1.5		Band E	-	350.00	350.00
1.5		Band E with multiplier	-	1,050.00	1,050.00
1.5		Site under construction/development	-	295.00	295.00
1.5		Exempt	-	-	-
1.5		Additional annual fee for high-capacity premises (payable in addition to the standard annual fee)	Capacity: 5,000–9,999	-	500.00
1.5	Capacity: 10,000–14,999		-	1,000.00	1,000.00
1.5	Capacity: 15,000–19,999		-	2,000.00	2,000.00
1.5	Capacity: 20,000–29,999		-	4,000.00	4,000.00
1.5	Capacity: 30,000–39,999		-	8,000.00	8,000.00
1.5	Capacity: 40,000–49,999		-	12,000.00	12,000.00
1.5	Capacity: 50,000–59,999		-	16,000.00	16,000.00
1.5	Capacity: 60,000–69,999		-	20,000.00	20,000.00
1.5	Capacity: 70,000–79,999		-	24,000.00	24,000.00
1.5	Capacity: 80,000–89,999		-	28,000.00	28,000.00
1.5	Capacity: 90,000+	-	32,000.00	32,000.00	
1.6 (Alcohol, Entertainment, etc – Temporary Event Notices)					
1.6	Temporary event notice (standard) - submission fee	21.00	-	21.00	
1.6	Temporary event notice (late) - submission fee	21.00	-	21.00	
1.6	Duplicate copy of notice following theft/loss/damage	10.50	-	10.50	
1.7 (Alcohol, Entertainment, etc - Miscellaneous)					
1.7	Application for provisional statement	315.00	-	315.00	
1.7	Notification of legal/financial interest in premises	21.00	-	21.00	
2.1 (Animals – Boarding of dogs and cats)					
2.1	Application for new animal boarding establishment licence, except franchises (kennels/home boarding/day care)(up to 3 yrs)	470.00	233.00	703.00	
2.1	Application to renew animal boarding establishment licence, except franchises (kennels/home boarding/day care)(up to 3 yrs)	226.00	233.00	459.00	
2.1	Application for new animal boarding establishment licence as a franchise.	373.00 (+ inspection	233.00	606.00 (+ inspection fee per additional premises)	

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
		fee per additional premises)		
2.1	Application to renew animal boarding establishment licence as a franchise.	129.00 (+inspection fee per additional premises)	233.00	362.00 (+ inspection fee per additional premises)
2.1	Application to vary animal boarding establishment licence (kennels/home boarding/day care) except franchises	144.00 (+inspection if required)	91.00	235.00 (+inspection if required)
2.1	Application to vary animal boarding establishment licence for a franchise to add premises	180.00 (+inspection per premises)		180.00 (+inspection per premises)
2.1	Application to vary to reduce licensable activities or numbers of animals (Kennels/home boarding/day care)	32.00	-	32.00
2.1	Re-evaluation of star rating (Kennels/home boarding/day care)	32.00 (+inspection if required)	-	32.00 (+for inspection if required)
2.1	Application to vary an animal boarding establishment (administrative matters only)	32.00	0.00	32.00
2.1	Veterinary inspection of premises *	Recharged at cost		
2.1	Qualified officer inspection of premises (when for renewal)	97.00		
2.2 (Animals – Dangerous Wild Animals)				
2.2	Application for licence to keep dangerous wild animals (2yr) <i>plus vet inspection</i>	165.00	41.00	206.00
2.2	Application to renew licence to keep dangerous wild animals (2yr) <i>plus vet inspection</i>	165.00	41.00	206.00
2.2	Application to vary licence conditions (new species/increased numbers of animals)	72.00	41.00	113.00
2.2	Application to vary licence conditions (administrative matters only)	32.00	-	32.00
2.2	Veterinary inspection of premises *	Recharged at cost		
2.3 (Animals – Breeding of dogs)				
2.3	Application for new dog breeding licence (up to 3 yrs) <i>plus vet inspection</i>	473.00	232.00	705.00 (+ vet inspection fees)
2.3	Application to renew dog breeding licence (up to 3 yrs) <i>plus vet inspection</i>	228.00	232.00	460.00 (+ inspection fees)
2.3	Application to vary a dog breeding licence <i>Plus inspection if required</i>	48.00	63.00	111.00(+ inspection fees)
2.3	Re-evaluation of Star Rating – Breeding Licence <i>Plus inspection if required</i>	32.00	0.00	32.00 (+ inspection fees)
2.3	Application to vary a <i>Plus inspection if</i>	32.00	0.00	32.00

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
	dog breeding licence (administrative matters only) <i>required</i>			
2.3	Veterinary inspection of premises *	Recharged at cost		
2.3	Qualified officer inspection of premises (when for renewal)	97.00		
2.4 (Animals – Selling animals as pets)				
2.4	Application for new pet shop licence (up to 3 yrs)	470.00	233.00	703.00
2.4	Application to renew pet shop licence (up to 3 yrs)	224.00	233.00	457.00
2.4	Application to vary pet shop licence	145.00 (+inspection if required)	63.00	208.00 (+inspection if required)
2.4	Application to vary to reduce licensable activities or numbers of animals – pet shops	32.00	-	32.00
2.4	Application to vary licence (administrative matters only)	32.00		32.00
2.4	Re-evaluation of star rating – pet shops	32.00 (+inspection if required)	-	32.00 (+inspection if required)
2.4	Veterinary inspection of premises *	Recharged at cost		
2.4	Qualified officer inspection of premises (when for renewal)	97.00		
2.5 (Animals – Hiring of horses)				
2.5	Application for hiring of horses (up to 3 yrs) <i>plus vet inspection on application & annually throughout licence duration</i>	430.00	136.00	566.00 (+ vets fees)
2.5	Application to renew licence for hiring of horses (up to 3 yrs) <i>plus vet inspection on application & annually throughout licence duration</i>	226.00	136.00	362.00 (+ vets fees)
2.5	Application to vary licence for hiring of horses	48.00 (+ inspection if required)	63.00	111.00 (+ inspection if required)
2.5	Application to vary to reduce licensable activities or numbers of animals – hiring of horses	32.00	-	32.00
2.5	Re-evaluation of star rating – hiring of horses	32.00 (+ inspection if required)	-	32.00 (+ inspection if required)
2.5	Application to vary licence (administrative matters only)	32.00	-	32.00
2.5	Veterinary inspection of premises *	Recharged at cost		

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
2.5	Qualified officer inspection of premises (when for renewal)		97.00	
2.6 (Animals – Zoos)				
2.6	Application for new zoo licence (4yr) <i>plus vet inspection</i>	1694.00	370.00	2064.00
2.6	Application to renew zoo licence (6yr) <i>plus vet inspection</i>	1034.00	370.00	1404.00
2.6	Application to vary licence <i>plus vet inspection</i>	1694.00	370.00	2064.00
2.6	Application to transfer zoo licence <i>plus vet inspection</i>	156.00	87.00	243.00
2.7 Animals – Keeping or training animals for exhibition				
2.7	Application to keep or train animals for exhibition (default 3yrs only)	309.00	136.00	445.00
2.7	Application to renew licence to keep or train animals for exhibition (default 3yrs only)	226.00	136.00	362.00
2.7	Application to vary licence to reduce licensable activities or numbers of animals	32.00	-	32.00
2.7	Application to vary licence to keep or train animals for exhibition (administrative matters only)	32.00	-	32.00
2.7	Application to vary licence to keep or train animals for exhibition	145.00 (+inspection if required)	63.00	208.00 (+inspection if required)
2.7	Qualified officer inspection of premises (when for renewal)		97.00	
2.8 General provisions				
2.8	Boarding of dogs and cats Selling Animals as pets Breeding dogs Hiring of horses Keeping or training animals for exhibition	Combined activities: Equal to highest activity fee		
3.1 (Betting, Gambling, etc – Lotteries)				
3.1	Registration of society for small society lotteries	40.00	-	40.00
3.1	Annual fee (payable on anniversary of registration)	-	20.00	20.00
3.2 (Betting, Gambling, etc – Notices)				
3.2	Temporary use notice submission fee	409.00	-	409.00
3.2	Duplicate copy of temporary use notice following theft/loss/damage	18.00	-	18.00
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
3.3	Application for new permit	150.00	-	150.00
3.3	Application for variation of permit	100.00	-	100.00
3.3	Application for transfer of permit	25.00	-	25.00
3.3	Change of name or address	25.00	-	25.00
3.3	Replacement - theft/loss	15.00	-	15.00

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
3.3	Annual fee *	-	50.00	50.00
3.3	Application for new permit (standard)	200.00	-	200.00
3.3	Application for new permit (fast track)	100.00	-	100.00
3.3	Application for variation of permit	100.00	-	100.00
3.3	Application for renewal of permit (standard)	200.00	-	200.00
3.3	Application for renewal of permit (fast track)	100.00	-	100.00
3.3	Replacement - theft/loss	15.00	-	15.00
3.3	Annual fee *	-	50.00	50.00
3.3	Application for new permit (standard)	200.00	-	200.00
3.3	Application for new permit (fast track)	100.00	-	100.00
3.3	Application for variation of permit	100.00	-	100.00
3.3	Application for renewal of permit (standard)	200.00	-	200.00
3.3	Application for renewal of permit (fast track)	100.00	-	100.00
3.3	Replacement - theft/loss	15.00	-	15.00
3.3	Annual fee *	-	50.00	50.00
3.3	Application for new permit	300.00	-	300.00
3.3	Application for renewal of permit	300.00	-	300.00
3.3	Change of name or address	25.00	-	25.00
3.3	Replacement - theft/loss	15.00	-	15.00
3.3	Application for new permit	300.00	-	300.00
3.3	Application for renewal of permit	300.00	-	300.00
3.3	Change of name or address	25.00	-	25.00
3.3	Replacement - theft/loss	15.00	-	15.00
3.4 (Betting, Gambling, etc – Premises Licences – Applications)				
3.4	Adult gaming centre	1282.00	-	1282.00
3.4	Betting (track)	1282.00	-	1282.00
3.4	Betting (other)	1282.00	-	1282.00
3.4	Bingo	1282.00	-	1282.00
3.4	Family entertainment centre	1282.00	-	1282.00
3.4	Application for new premises licence (without provisional statement)	883.00	-	883.00
3.4	Application for new premises licence (with)	883.00	-	883.00

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £	
3.4	provisional statement)	Betting (other)	883.00	-	883.00
3.4		Bingo	883.00	-	883.00
3.4		Family entertainment centre	883.00	-	883.00
3.4	Application for provisional statement	Adult gaming centre	1282.00	-	1282.00
3.4		Betting (track)	1282.00	-	1282.00
3.4		Betting (other)	1282.00	-	1282.00
3.4		Bingo	1282.00	-	1282.00
3.4		Family entertainment centre	1282.00	-	1282.00
3.4	Application for variation of premises licence	Adult gaming centre	883.00	-	883.00
3.4		Betting (track)	883.00	-	883.00
3.4		Betting (other)	883.00	-	883.00
3.4		Bingo	883.00	-	883.00
3.4		Family entertainment centre	883.00	-	883.00
3.4	Application for transfer of premises licence	Adult gaming centre	372.00	-	372.00
3.4		Betting (track)	372.00	-	372.00
3.4		Betting (other)	372.00	-	372.00
3.4		Bingo	372.00	-	372.00
3.4		Family entertainment centre	372.00	-	372.00
3.4	Application for reinstatement of premises licence	Adult gaming centre	372.00	-	372.00
3.4		Betting (track)	372.00	-	372.00
3.4		Betting (other)	372.00	-	372.00
3.4		Bingo	372.00	-	372.00
3.4		Family entertainment centre	372.00	-	372.00
3.4	Duplicate copy of licence following theft/loss/damage		18.00	-	18.00
3.4	Change of name or address on premises licence		41.00	-	41.00
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	-	564.00	564.00
3.5		Betting (track)	-	564.00	564.00
3.5		Betting (other)	-	564.00	564.00
3.5		Bingo	-	564.00	564.00
3.5		Family entertainment centre	-	564.00	564.00
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. Pavement Licensing					

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £	
7.1	Application for pavement licence	100.00	-	100.00	
7.1 (Scrap Metal Dealers)					
7.1	Application for new scrap metal site licence	274.00	68.00	342.00	
7.1	Application for new scrap metal collectors licence	212.00	34.00	246.00	
7.1	Application to renew scrap metal site licence	254.00	68.00	322.00	
7.1	Application to renew scrap metal collectors licence	193.00	34.00	227.00	
7.1	Application to vary scrap metal licence - change of licensee details	18.00	1.00	19.00	
7.1	Application to vary scrap metal licence - change of licensed sites	95.00	1.00	96.00	
7.1	Application to vary scrap metal licence - change of site managers	56.00	1.00	57.00	
7.1	Application to vary scrap metal licence - site to collectors licence	34.00	1.00	35.00	
7.1	Application to vary scrap metal licence - collectors to site licence	123.00	46.00	169.00	
8.1 (Sex Establishments)					
8.1	Application for new sex establishment licence	2093.00	279.00	2372.00	
8.1	Application for renewal of sex establishment licence	1629.00	279.00	1908.00	
8.1	Application for variation of sex establishment licence	911.00	125.00	1036.00	
8.1	Application for transfer of sex establishment licence	465.00	-	465.00	
9.1 (Skin Piercing, etc)					
9.1	Application for registration of skin piercing premises	266.00	-	266.00	
9.1	Application for registration of skin piercing operator	125.00	-	125.00	
10.1 (Street Trading)					
10.1	Street trading consent (annual)	New (1 vehicle/pitch, 1 year)	454.00	288.00	742.00
10.1		Renewal (1 vehicle/pitch, 1 year)	454.00	288.00	742.00
10.1		Additional fee per extra vehicle/pitch	37.00	45.00	82.00
10.1		Interim substitution of vehicle	28.00	-	28.00
10.1		Other consent variation	158.00	-	158.00
10.1	Street trading consent partial year (up to 6 months)	241.00	142.00	383.00	
10.1	Street trading consent (single event)	Commercial event	177.00	-	177.00
10.1		Community/charity event	33.00	-	33.00
11.1 (Taxis and Private Hire - Drivers)					
11.1	Hackney Carriage Drivers Licence (3 years)	New	-	309.00	309.00
11.1		Renewal	-	238.00	238.00

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
11.1	Theft/loss of badge	22.00	-	22.00
11.1	New	-	309.00	309.00
11.1	Private Hire Drivers Licence (3 years) Renewal	-	251.00	251.00
11.1	Theft/loss of badge	22.00	-	22.00
11.1	New	-	338.00	338.00
11.1	Renewal	-	279.00	279.00
11.1	Dual HC/PH Drivers Licence (3 years) Renewal & Upgrade	-	272.00	272.00
11.1	Interim Upgrade (+£1 / unexpired month)	-	79.00	79.00
11.1	Theft/loss of badge (per)	22.00	-	22.00
11.1	Disclosure & Barring Service (DBS) enhanced disclosure *	Recharged at cost (currently, 59.00) + £15 admin £74		
11.1	External identity check (where required for DBS route 2 verification) *	Recharged at cost (current 7.20)		
11.2 (Taxis and Private Hire – Driver Knowledge Tests)				
11.2	Hackney carriage written Full test	84.00		84.00
11.2	local/legal test Conditions only	46.00		46.00
11.2	Private hire written Full test	84.00		84.00
11.2	local/legal test Conditions only	46.00		46.00
11.2	Dual HC/PH driver written Full test	84.00		84.00
11.2	local/legal test Conditions only	46.00		46.00
11.2	Test fee *	Recharged at cost (currently 31.80)		
11.2	Versant English language assessment Administration fee	15.00		15.00
11.2	Total fee payable	46.80	-	46.80
11.3 (Taxis and Private Hire – Vehicles) (in effect from 2 April 2021)				
11.3	New (1 year)	-	407.00	407.00
11.3	Hackney carriage vehicle Renewal (1 year)	-	303.00	303.00
11.3	licence Renewal & substitution (1 yr)	-	303.00	303.00
11.3	(exclude Interim substitution	-	145.00	145.00
11.3	compliance test Transfer of ownership	-	69.00	69.00
11.3	fee Theft/loss of rear plate	21.00	-	21.00

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £	
11.3	Theft/loss of front plate	21.00	-	21.00	
11.3	Change of vehicle particulars	61.00	-	61.00	
11.3	New (1 year)	-	271.00	271.00	
11.3	Renewal (1 year)	-	271.00	271.00	
11.3	Private hire vehicle licence (exclude s compliance test fee)	Renewal & substitution (1 yr)	-	275.00	275.00
11.3		Interim substitution	-	145.00	145.00
11.3		Transfer of ownership	-	69.00	69.00
11.3		Theft/loss of rear plate	21.00	-	21.00
11.3		Theft/loss of front plate	21.00	-	21.00
11.3		Change of vehicle particulars	61.00	-	61.00
11.3	Vehicle MOT and compliance test * (payable direct to test station)		Recharged at cost		
11.3	Specialist vehicle MOT and compliance test (stretch limos)		Recharged at cost		
11.4 (Taxis and Private Hire – Operators) (in effect from 2 April 2021)					
11.4	Private hire operator licence (5 years)	New (0-3 vehicles)	-	487.00	487.00
11.4		New (4+ vehicles)	-	826.00	826.00
11.4		Renewal (1-3 vehicles)	-	487.00	487.00
11.4		Renewal (4+ vehicles)	-	826.00	826.00
11.5 (Taxis and Private Hire – Miscellaneous)					
11.5	Duplicate copy of licence following theft/loss/damage	18.00	-	18.00	
11.5	Replacement internal vehicle licence plate holder	3.00 (inc. VAT)	-	3.00 (inc. VAT)	
12.1 Mobile Home Sites Licences					
12.1	New licence	TBA		TBA	
12.1	Annual fee	TBA		TBA	
12.1	Variation	TBA		TBA	
12.1	Transfer	TBA		TBA	
12.1	Site Rules Deposit	TBA		TBA	
13.1 (Miscellaneous Licensing Fees)					
13.1	Photocopies (per A4 side, at officers discretion, subject to legal restrictions)	0.20	-	0.20	
13.1	Additional copies of PACE interview recording (per tape/disc)	19.00	-	19.00	

Cat	Item	APPLICATION fee 2022-23 £	LICENCE fee 2022-23 £	TOTAL fee 2022-23 £
13.1	Copy of public register entry (where kept and made available by statute) (per entry)	18.00	-	18.00
13.1	Duplicate copy of licence following loss/theft/damage (where not otherwise listed)	17.00	-	17.00
13.1	Licensing pre-application advice (per whole or part hour)	53.00	-	53.00

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

Mobile Home fees – To be agreed at a future Licensing and Health and Safety and Enforcement Committee.

Agenda Item 5



AGENDA ITEM: 5

SUMMARY

Report for:	Licensing Health and Safety Enforcement Committee
Date of meeting:	28 th March 2023
Part:	1
If Part II, reason:	

Title of report:	Mobile Homes Policy and Fees 2023
Contact:	Phil Wortley Licensing Team Leader
Purpose of report:	To provide an opportunity for Members to comment on the Regulatory Services – Mobile Homes Fees Policy
Recommendations	That the Licensing and Health and Safety Enforcement Committee approves the Regulatory Services – Mobile Homes Fees Policy
Corporate Objectives:	To produce a Mobile Homes Fees Policy in line with current best practice and one that provides value for money and most economical use of resources.

<p>Implications:</p> <p>'Value For Money Implications'</p>	<p><u>Financial</u></p> <p>There are limited financial implications relating to this report. The fees proposed and detailed in this policy should ensure that the actions can be funded (cost recovery only) from the site licence fees. All officers costs associated with delivering the actions should therefore be achieved within existing resources.</p> <p style="text-align: center;">Below show last year's fees</p> <table border="1" data-bbox="501 577 1294 1032"> <thead> <tr> <th data-bbox="501 577 979 622">Fee</th> <th data-bbox="979 577 1294 622">Charge</th> </tr> </thead> <tbody> <tr> <td data-bbox="501 622 979 696">New Site Licence Application Fee</td> <td data-bbox="979 622 1294 696">£467.00 + £7.90 per unit</td> </tr> <tr> <td data-bbox="501 696 979 770">Annual Fee</td> <td data-bbox="979 696 1294 770">£47.40 + £7.95 per unit</td> </tr> <tr> <td data-bbox="501 770 979 815">Deposit/Change of Site Rules</td> <td data-bbox="979 770 1294 815">£81</td> </tr> <tr> <td data-bbox="501 815 979 889">Transfer/amendment of a Site Licence</td> <td data-bbox="979 815 1294 889">£190 (+£94 if a site visit is required)</td> </tr> <tr> <td data-bbox="501 889 979 1032">Enforcement</td> <td data-bbox="979 889 1294 1032">Hourly rate of officers involved, plus any other costs such as legal fees.</td> </tr> </tbody> </table> <p>This year's fees are shown in Appendix 2 at the end of this report. They have increased by 10% which is reflected by the cost of living increase over the previous 12 months.</p> <p><u>Value for Money</u></p> <p>Improvements in the quality of the mobile home parks located in the borough will reduce the risks to residents, and ensure compliance with the Site Licence conditions.</p>	Fee	Charge	New Site Licence Application Fee	£467.00 + £7.90 per unit	Annual Fee	£47.40 + £7.95 per unit	Deposit/Change of Site Rules	£81	Transfer/amendment of a Site Licence	£190 (+£94 if a site visit is required)	Enforcement	Hourly rate of officers involved, plus any other costs such as legal fees.
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Transfer/amendment of a Site Licence	£190 (+£94 if a site visit is required)												
Enforcement	Hourly rate of officers involved, plus any other costs such as legal fees.												
<p>Risk Implications</p>	<p>Dacorum Council has a duty to develop a Mobile Homes Fees Policy which sets out how fees and charges will be administered. Failure to comply with this requirement could leave this authority open to legal challenge, be unable to charge annual fees, and therefore be unable to recover costs incurred or have to repay fees already charged.</p>												
<p>Community Impact Assessment</p>	<p>This policy is drafted in accordance with the Mobile Home Act 2013 and associated guidance https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/285926/140227_A_guide_for_Local_Authorities_on_setting_site_licensing_fees.pdf .</p> <p>The legislation and guidance has been subject to consultation and negative impacts will have been minimised</p>												
<p>Health And Safety Implications</p>	<p>There are no additional health and safety implications associated with this report.</p>												

Consultees:	Licensing Health and Safety Enforcement Committee
Background papers:	Department for Communities and Local Government (DCLG), The Mobile Homes Act 2013, A Guide for Local Authorities on Setting Site Licence Fees.
Glossary of acronyms and any other abbreviations used in this report:	Not provided as none used.

1.0 Background

1.1 The [Caravan Sites and Control of Development Act 1960](#) has been amended by the [Mobile Homes Act 2013](#) , which came into force on the 1 April 2014.

1.2 As part of the changes, a new licensing scheme came into force on 1st April 2014. This enables local authorities to monitor site licence compliance more effectively. Authorities will now have the tools to take enforcement action where owners are not managing and maintaining their sites and its services. This will ensure residents' health and safety are better protected and the value of their homes is safeguarded.

1.3 These Acts lay down 'model standards' that should be included in the licences for the site. These standards specify conditions relating to:

- the road
- speed limits
- signage within the site
- the distance between mobile homes
- boundary fences
- other structures within the plot area
- the information that should be provided on the site by the manager and
- the fire precautions that must be in place within the site

2.0 Recovery of Costs Associated with Licensing.

2.1 From the 1st April 2014 local authorities can charge Mobile Home Sites fees for:

- considering applications for the issue or transfer of a site licence; □
considering applications for altering conditions in a site licence; and the
- administration monitoring of site licences.

2.1 These fees have to be included in the 2023/2024 budgeting process and fees and charges set accordingly.

2.2 The fee for administration and monitoring of licences is levied as an annual fee. Where a local authority decides to charge fees these must be published in its Fees Policy document and must be transparent and reasonable.

2.3 A risk rating inspection system will be used that introduces a sliding scale of annual charges based on the risk/inspection frequency. This means a site which is more problematic will pay a higher licence fee than one which requires little regulatory involvement from the council.



Dacorum Borough Council

**Mobile Homes Fees Policy
Effective from 1st April 2023**

Dacorum Borough Council

Regulatory Services Mobile Homes Fees Policy

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Schedule of Fees	

1.0 Introduction

- 1.1 Dacorum Borough Council ('the council') has powers under the Caravan Sites and Control of Development Act 1960 (the Act) as amended by the Mobile Homes Act 2013 to issue licences in respect of 'relevant protected sites' and to charge fees for the provision of our licensing functions.
- 1.2 All of the residential mobile home parks currently licensed by the council come under the new licensing regulations; these sites are referred to as "relevant protected sites". The following sites are exempt:
- sites granted for holiday use only
 - sites which have restrictions at certain times of the year (such as planning conditions)
 - sites owned by local authorities.
- 1.3 The council can charge:
- a licence fee for applications to grant or transfer a licence or an application to alter the conditions on a licence
 - an annual licence fee for administering and monitoring licences □ a fee for assessing the depositing of site rules.
- 1.4 The legislation allows the site owner to pass on each year to residents, through their annual 'pitch fees', the annual licence fee imposed by the council in the first year.
- 1.5 Before the council can charge a fee, it must have a fees policy. When fixing a fee the local authority:
- must act in accordance with their fees policy
 - may fix different fees in different cases
 - may determine that no fee is required in some cases.
- 1.6 Any fees charged must fairly cover the costs (or part of the costs) incurred by the council under its functions in Part 1 of the Act, other than the costs of enforcement action. They must be reasonable and transparent and whilst different fees can apply to different types of cases, there must be consistency in the fee structure and its application.
- 1.7 This document outlines the policy adopted by the council. Implementation, monitoring and review of this policy will be undertaken by the Team Leader for Environmental Protection and Housing, along with the Group Manager (Regulatory Services). Cabinet will be consulted if significant amendments to the policy are proposed, while minor changes may be agreed by the Group Manager (Regulatory Services) in consultation with the Portfolio Holder.. Where legislation dictates that elements of the policy must be changed, these

changes will be implemented as soon as practicable following the notification of the changes.

- 1.8 Any person who operates a business of owning/managing a mobile homes relevant protected site within Dacorum must apply to the council for a site licence.

2.0 New applications

- 2.1 Applicants must apply (or apply for a variation) using the prescribed form, enclose a copy of all relevant documentation and submit the correct fee.

Incomplete licence applications, including those not accompanied by the correct fee, requested supporting documentation or all relevant disclosure certificate/s will not be processed. Incomplete applications may be returned to the applicant.

3.0 New applications fees and existing site licence fees

- 3.1 Application fees and site licence fees will be reviewed every year as part of the council's fees and charges review and will be published on the council's website.

3.2 Site Licence fee

- 3.2.1 Annual Costs will be incurred for any reasonable cost incurred as part of the administration and monitoring of site licences, these may include for example:

- letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the licensing process;
- Site inspections and re-inspections including associated travel costs;
- handling enquiries and complaints;
- updating hard files/ computer systems;
- updating the EU Directive website if appropriate;
- processing the licensing fee;
- time for reviewing necessary documents and certificates;
- downloading photographs;
- preparing reports on contraventions;
- review by manager or lawyers; review any consultation responses from third parties;
- updating public register;

□ carrying out any risk assessment process.

3.2.2 The annual fee for the site licence will be based on a risk rating that takes into account the size of a site, the level of compliance of the site with the conditions of the site licence and confidence in management. Further details of the risk based approach can be seen in Appendix A of the policy. The fees are set in accordance with the provisions of the 2013 Act and based on a risk based inspection regime. This approach complies with the regulators code.

3.2.3 This means that a site which is historically more problematic than another site and therefore requires more officer involvement and more monitoring, would pay a higher licence fee than a well managed site that requires very little local authority involvement.

3.2.4 As sites have historically been visited sporadically, with various frequencies of inspection or advisory visits it is considered reasonable that all sites will be charged as low risk for the first charging period. The risk assessment determined on the initial visit will determine the frequency of the next visit. The risk based methodology will consider breaches against the site licence conditions. Issues identified which are included in the site licence will increase the risk even if these are not enforced by this authority. The risk rating methodology is shown below in Appendix A. non-compliance issues will be dealt with in accordance with the Council Enforcement Policy and the requirements of the Regulators Code.

3.2.5 A subsequent visit will be undertaken during the 2023/2024 financial year and based on this inspection the site will be risk assessed in terms of the cost and the frequency of the next visit. This will allow a year for any issues identified on a site and raised to the owner of the site during the initial visit in 2022 to be rectified.

3.2.6 Site Licence Fees will be charged annually from the 1st January. The fees will be reviewed annually in accordance with the Council's fees and charges policy. Any surpluses and deficits will be considered when the annual fees are reviewed, and approved by Members.

4.0 Appeals against the fees charged

4.1 A licence holder has the right to apply to the First Tier Tribunal if they disagree with the licence fee being charged.

5.0 Fees for depositing, varying and deleting site rules

5.1 Site rules are different to the site licence conditions and are put in place by the owner of the site to ensure acceptable standards are maintained. The new Act has changed the way site rules must be agreed between the park owner and residents. Councils are now required to keep a register of site rules and

assess the park owner's consultation process over those rules. If the council deem the consultation process to be inadequate, the park owner can be required to re-consult the residents and re-apply.

- 5.2 The council will charge a set fee for assessing the park owner's consultation process, depositing, varying and deleting site rules. If the park owner has completed an inadequate consultation process, a new depositing of site rules fee must be paid by the park owner to cover the council's costs.

6.0 Exemptions

6.1 A site licence is not required for:

- incidental use within the curtilage of a home (e.g. a caravan kept on a domestic driveway for private use by the owners)
- single caravans for not more than two nights and 28 days in 12 months
- holdings of five acres or more if not more than 28 days in 12 months and maximum three caravans at any time
- sites occupied and supervised by exempted organisations (e.g. the Caravan Club)
- sites approved by exempted organisations for up to five caravans
- meetings organised by exempted organisations
- seasonal agriculture and forestry workers
- building and engineering sites
- travelling showmen
- sites occupied by a local authority
- gypsy sites occupied by county or regional councils

View a copy of the Act at

<http://www.legislation.gov.uk/ukpga/Eliz2/89/62/schedule/FIRST> detailing the exemptions in full.

7.0 Timescales

- 7.1 The council aims to process applications within two months. There is no deemed approval of applications until a licence is granted.

7.2 Depending on the status of the site's planning permission, a licence will be granted either permanently or for a fixed period. If the licence is for a fixed period the expiry date will be stated on the licence.

8.0 Renewal of licences

8.1 It is the applicant's responsibility to apply and ensure that the necessary planning permission is in place before an application for renewal of a licence is submitted.

9.0 Appeals and complaints

10.1 Concerns about how an application is handled should initially be with the case officer dealing with the application. If the applicant is still not satisfied, they can lodge a formal complaint which will be investigated in accordance with the Council's published complaints procedure. .

10.2 If an applicant is dissatisfied with a condition attached to their licence, they have the right of appeal to a magistrate's court within 28 days.

11.0 Appendix A Park Home risk rating system

Park Home risk rating system	Penalty	Total
<u>Occupancy</u>		
1 - 5 units	0	
6 - 10	5	
11 - 20	10	
21 - 50	15	
51 - 100	20	
>100	25	
<u>Complaints</u>		
Enquiries and complaints not substantiated	0	
1 substantiated unique complaint in 12 month period	5	
2-3 substantiated complaints in 12 month period	10	
> 3 substantiated complaints in 12 month period	15	
<u>Compliance with site conditions</u>		
Spacing		

All park homes spaced correctly	0	
5% of Park Homes closer than 6m	5	
5-10% Park Homes closer than 6m	10	
> 10% Park Homes close than 6m	15	
Other spacing issues	5	
Combustible items erected/constructed between PH	15	
Roads/Footpaths/Communal areas		
Defective surfaces to site	5	
Insufficient lighting	5	
Infringement of width of pathways	5	
Emergency vehicle access	5	
Lack of adequate Communal waste bins	5	
Trees/ hedges/ grass/ vegetation not maintained	5	
Fire Fighting Equipment		
Lack of Risk Assessment made available (RRO 2005)	10	
Lack of test certificate of equipment	5	
Lack of fire notices on 1 or more unit	5	
Alarm failure on 1 or more unit	10	
Site Information		
Lack of Site Plan on display in Park	5	
Lack of Licence/ Licence Holders details on displayed	5	
Other - more homes than licenced for	5	
Storage of gas/ oil fails to meet correct statutory requirements	5	
Electrics not maintained in accordance with current statutory requirements	5	

Confidence in management		
(to include RRO Risk Assessment/Electrical Certs/Public liability Insurance/Site Licence and Conditions/Flood Plan)		
High confidence e.g. documented management procedures in place, no unactioned complaints received in last 3 years, good history of compliance with site conditions in last three years	0	
Reasonable confidence e.g. no formal management procedures but site management still satisfactory, >1 substantiated complaints per year in last 3 years but less than 5 complaints in total in last 3 years, advisory letter sent about some site conditions but no formal action taken	10	
Low confidence - no documented management procedures, evidence of poor site management, >5 substantiated complaints in last 3 years, formal enforcement action undertaken in last 3 years	20	
Total		0
Risk category		

Low	0-30	
Medium	35-85	
High	90-165	

Annex 2 Fees Table New Fees

Fee	Charge
New Site Licence Application Fee	£513.70 + £8.69 per unit
Annual Fee	£52. + £8.74 per unit
Deposit/Change of Site Rules	£89.10
Transfer/amendment of a Site Licence	£209 (+£103.40 if a site visit is required)
Enforcement	Hourly rate of officers involved, plus any other costs such as legal fees.

