



East Cambridgeshire District Council

Meeting: Licensing Committee

Time: 10:00am

Date: Wednesday 20th November 2024

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Cameron Overton

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Committee membership

Quorum: 5 members

Conservative members

Cllr Christine Ambrose Smith

Cllr Lavinia Edwards

Cllr Martin Goodearl

Cllr Keith Horgan (Vice-Chair)

Cllr Julia Huffer (Chair)

Cllr Kelli Pettitt

Conservative substitutes

Cllr Ian Bovingdon

Cllr Bill Hunt

Cllr Alan Sharp

Liberal Democrat members

Cllr Charlotte Cane

Cllr Mark Inskip

Cllr John Trapp (Lead Member)

Cllr Alison Whelan

Cllr Gareth Wilson

Liberal Democrat substitutes

Cllr Chika Akinwale

Cllr Lorna Dupré

Cllr Caroline Shepherd

Lead Officer: Stewart Broome, Senior Licensing Officer

Agenda

1. **Apologies and substitutions** [oral]

2. **Declarations of interests** [oral]

To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.

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|-----------|---|----------------|
| 3. | Minutes | Page 5 |
| | To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 11 th September 2024 and the minutes of the meeting of the Licensing (Non-Statutory) Sub-Committee held on 16 th September 2024. | |
| 4. | Chair's announcements | [oral] |
| 5. | Review of Licensing Fees | Page 11 |
| | For members to review the fees that the Licensing Authority charges to obtain and maintain various regulatory permissions. | |
| 6. | Mobile Homes Act - Policy and Fees | Page 37 |
| | To seek adoption of an update to East Cambridgeshire's Mobile Homes Fee Policy, effective from 1 st April 2025. | |
| 7. | Senior Licensing Officer's update | [oral] |
| 8. | Forward agenda plan | Page 61 |
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Notes

1. Members of the public are welcome to attend this meeting. If you are visiting The Grange during normal working hours you should report to the main reception desk. If you come to an evening meeting please enter via the door in the glass atrium at the back of the building.

Admittance is on a "first come, first served" basis and public access will be from 30 minutes before the start time of the meeting. Due to room capacity restrictions, members of the public are asked, where possible, to notify Democratic Services (democratic.services@eastcambs.gov.uk or 01353 665555) of their intention to attend a meeting.

The livestream of this meeting will be available on [the committee meeting's webpage](http://www.eastcambs.gov.uk/meetings/licensing-committee-04092023) (www.eastcambs.gov.uk/meetings/licensing-committee-04092023). Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.

2. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
3. Fire instructions for meetings:
 - if the fire alarm sounds, please make your way out of the building by the nearest available exit, which is usually the back staircase or the fire escape in the Chamber and do not attempt to use the lifts
 - the fire assembly point is in the front staff car park by the exit barrier
 - the building has an auto-call system to the fire services so there is no need for anyone to call the fire services

The Committee Officer will sweep the area to ensure that everyone is out.

4. Reports are attached for each agenda item unless marked "oral".

5. If required, all items on the agenda can be provided in different formats (such as large type, Braille or audio tape, or translated into other languages), on request, by calling main reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
6. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

“That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended).”



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 10:00am
on Wednesday 11th September 2024

Present:

Cllr Chika Akinwale (Substitute for Cllr Charlotte Cane)
Cllr Christine Ambrose Smith
Cllr Keith Horgan (Vice Chair)
Cllr Julia Huffer (Chair)
Cllr Mark Inskip
Cllr Kelli Pettitt
Cllr Alan Sharp (substitute for Cllr Martin Goodearl)
Cllr John Trapp
Cllr Alison Whelan
Cllr Gareth Wilson

Officers:

Patrick Adams – Senior Democratic Services Officer
Stewart Broome – Senior Licensing Officer
Liz Knox – Environmental Services Manager
Cameron Overton – Trainee Democratic Services Officer
Angela Tyrrell – Senior Legal Assistant

9. Apologies and substitutions

Apologies for absence were received from Cllrs Lavinia Edwards and Martin Goodearl.

Cllr Charlotte Cane was not present at the meeting.

Cllrs Chika Akinwale and Alan Sharp were attending as substitutes.

10. Declarations of interest

No declarations of interest were made.

11. Minutes

The Committee received the Minutes of the meeting held on 19th June 2024.

It was resolved unanimously:

That the Minutes of the Licensing Committee meeting held on 19th June 2024 be confirmed as a correct record and be signed by the Chair.

12. Chair's announcements

The Chair wished a happy retirement to Liz Knox, thanking her for the extraordinary work she had contributed throughout her 34 years of service, noting that her presence and range of experience would be greatly missed.

13. Gambling Act 2005 – Licensing Statement of Principles (Three Year Review)

Cllr John Trapp arrived at 10:02, at the start of this item.

The Committee considered a report, Z53 previously circulated, which detailed a revised version of the Council's Gambling Act 2005 – Statement of Principles for Council adoption.

As a result of the consultation, no objections had been received.

Stewart Broome, the Senior Licensing Officer, explained that accessibility concerns had been addressed, including capitalisation and phraseology throughout the document. He added that matters relating to the white papers had been raised in the previous Committee meeting but these were not in the consultation, or the proposed policy, as they were not yet law. Further, it was noted that should members approve this document it would go to Full Council. If adopted by Council, it would be advertised for a period of 2 months, coming into force on January 31st, 2025.

The Chair invited Members to ask questions.

Cllr Mark Inskip raised a point of notice that in section 11.1 of the document it mentioned the Data Protection Act 1998, however, the most recent version of this Act was in 2018. The Senior Licensing Officer thanked Cllr Inskip for raising this and assured members that while this concern did not materially impact validity at this stage, the document would be comprehensively reviewed prior to being presented before Full Council.

Cllr Alan Sharp expressed concern that the Council would be altering the admission fees for a race course in his ward. The Senior Licensing Officer assured the Committee that the Council had no powers to do this.

Cllr John Trapp raised minor concerns relating to spelling and grammar, which he agreed to go through, in full, with the Senior Licensing Officer after the meeting.

It was resolved unanimously:

That the revisions be accepted, with the Gambling Act 2005 – Statement of Principles (Three Year Review) sent to Full Council for adoption.

14. Senior Licensing Officer's update

Stewart Broome, the Senior Licensing Officer updated members about the volume of work undertaken by the Council's Licensing department in the intervening months between meeting on June 19th and September 11th.

The Senior Licensing Officer informed members that the department had handled 355 applications, 210 of which being new applications. As a non-exhaustive list, this included 1 new animal application, 13 charity collections, 3 Gambling Act applications for machines in premises, 10 personal licenses and 4 premises licenses. The Senior Licensing Officer mentioned that 16 renewals were being processed under the updated Pavement Policy, which dictated that fees changed from £100 per year to £350 for two years, which had not been met with any resistance. Additionally, a significant number of taxi licenses, both for vehicles and individuals had been processed; and it was noted that 52 applications for taxi drivers had been received in a 10-day period in September 2024, highlighting the need to manage workflow concerns in future years, albeit that most applications of this type were being handled within a week of receiving them.

Cllr Christine Ambrose Smith noted the mention of an animal licence and queried if this was a matter of registration or welfare. The Senior Licensing Officer informed her that the case related to permitting a licence for a property to board dogs and provided an overview of the case.

Liz Knox, Environmental Services Manager, informed members that following her retirement a restructure had been decided upon, wherein the Licensing Department would henceforth operate under the Legal Team, rather than Environmental Services. This would include Stewart Broome assuming the role of Service Lead and she wished him well with his future endeavour.

The Chair congratulated Stewart Broome on a deserved new role and commended the Licensing Team on their work throughout the intervening months from the previous meeting.

15. Forward agenda plan

The Committee received its Forward Agenda Plan. The Chair informed the Committee that the meeting which was due to be held on the 9th October 2024 would be cancelled due to a lack of business. The Licensing Committee meeting on the 20th November would discuss the review of licensing fees.

It was resolved:

That the Forward Agenda Plan be noted.

The meeting concluded at 10:18am

Chair.....

Date.....

DRAFT



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing (Non-Statutory) Sub Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 10:00am
on Wednesday 16 October 2024

Present:

Cllr Martin Goodearl
Cllr Julia Huffer (Chair)
Cllr Kelli Pettitt
Cllr Gareth Wilson
Cllr John Trapp

Officers:

Stewart Broome – Licencing Manager
Maggie Camp – Director (Legal Services)
Cameron Overton – Trainee Democratic Services Officer

In attendance:



1. Apologies and substitutions

No apologies for absence were received.

2. Declarations of interest

Cllr Martin Goodearl declared that he had formerly worked for the same organisation under the same management as the licence holder, but that this would have no bearing on his views or decisions on this matter.

3. Exclusion of the Public including representatives of the Press

It was resolved unanimously:

That the press and public be excluded during the consideration of item no. 4 because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1, 2 and 7 of Part 1 Schedule 12A of the Local Government Act 1972 (as Amended).

4. Local Government (Miscellaneous Provisions) Act 1976, Part II Report to consider relevant enforcement action against a Joint Hackney Carriage and Private Hire Driver License

The Sub-Committee considered a report, Z80 previously circulated, to determine whether the licence holder could still be considered 'fit and proper' for the purposes of holding a joint hackney carriage and private hire driver's licence.

The report was delivered by the Licencing Manager; Members asked questions, made comments and received responses.

The decision of the Licensing (Non-Statutory) Sub-Committee (in exercise of the powers delegated by East Cambridgeshire District Council as Licensing Authority) was to:

Issue a Written Warning and Penalty Point Notice (3 East Cambs penalty points.

Given the support shown by his employer, together with an explanation of the systems in place, and the remorse shown by the licence holder, members felt that while there was a worrying accumulation of offences, it would be more damaging to the wider community to issue a stronger penalty. Members felt that a written warning and penalty notice was sufficient; however, were the licence holder to be brought in front of the committee again, firmer action would be taken.

The meeting closed at 10:37am

Chair.....

Date.....

Title: Review of Licensing Fees

Committee: Licensing Committee

Date: 20 November 2024

Author: Stewart Broome, Licensing Manager

Report number: Z102

Contact officer:

Stewart Broome, Licensing Manager

stewart.broome@eastcambs.gov.uk, 01353 616287, DF208, The Grange, Ely.

1.0 Issue

- 1.1 To review the fees that the Licensing Authority charges to obtain and maintain various regulatory permissions.

2.0 Recommendations

2.1 That Members:

- i) note the statutory fees that East Cambridgeshire District Council is required to charge in respect of the specified licences under the Licensing Act 2003 and Gambling Act 2005, and agree to set the discretionary fee elements of the Gambling Act 2005 and the Business and Planning Act 2020 at the maximum level permitted, as set out in Appendix 1, Appendix 2, and Appendix 3.
- ii) Agree to implement the fees in paragraph i) (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2025.
- iii) instruct Officers to implement, as appropriate, any other statutory fees that may be brought into force during the 2024/2025 financial year.
- iv) instruct Officers to include the agreed fees in the 2025/2026 annual fees and charges report that is presented to full Council.

2.2 That Members:

- i) agree to implement the proposed fees relevant to those licences and licensing related activities where the authority has the discretion to determine the fees, as set out in Appendix 4 and Appendix 5, on the 1 April 2025.
- ii) instruct Officers to include the fees in the 2025/2026 annual fees and charges report that is presented to full Council.

2.3 That Members:

- i) agree to implement the proposed fees relevant to hackney carriage, private hire and operator licensing, as set out in Appendix 6 with immediate effect.
- ii) instruct Officers to include the fees in the 2025/2026 annual fees and charges report that is presented to full Council.

3.0 Background/Options

- 3.1 With the exception of statutory fees set by central government the Council is responsible for setting fees and charges for the licensing regulations it is responsible for administering and enforcing.
- 3.2 There is no statutory duty on the Council to consult when setting or revising licensing fees with the exception of those fees relating to hackney carriage, private hire vehicles and operators' licences under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976.
- 3.3 The Committee's legal authority to agree the recommendations is based within a range of specific licensing legislation together with the delegated functions set out in the Council's constitution. Extracts from the relevant legislation are provided in **Appendix 7**. Due consideration must also be given to relevant case law. Members are advised that Officers have considered these requirements when compiling this report.
- 3.4 The Council's fees and charges may be challenged through a number of routes, e.g. service complaints to the Local Government Ombudsman or via a judicial review.
- 3.5 The consequences of such a challenge are clearly demonstrated in the Court of Appeal judgement given in respect of R Hemming and others v Westminster City Council case, which involved the licensing of sex shops in Soho and Covent Garden.
- 3.6 The judgement has made it clear that local authorities may become liable for substantial costs if it is found that procedures for setting fees have not been correctly followed, and if the fees are not reasonable and proportionate to the costs of the licensing procedures.
- 3.7 When considering whether the licensing fees are reasonable and proportionate, it is also necessary to look at each regulatory power separately. In simple terms this means taxi and private hire licence holders should not be charged a fee for their licence that creates an excess which is then used to subsidise the fees paid by applicants wishing to obtain another type of licence.
- 3.8 It is also necessary to reflect that not all costs to the licensing authority are recoverable, such as the processing of "Charity Street Collections" and "Charity House to House Collections", where a fee is not permitted to be charged, or deficits in statutory income against expenditure.

- 3.9 As a result of the points raised in paragraph 3.8, it is not legally possible to recover 100% of the cost of running the Licensing Authority from the fees charged, and this deficit must be covered by the Council's general fund.
- 3.10 The law does not require the Licensing Authority to amend the fees annually, even when a deficit or surplus in income is identified, but the review process must take place.

4.0 Arguments/Conclusions

- 4.1 The licensing budget considers direct costs, such as licensing staff wages, but it also includes indirect costs that can reasonably be attributed to licensing procedures, for example, office accommodation, ICT support and software licensing fees, travel, legal support costs, advertising, equipment, postage & printing, subscriptions, telephone costs, training and other corporate recharges.
- 4.2 In relation to the consideration of applications, it is reasonable to recover the costs of running the relevant Committees from licensing fees and so consequently these costs have been incorporated into the overall figures.
- 4.3 As mentioned in paragraph 3.9 above, due to the current legislation, it will never be possible to recover 100% of the department's costs, but work undertaken by Officers suggests that in any given year approximately 80% to 85% of the expenditure level incurred by the service can be legally recovered, see Table 1 below for breakdown of the resources spent dealing with the differing licensing regimes. A three-year period is shown to illustrate trends.

Table 1

Type	Percentage of time 21/22	Percentage of time 22/23	Percentage of resources 23/24	3 year average
Animal Boarding	2.80	2.23	1.87	2.30
Breeding	5.96	5.22	1.84	4.34
DWA	0.18	0.18	0.13	0.16
Pet Shop	0.61	0.43	0.48	0.51
Riding Est	0.46	0.42	0.60	0.49
Sex Est	0.00	0.00	0.00	0.00
Zoo	0.42	0.42	0.03	0.29
GA05	2.11	2.40	3.39	2.63
LA03	24.52	24.45	20.86	23.28
Street Trading	4.34	4.25	2.82	3.80
Taxi	36.72	38.37	52.13	42.41
Scrap Metal	0.99	1.05	0.18	0.74
Exhibiting Animals	0.47	0.37	0.45	0.43
Pave	1.59	1.49	2.29	1.79
Totals	81.18	81.28	87.07	83.17

- 4.4 The licensing database is a live database where the number of issued permissions is constantly changing. Table 2 below shows the number of issued licences at the given date. You will note an increase in overall licence numbers, and the significant increase in taxi driver and vehicle licences issued between April 2023 and the time of writing this report.

Table 2

Type of Licence	Number Apr 2023	Number Sept 2023	Number Sept 2024	Increase/ Decrease
Licensing Act 2003	306	311	326	+ 5
Animal Premises	65	67	66	- 1
Small Society Lottery Registrations	78	82	84	+ 2
Gambling Act 2005	15	15	15	0
Personal	1141	1161	1200	+ 39
Street Trading	18	18	23	+ 5
Taxi Driver	160	252	299	+ 47
Private Hire Operator	12	15	15	0
Taxi Vehicle	157	230	279	+ 49
Scrap Metal Dealer	8	8	9	+ 1
Pavement	15	15	17	+ 2
Total	1975	2186	2333	+ 147

- 4.5 Table 3 below shows the cost of running the licensing authority, and the income received for last three-year period.

Table 3

Year	Income	Expenditure*	Balance	% recovered
2021/2022	£179,220	£268,949	-£89,729	67%
2022/2023	£204,245	£302,414	-£98,169	68%
2023/2024	£251,256	£326,523	-£75,267	77%

** This figure is the combination of the direct expenditure figure taken from the licensing service budget code (LI001), plus the corporate recharge fees that are back-charged to the licensing service, which cover things such as, IT support, customer service support, legal support etc, but do not appear in the LI001 overall operating budget code.*

- 4.6 The proposed budget for running the service for the current 2024/2025 period is £363,934 (£244,122 LI001 plus £119,812 corporate oncosts), and allocated income for the first 6 months of this period is approximately £156,000 which is positive news, and reflective of the increased work entering the department. A cost recovery figure of approximately £302,000 (£363,934 * 83%) would be required for this current period, and early indicators are suggesting that this is very likely to be achieved.
- 4.7 The proposed budget for the 2025/2026 period has not been set at this point, but Officers consider that the overall cost of running the licensing service in 2025/2026 is likely to be set at a figure around £370,000 to £375,000. This will reflect staffing changes caused by the move to the Legal Services directorate, and it will reflect

the Government's Autumn Budget statement and general inflationary factors, which will also have an impact on expected expenditure levels. Based on this figure, an estimated cost recovery income of between £307,000 and £311,250 would be required (using an 83% recovery rate).

- 4.8 Table 4 below shows income received in each area of licensing in the last full accounting year of 2023/2024, against the budget for this same period.

Table 4

Type	Percentage of resources used 2023/2024 taken from Table 1	Indicative cost recovery income figure based on 2023/2024 combined costs (£326,523)	Actual income received 2023/2024
Animal Boarding	1.87	6,110.90	7,976.50 ↑
Breeding	1.84	6015.61	7,471.17 ↑
DWA	0.13	425.15	0
Pet Shop	0.48	1,578.43	1,506 ↓
Riding Est	0.60	1,959.59	2,077.50 ↑
Sex Est	0	0	0
Zoo	0.03	102.62	450 ↑
GA05 – Statutory	3.39	11,066.09	5,780.50 ↓
LA03 – Statutory	20.86	68,106.89	72,790.83 ↑
Street Trading	2.82	9,192.01	10,871 ↑
Taxi	52.13	170,213.47	132,109.42 ↓
Scrap Metal	0.18	586.41	1506.66↑
Exhibiting Animals	0.45	1453.81	1120 ↓
Pave – Statutory	2.29	7,466.98	3400 ↓
Burdens payment	N/A	4196	4196 ↔
Total	87.07	£288,474	£251.256

- 4.9 Members will note in Table 4 above that there are three areas showing significant differences between the cost recovery figure and the actual income received. Members are asked to note that the Gambling Act 2005 and Pavement Licensing fees are statutory, and the Licensing Authority currently charge the maximum level permitted by law, so this shortfall cannot be recovered by increasing the fees in these areas. The taxi driver fees are discretionary, and whilst this shortfall in isolation could prompt thoughts of raising the discretionary fee, officers would advise against this at this point in time for the reasons set out in paragraph 4.13 below.

Conclusion

- 4.10 External pressures continue to impact all areas of licensing. The figures show that licence stock levels have remained consistent across the board during the past year. However, taxi licensing continues to grow with both driver and vehicle numbers increasing in the region of 20% in the 2023/2024 period, with officers now managing approximately double the number of taxi licences compared to two years ago.

- 4.11 The only area of discretionary fee income in the 2023/2024 period where there is a significant shortfall relates to taxis, and further analysis shows this to be the result of driver income not covering the time taken, as opposed to vehicle or operator income.
- 4.12 There are a number of identified reasons why driver income fell short in the 2023/2024 period, such as:
- an increase in the number of vetting checks needing to be run per driver
 - an increase in driver related enquiries
 - an increase in enforcement action – low level (motoring FPNs, failing to update addresses etc)
 - an increase in enforcement action – high level (appeals and committees)
 - more inhouse safeguarding courses run
 - more reporting requirements – Defra / NFI etc.

All of the above actions require officer time, and therefore, increase the total amount of time spent on this area of taxi work.

- 4.13 Despite the information shown in Table 4, Officers do not recommend increasing the taxi driver fees at this point in time for the following three reasons:
1. The rolling three-year period in Table 1 shows taxi work to average at 42.41%. This suggests that the 52.13% figure could be artificially high.
 2. Taxi income for the first six months of 2024/2025 is £95,665, and projections estimate that the year-end figure will be in the region of £175,000. Should this level of income be achieved, it will be sufficient to cover estimated taxi costs¹ for the 2025/2026 period based on the current fee levels.

¹ *Estimated expenditure figure of £311,250 taken from paragraph 4.7 above, multiplied by 52% being the likely upper limit of the level of taxi resources to be used.*

3. The past two years have seen a number of changes in the Licensing Authority, and large increases in taxi numbers. Whilst larger numbers of licences can bring economies of scale, initially it can create additional work whilst procedures and expectations are embedded.

5.0 Additional Implications Assessment

Financial Implications Yes	Legal Implications No	Human Resources (HR) Implications No
Equality Impact Assessment (EIA) No	Carbon Impact Assessment (CIA) No	Data Protection Impact Assessment (DPIA) No

(a) Financial implications

The correct setting of fees for licensable activities is essential. Fees set at incorrect levels can adversely impact those who wish to obtain permission to operate lawfully, and equally, where fees which can be set to cost recovery are not, the shortfall must be funded by the Council, as the Council has a duty to uphold its statutory duties. This impacts on the Council's ability to spend money in other areas.

6.0 Appendices

6.1	Appendix 1	Licensing Act 2003 - Statutory fees
	Appendix 2	Gambling Act 2005 - Statutory fees
	Appendix 3	Gambling Act 2005 & Business and Planning Act - Discretionary Statutory fees
	Appendix 4	General discretionary fees
	Appendix 5	Animal Welfare Regulation fees
	Appendix 6	Discretionary taxi fees
	Appendix 7	Extracts from legislation regarding fee setting

7.0 Background documents

LGA guidance on local fee setting 2015

Hemming v Westminster 2015

R v Tower Hamlets LBC 1994

Appendix 1 Licensing Act 2003 – Statutory Fees

Premises Licence and Club Premises Certificates:

Type of application:	Non-domestic rateable band				
	A	B	C	D	E
New, provisional statements, and full variation application fee	£100	£190	£315	£450	£635
Annual maintenance fee	£70	£180	£295	£320	£350
Minor variation	£89				
Provisional Statement (where premises is under construction)	£315				

NDR Value	Band	Fee multiplier for Premises Licences	D (x2)	E (x3)
£0 to £4,300	A	Premises Licences in bands D & E (whose primary business is the sale of alcohol)	£900	£1905
£4,301 to £33,000	B			
£33,001 to £87,000	C	Premises Licences in bands D & E (whose primary business is the sale of alcohol) annual maintenance fee	£640	£1050
£87,001 to £125,000	D			
£125,001 and above	E			

Premises Licence - Large event fees (payable in addition to the standard fee):

Number in attendance at any one time:	Additional application fee:	Additional annual fee:
5000 to 9999	£1000	£500
10000 to 14999	£2000	£1000
15000 to 19999	£4000	£2000
20000 to 29999	£8000	£4000
30000 to 39999	£16000	£8000
40000 to 49999	£24000	£12000
50000 to 59999	£32000	£16000
60000 to 69999	£40000	£20000
70000 to 79999	£48000	£24000
80000 to 89999	£56000	£28000
90000 and over	£64000	£32000

Personal Licence, Temporary Events and other miscellaneous fees:

Type of application:	Fee:
Grant of Personal Licence	£37
Temporary or Late Temporary Event Notice	£21
Theft, loss etc of Premises Licence or Summary	£10.50
Change of name or address on Premises Licence	£10.50
Vary Premises Licence to specify a new DPS	£23
Transfer a Premises Licence	£23
Interim Authority Notice	£23
Change of club name or address or change of rules	£10.50
Change of correspondence address for club	£10.50
Theft, loss etc of a Temporary Event Notice or Late Temporary Event Notice	£10.50
Theft, loss etc of a Personal Licence	£10.50
Right of freeholder etc to be notified of licensing matters	£21
Community Premises - removal of DPS fee	£23
Theft, loss etc of a Club Certificate or Summary	£10.50
Change of name or address on Personal Licence	£10.50

Appendix 2

Gambling Act 2005 Statutory Fees

Permission Type	Fee:
Lotteries	
Small Society Lotteries - new registration	£40
Small Society Lotteries - renewal of existing registration	£20
Licensed Premises Permits	
Licensed Premises Gaming Machines - notice of intention for up to 2 machines	£50
Licensed Premises Gaming Machine Permits - new	£150
Licensed Premises Gaming Machine Permits - variation	£100
Licensed Premises Gaming Machine Permits – transfer	£25
Licensed Premises Gaming Machine Permits - annual Fee	£50
Licensed Premises Gaming Machine Permits - change of Name	£25
Licensed Premises Gaming Machine Permits - copy (lost, stolen, damaged)	£15
Club Gaming/Club Machine Permits	
Club Gaming/Club Machine Permits - new or renew	£200
Club Gaming/Club Machine Permits for holders of club premises certificates - new or renew	£100
Club Gaming/Club Machine Permits – annual fee	£50
Club Gaming/Club Machine Permits - variation	£100
Club Gaming/Club Machine Permits - copy (lost, stolen, damaged)	£15
Prize Gaming Permits	
Prize Gaming Permits - new or renewal	£300
Prize Gaming Permits - change of name	£25
Prize Gaming Permits - copy (lost, stolen, damaged)	£15
Family Entertainment Gaming Centre Gaming Machine Permits	
Family Entertainment Gaming Centre Gaming Machine Permits - new or renewal	£300
Family Entertainment Gaming Centre Gaming Machine Permits - change of name	£25
Family Entertainment Gaming Centre Gaming Machine Permits - copy (lost, stolen, damaged)	£15

Appendix 3

Discretionary Fees with Statutory Maximum - Gambling Act 2005 Licences

Licence type	2024/2025 fees	2025/2026 proposed fees	Difference (£)
Regional Casino Licence			
Fee in respect of new premises	15000	15000	0
Annual Fee	15000	15000	0
Fee for application to vary licence	7500	7500	0
Fee for application to transfer a licence	6500	6500	0
Fee for application to reinstate a licence	6500	6500	0
Fee for application for provisional statement	15000	15000	0
Maximum non-conversion application fee in respect of provisional statement premises	8000	8000	0
Large Casino Licence			
Fee in respect of new premises	10000	10000	0
Annual Fee	10000	10000	0
Fee for application to vary licence	5000	5000	0
Fee for application to transfer a licence	2150	2150	0
Fee for application to reinstate a licence	2150	2150	0
Fee for application for provisional statement	10000	10000	0
Maximum non-conversion application fee in respect of provisional statement premises	5000	5000	0
Small Casino Licence			
Fee in respect of new premises	8000	8000	0
Annual Fee	5000	5000	0
Fee for application to vary licence	4000	4000	0
Fee for application to transfer a licence	1800	1800	0
Fee for application to reinstate a licence	1800	1800	0
Fee for application for provisional statement	8000	8000	0
Maximum non-conversion application fee in respect of provisional statement premises	3000	3000	0
Bingo Premises Licence			
Fee in respect of new premises	3500	3500	0
Annual Fee	1000	1000	0
Fee for application to vary licence	1750	1750	0
Fee for application to transfer a licence	1200	1200	0
Fee for application to reinstate a licence	1200	1200	0
Fee for application for provisional statement	3500	3500	0

Maximum non-conversion application fee in respect of provisional statement premises	1200	1200	0
Adult Gaming Licence			
Fee in respect of new premises	2000	2000	0
Annual Fee	1000	1000	0
Fee for application to vary licence	1000	1000	0
Fee for application to transfer a licence	1200	1200	0
Fee for application to reinstate a licence	1200	1200	0
Fee for application for provisional statement	2000	2000	0
Maximum non-conversion application fee in respect of provisional statement premises	1200	1200	0
Betting Premises (track) Licence			
Fee in respect of new premises	2500	2500	0
Annual Fee	1000	1000	0
Fee for application to vary licence	1250	1250	0
Fee for application to transfer a licence	950	950	0
Fee for application to reinstate a licence	950	950	0
Fee for application for provisional statement	2500	2500	0
Maximum non-conversion application fee in respect of provisional statement premises	950	950	0
Family Entertainment Centre Licence			
Fee in respect of new premises	2000	2000	0
Annual Fee	750	750	0
Fee for application to vary licence	1000	1000	0
Fee for application to transfer a licence	950	950	0
Fee for application to reinstate a licence	950	950	0
Fee for application for provisional statement	2000	2000	0
Maximum non-conversion application fee in respect of provisional statement premises	950	950	0
Betting Premises (other) Licence			
Fee in respect of new premises	3000	3000	0
Annual Fee	600	600	0
Fee for application to vary licence	1500	1500	0
Fee for application to transfer a licence	1200	1200	0
Fee for application to reinstate a licence	1200	1200	0
Fee for application for provisional statement	3000	3000	0
Maximum non-conversion application fee in respect of provisional statement premises	1200	1200	0
Temporary Use Notices			

Temporary Use Notice fee	500	500	0
Replacement of an endorsed copy	25	25	0
Applicable to all Premises Licences			
Change of circumstances fee - for all Premises Licences	50	50	0
Fee for copy licence - for all Premises Licences	25	25	0

Discretionary Fees with Statutory Maximum – Business & Planning Act 2020

Pavement Licences (2 year licence)			
Fee in respect of new premises	500	500	0
Applications made for any other reason by a licence holder	350	350	0

Appendix 4

Discretionary fees for general licences

Licence type	2024/2025 fees	2025/2026 proposed fees	Difference (£)
Dangerous Wild Animals (2yr licence)			
New application	648 (v)	648 (v)	0
Renewal application	648 (v)	648 (v)	0
Zoo			
New application (4 years)	2415 (v)	2415 (v)	0
Renewal application (6 years)	2070 (v)	2070 (v)	0
Applicable to all animal welfare licences			
Theft, loss etc of a licence	10.50	10.50	0
Change of name on licence	10.50	10.50	0
Change of licence details	10.50	10.50	0

(v) – A Council instructed veterinary inspection is required. This fee is payable in addition to the application fee. The fee will depend upon the amount of time taken to inspect the premises.

Licence type	2024/2025 fees	2025/2026 proposed fees	Difference (£)
Sex Establishments			
New application	3761	3761	0
Renewal application	1880.50	1880.50	0
Variation application	1880.50	1880.50	0
Transfer application	1880.50	1880.50	0
Theft, loss etc of a licence	10.50	10.50	0

Scrap Metal – Site Licence (3yr licence)			
New application	810	810	0
Renewal application	660	660	0
Variation application	120	120	0
Theft, loss etc of a licence	10.50	10.50	0

Scrap Metal – Collector Licence (3yr licence)			
New application	616	616	0
Renewal application	495	495	0
Variation application	120	120	0
Theft, loss etc of a licence	10.50	10.50	0

Street Trading Consent Fees

Daily and annual single trader fees

Type of goods	Ely (central zone)		All other areas		Transfer
	Daily	Annual	Daily	Annual	
Clothing	£20	£1040 ¹	£15	£740 ¹	£48
Electrical spares					
DIY products					
Hot food and drink					
Furniture					
Records, CD's and DVD	£20	£780 ¹	£15	£480 ¹	£48
Household cleaning goods					
Books					
Fresh fish	£20	£520 ¹	£15	£320 ¹	£48
Fresh meat					
Fruit and Veg					
Delicatessen					
Flowers and Plants					
Ice-cream vendors					
Cakes/ Bakery					
Arts and crafts					
All other traders					

¹Applicants are required to pay £75 upon application. The remaining balance for all successful applications can be paid by quarterly upfront instalments, or in one further payment.

Replacement consent certificates cost - £10.50

Host premises (see section 8 of the street trading policy)

Annual fee
£192
Transfer
£48

Special events/Markets/ Commercial event fees

Number of stalls	Fee per day of the event
2 – 20	£100
21 – 40	£200
41 or more	£500

Charity/non-commercial events (see paragraph 6.3 of the street trading policy)

Fee per day of the event
£20

Appendix 5

Discretionary fees for Animal Welfare Licences

Current and proposed fees

Licensable Activity	Application fee		Number of animals	Initial rating inspection fee	Renewal, re-rating or variation inspection fee	Maintenance fee		
	New	Renewal				1 yr	2 yr	3 yrs
Boarding of animals	£100	£60	Up to 10 animals	£76	£72	£232 ⁴	£466 ⁴	£705
			11 to 30 animals	£101	£96			
			31 to 60 animals	£127	£120			
			61 to 99 animals	£150	£144			
			100+ animals	£178	£168			
Arranging boarding			N/A	£101 + £25 per host ¹	£96 + £24 per host ¹			
Dog Breeding – Domestic			One litter per year maximum ²	£76 + VET fee ³	£72			
Dog Breeding - Commercial			More than one litter per year	£127 + VET fee ³	£120			
Hiring of Horses			N/A	£101 + VET fee ³	£96 + VET fee ³			
Selling Animals as Pets & Exhibiting Animals ⁴			Up to 5 species	£101	£96			
			Over 5 species	£178	£168			

¹ Out of scope hosts only. In scope hosts will be required to apply for their own licence and pay the relevant fees.

² Breeding and whelping must occur wholly within the domestic house. Outbuildings or garages are not included in this definition.

³ VET fees are paid directly to the VET pre-inspection. No VET inspection is required upon subsequent renewals of a dog breeding licence.

⁴ Exhibiting animal welfare licences can only be issued for 3 year time periods due to the requirements of the controlling legislation.

Where more than one licensable activity occurs on the same site, only one application fee will be payable, however, the total fee will be calculated by adding the combined charges of the activity with the highest fee to 50% of the applicable inspection and maintenance fee for the additional activities.

£10.50 will be charged for any replacement documents, or change of details not covered by the main charges above, such as a change of trading name.

Appendix 6

Discretionary fees for taxi and private hire licences

Licence type		2024/2025 fees	2025/2026 proposed fees	Difference (£)
Driver Licence				
New application – 1 year (excl. DVLA, and DBS check)		229	229	0
Renewal application – 1 year (excl. DVLA check)		175	175	0
New application – 3 year (excl. DVLA, and DBS check)		579	579	0
Renewal application – 3 year (excl. DVLA check)		525	525	0
Conversion of a PH only driver licence to a joint HC & PH driver licence (excl. required joint HC & PH knowledge test fee)		N/A	30	N/A
Knowledge test re-sit		32	32	0
DVLA driving licence check (required upon every new and renewal application)		5	5	0
Private Hire Vehicle Licence				
New and renewal 1yr for all (excl. stickers)		250	250	0
Variation application (excl. stickers)		35	35	0
Transfer application (excl. stickers)		25	25	0
Hackney Carriage Vehicle Licence				
New and renewal 1yr for all (excl. stickers)		250	250	0
Variation application (excl. stickers)		35	35	0
Transfer application (excl. stickers)		25	25	0
Private Hire Operator Licence				
New application – 1 year	150 – 1 vehicle	126	126	0
	200 – 2 to 5	156	156	
	250 – 6 to 10	186	186	
	300 – 11+	216	216	
Renewal application – 1 year	150 – 1 vehicle	126	126	0
	200 – 2 to 5	156	156	
	250 – 6 to 10	186	186	
	300 – 11+	216	216	
New application – 5 year	646 – 1 vehicle	627	627	0
	896 – 2 to 5	737	737	
	1146 – 6 to 10	847	847	
	1396 – 11+	957	957	
Renewal application – 5 year	646 – 1 vehicle	627	627	0
	896 – 2 to 5	737	737	
	1146 – 6 to 10	847	847	
	1396 – 11+	957	957	
Miscellaneous taxi and private hire fees				
Theft, loss etc of a licence		10.50	10.50	0
Theft, loss etc of a vehicle plate		20	20	0
Change of address		10.50	10.50	0
Replacement door sticker		6.00	6.00	0

Appendix 7 – Extracts from Licensing Legislation

Extracts from relevant licensing legislation providing legal framework within which local authorities may charge licensing fees

Local Government (Miscellaneous Provisions) Act 1982

Controls sex establishments, street trading, acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis

Sex establishments - Schedule 3 paragraph 19

An application for the grant, variation, renewal or transfer of a licence under this Schedule shall pay a reasonable fee determined by the appropriate authority.

Street Trading – Schedule 4 paragraph 9

(1) A district council may charge such fees as they consider reasonable for the grant or renewal of a street trading licence or a street trading consent.

(2) A council may determine different fees for different types of licence or consent and, in particular, but without prejudice to the generality of this sub-paragraph, may determine fees differing according—

(a) to the duration of the licence or consent;

(b) to the street in which it authorises trading; and

(c) to the descriptions of articles in which the holder is authorised to trade.

(3) A council may require that applications for the grant or renewal of licences or consents shall be accompanied by so much of the fee as the council may require, by way of a deposit to be repaid by the council to the applicant if the application is refused.

(4) A council may determine that fees may be paid by instalments.

(5) Where a consent is surrendered or revoked, the council shall remit or refund, as they consider appropriate, the whole or a part of any fee paid for the grant or renewal of the consent.

(6) A council may recover from a licence-holder such reasonable charges as they may determine for the collection of refuse, the cleansing of streets and other services rendered by them to him in his capacity as licence-holder.

(7) Where a licence—

(a) is surrendered or revoked; or

(b) ceases to be valid by virtue of paragraph 4(7) above,

the council may remit or refund, as they consider appropriate, the whole or a part—

(i) of any fee paid for the grant or renewal of the licence; or

(ii) of any charges recoverable under sub-paragraph (6) above.

(8) The council may determine—

(a) that charges under sub-paragraph (6) above shall be included in a fee payable under sub-paragraph (1) above; or

(b) that they shall be separately recoverable.

(9) Before determining charges to be made under sub-paragraph (6) above or varying the amount of such charges the council—

(a) shall give notice of the proposed charges to licence-holders; and

(b) shall publish notice of the proposed charges in a local newspaper circulating in their area.

(10) A notice under sub-paragraph (9) above shall specify a reasonable period within which representations concerning the proposed charges may be made to the council.

(11) It shall be the duty of a council to consider any such representations which are made to them within the period specified in the notice.

Acupuncture - Section 14 (6)

A local authority may charge such reasonable fees as they may determine for registration under this section.

Tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis – Section 15 (6)

A local authority may charge such reasonable fees as they may determine for registration under this section.

Local Government (Miscellaneous Provisions) Act 1976

Controls hackney carriages and private hire vehicles

Section 53 - Drivers' licences for hackney carriages and private hire vehicles

(2) Notwithstanding the provisions of the Act of 1847*, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.

*Town Police Clauses Act 1847

Section 70 - Fees for vehicle and operators' licences

(1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the

purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

(2) The fees chargeable under this section shall not exceed—

(a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;

(b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and

(c) for the grant of an operator's licence, twenty-five pounds per annum;

or, in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.

(3) (a) If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.

(4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

(5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections.

(6) A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so.

Zoo Licensing Act 1981

Controls zoos – Section 15

(1) Subject to this section, the local authority may charge such reasonable fees as they may determine in respect of—

Appendix 7 – Extracts from Licensing Legislation

(a) applications for the grant, renewal or transfer of licences;

(b) the grant, renewal, alteration or transfer of licences;

(2) Any fee charged under paragraph (a) of subsection (1) in respect of an application shall be treated as paid on account of the fee charged under paragraph (b) on the grant, renewal or transfer applied for.

(2A) Subject to this section, the authority may charge to the operator of the zoo such sums as they may determine in respect of reasonable expenses incurred by them—

(a) in connection with inspections in accordance with section 9A and under sections 10 to 12;

(b) in connection with the exercise of their powers to make directions under this Act;

(c) in the exercise of their function under section 16E(4) of supervising the implementation of plans prepared under section 16E(2); and

(d) in connection with the exercise of their function under section 16E(7) or (8).

(2B) The authority's charge under subsection (2A)(d) shall take into account any sums that have been, or will fall to be, deducted by them from a payment under section 16F(7) in respect of their costs.

(3) In respect of any fee or other sum charged under this section, the local authority may, if so requested by the operator, accept payment by instalments.

(4) Any fee or other charge payable under this section by any person shall be recoverable by the local authority as a debt due from him to them.

(5) The local authority shall secure that the amount of all the fees and other sums charged by them under this section in a year is sufficient to cover the reasonable expenditure incurred by the authority in the year by virtue of this Act.

Dangerous Wild Animals Act 1976

Controls dangerous wild animals as listed in the Act – Section 1

(2) A local authority shall not grant a licence under this Act unless an application for it—

.... and

(e) is accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application).

Public Health Acts Amendment Act 1907

Controls pleasure boats/vessels - Section 94

(1) The local authority may grant upon such terms and conditions as they may think fit licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire, and to the persons in charge of or navigating such boats and vessels, and may charge for each type of licence such annual fee as appears to them to be appropriate.

Environmental Protection Act 1990

Controls free printed matter – Schedule 3A paragraphs 3 & 4

3 (1) A principal litter authority may on the application of any person consent to that person or any other person (identified specifically or by description) distributing free printed matter on any land designated by the authority under this Schedule.

4 (1) A principal litter authority may require the payment of a fee before giving consent under paragraph 3 above.

(2) The amount of a fee under this paragraph is to be such as the authority may determine, but may not be more than, when taken together with all other fees charged by the authority under this paragraph, is reasonable to cover the costs of operating and enforcing this Schedule.

Gambling Act 2005

Statutory fees are prescribed for:-

- small society lotteries (Schedule 11 – Part 5)
- club gaming permits and club machine permits (Schedule 12)
- notification of gaming machines in alcohol licensed premises (Section 282)
- family entertainment centre gaming machine permits (Schedule 10)
- licensed premises gaming machine permits (Schedule 13)
- prize gaming permits (Schedule 14)

And, therefore, the licensing authority has no control over these fees. The following statutory instruments are relevant:-

- Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007
- Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007
- Gaming Machines in Alcohol Licensed Premises (Notification Fee) (England and Wales) Regulations 2007
- Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007
- Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007
- Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007

The licensing authority must determine the fees, up to certain statutory maximums, that are applicable to premises licences, e.g. adult gaming centres, betting at race tracks, betting shops, bingo premises, casinos and for temporary use notices. The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 and the Gambling (Temporary Use Notices) Regulations 2007 set the relevant statutory maximums. In addition, Section 212 of the Act states:-

(2) the authority—

(a) shall determine the amount of the fee,

(b) may determine different amounts for different classes of case specified in the regulations (but may not otherwise determine different amounts for different cases),

(c) shall publish the amount of the fee as determined from time to time, and

(d) shall aim to ensure that the income from fees of that kind as nearly as possible equates to the costs of providing the service to which the fee relates (including a reasonable share of expenditure which is referable only partly or only indirectly to the provision of that service).

(3) For the purposes of subsection (2)(d) a licensing authority shall compare income and costs in such manner, at such times and by reference to such periods as the authority, having regard to any guidance issued by the Secretary of State, think appropriate.

In addition, where the licensing authority is required to maintain licensing registers, the authority may determine fees for providing access to, making copies of and/or providing information to members of the public from those registers.

Premises licences (Section 156)

(1) A licensing authority shall—

(a) maintain a register of premises licences issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Small society lotteries (Schedule 11 Part 5 paragraph 55)

(1) Where a statement is sent to a local authority under paragraph 39 the authority shall—

(a) retain it for at least 18 months,

(b) make it available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of it or part of it to any member of the public on request.

(2) But a local authority may refuse to provide access or a copy unless the person seeking access or a copy pays a fee specified by the authority.

(3) A local authority may not specify a fee under sub-paragraph (2) which exceeds the reasonable cost of providing the service sought (but in calculating the cost of providing a service to a person the authority may include a reasonable share of expenditure which is referable only indirectly to the provision of that service).

Club gaming permits and club machine permits (Schedule 12 paragraph 26)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Temporary Use Notice (Section 234)

1) A licensing authority shall—

(a) maintain a register of temporary use notices given to them together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Family entertainment centre gaming machine permits (Schedule 10 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Licensed premises gaming machine permits (Schedule 13 paragraph 22)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Prize gaming permits (Schedule 14 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Scrap Metal Dealers Act 2013

Controls buyers/sellers of scrap metal and motor salvage operators (Section 5 Schedule 1 paragraph 6)

(1) An application must be accompanied by a fee set by the authority.

(2) In setting a fee under this paragraph, the authority must have regard to any guidance* issued from time to time by the Secretary of State with the approval of the Treasury.

*Scrap Metal Dealers Act 2013: guidance on licence fee charges – issued by Home Office 12 August 2013

Licensing Act 2003

Statutory fees for premises licences, club premises certificates, temporary event notices and personal licences are currently prescribed by the Licensing Act 2003 (Fees) Regulations 2005. The licensing authority has no control over these fees.

In addition, there is a requirement to maintain a register and make it available for inspection without payment but if requested to provide a copy of information contained in the register a fee may be charged under Section 8 of the Act.

(4) If requested to do so by any person, a licensing authority must supply him with a copy of the information contained in any entry in its register in legible form.

(5) A licensing authority may charge such reasonable fee as it may determine in respect of any copy supplied under subsection (4).

Caravan Sites and Control of Development Act 1960

Under the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013, licensing authorities are permitted to charge fees for the licensing of residential caravan sites with effect from 1 April 2014. Transitional arrangements will be in place and the licensing authority is required to publish a fees policy. (NB The Council has not yet prepared a fees policy and therefore is currently unable to charge fees in this respect.)

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

13.—(1) A local authority may charge such fees as it considers necessary for—

(a) the consideration of an application for the grant, renewal or variation of a Licence including any inspection relating to that consideration, and for the grant, renewal or variation,

(b) the reasonable anticipated costs of consideration of a licence holder's compliance with these Regulations and the licence conditions to which the licence holder is subject in circumstances other than those described in subparagraph (a) including any inspection relating to that consideration,

(c) the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator, and

(d) the reasonable anticipated costs of compliance with regulation 29.

(2) The fee charged for the consideration of an application for the grant, renewal or variation of a licence and for any inspection relating to that consideration must not exceed the reasonable costs of that consideration and related inspection.

Business and Planning Act 2020

Applications

(1) An application for a pavement licence made to a local authority must—

(a) be made in writing and in such form as the authority may specify,

- (b) be sent to the authority using electronic communications in such manner as the authority may specify, and
- (c) be accompanied by such fee not exceeding the relevant amount as the local authority may require.

“the relevant amount” means—

- (a) £350, in the case of an application which—
 - (i) is made by a person who already holds a pavement licence, and
 - (ii) is in respect of the premises to which that existing licence relates (whether or not it is a renewal application), and
- (b) £500, in any other case.

Licences for which the licensing authority is NOT permitted to charge

- House-to-house collections: House to House Collections Act 1939
- Street collections: Police, Factories, etc. (Miscellaneous Provisions) Act 1916
- Hypnotism consent

Title: Mobile Homes Act 2013 – Park Homes Fee Policy 2025

Committee: Licensing Committee

Date: 20 November 2024

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Report number: Z103

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1.0 Issue

To provide information to the committee on the licensing requirements under the Caravan Sites and Control of Development Act 1960 (as amended by the Mobile Home Act 2013), and seek adoption of an update to East Cambridgeshire's Mobile Homes Fee Policy, effective from 1st April 2025.

2.0 Recommendations

2.1 That Members:

- i. agree to implement the updated Mobile Homes Fee Policy as set out in **Appendix 1**, to take effect on 1 April 2025.

3.0 Background/Options

3.1 The Council has a statutory duty under the Caravan Sites and Control of Development Act (CSCD) 1960 to licence caravan sites. Introduction of the Mobile Homes Act 2013 amended parts of the CSCD Act to provide amongst other elements, greater protections to residents of “relevant protected sites”. A relevant protected site is defined in the Act as any land to be used as a caravan site other than one where the application for a licence is:

- For holiday use only, or
- Subject to restrictions or conditions which limit the times of the year when the site may be used for the stationing of caravans for human habitation

Relevant protected sites now tend to be known as residential park home sites or mobile home sites, but they can include smaller sites such as permanent gypsy and traveller sites which are not owned by the Local Authority.

3.2 The provisions of the 2013 Act pertinent to local authorities and “relevant protected sites” include:

- The ability to charge fees for new site applications, site licence transfers and variations.
- The ability to charge an annual fee to existing site licence operators.

- The ability to refuse a licence or refuse a licence transfer application.
- The ability to serve and enforce compliance notices and undertake emergency works, with recovery of costs and expenses.
- To have a role in the system of site rules adoption and administration, requiring such rules to be deposited with the local authority.

In 2020 the additional requirement for the manager of relevant protected licensed sites to be considered a 'fit and proper' person was introduced and this process has been administered by the local authority since October 2021. The fee policy for fit and proper persons applications was formally approved by committee and is published on our website

<https://www.eastcambs.gov.uk/sites/default/files/FINAL%20AND%20APPROVED%20Fit%20and%20Proper%20Person%20Fee%20Policy%202021%20AC%20checked.pdf>

A review of the Fit and Proper Person Fee Policy will be undertaken in 2025 and a merger of the two separate policies may be appropriate at this time. The 2021 policy currently remains relevant to the requirements of the service.

- 3.3 The 2013 Act requires local authorities to publish their fee policies. The original fee policy was approved and published in 2014 (**Appendix 2**). Although inflationary increases to the fees have been applied and charges for 2024 can be found at <https://www.eastcambs.gov.uk/licensing/mobile-homepark-home-licence> no formal review of the costs and resource requirements of administering the scheme has been undertaken since its original adoption. Such an exercise is overdue and necessary to demonstrate continued compliance with the statutory principles of setting fees.
- 3.4 The legal requirements of what can be, and what cannot be recovered in the setting of fees was considered by the Supreme Court in the case of R (on the application of Hemming and others) v Westminster City Council [2015] UKSC 25 and [2017] UKSC 50. The judgement made it clear that local authorities may become liable for costs if it is found that procedures for setting fees have not been correctly followed, and if the fees are not reasonable and proportionate to the costs of the licensing procedure. These factors have been considered in the proposed update to the fees.
- 3.5 In setting the original fees policy and the fees to be charged, the Council had regard to the Ministry for Housing, Communities and Local Government (MHCLG) Guidance for local authorities on setting licence fees under the Mobile Homes Act 2013, that was published on 1 March 2014. This guidance remains relevant and has been used within this review.
- 3.6 Current fees are banded in relation to the number of units on a site. Larger sites can be complex and therefore officers require additional time to review and administer these site licence applications and to undertake the annual inspections when compared with smaller sites. Sites of less than 5 pitches are not required to pay an annual inspection fee. These sites tend to be occupied by family groups and are low risk and so do not usually require an annual inspection.

- 3.7 The updated fee policy follows the original format, which was based on grouping different sized sites in accordance with Option 2 within the MHCLG guidance. The updated proposal is to introduce changes to the banding ranges, to reduce the number of bands thereby simplifying the complex range of charges that currently exists. This will make it more straightforward for operators to understand and aligns with the time taken and costs incurred by the council in administering the regime.
- 3.8 The cost bands within the new policy more closely align to the licensed sites we have here in East Cambs. There are over 60 licensed sites within East Cambridgeshire, many of these consist of small established sites occupied by family groups. Other sites are for holiday use only, and although a licence is still required and inspections are undertaken, fees cannot be charged for such sites. Of the 10 residential style park home sites currently within East Cambridgeshire where annual compliance inspections are undertaken, seven sites have between 25 and 99 units (with most having around 50 units on their sites), and three sites have less than 25 units. The banding groups, split into <5, 6-24, 25-99 and >100 units satisfy the charging requirements to recover relevant council costs.

4.0 Arguments/Conclusion

- 4.1 The starting point of any fee policy must be a robust and lawful calculation of the costs incurred. The authority can consider overall costs, but the cost of enforcement action cannot in law be reflected in the fee structure adopted by the local authority. The overriding consideration is that fees set, as published by the local authority, must be reasonable and transparent and whilst different fees can apply to different sized sites (as proposed by the updated policy), there must be consistency in the fee structure and its application.
- 4.2 Officers have considered the average time taken and hourly rates of officers undertaking the following tasks and for which costs are incurred, when determining its fee policy:
- initial enquiries
 - 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
 - travel time and time taken for inspections
 - sending out forms
 - updating IT systems
 - processing the licensing fee
 - land registry searches
 - time for reviewing necessary documents and certificates
 - downloading photographs
 - preparing reports on contraventions
 - preparing draft and final licences
 - review by manager and the review of any consultation responses from third parties
 - updating public register

- carrying out any risk assessment process considered necessary
- 4.3 The fees that have been set take into account the matters set out in paragraph 4.2, and are set in accordance with the Fee Policy Framework based on the hourly rate of the officers involved. It is not anticipated that a surplus will be accrued but the policy allows for such a scenario.

5.0 Additional Implications Assessment

5.1 In the table below, please put Yes or No in each box:

Financial Implications	Legal Implications	Human Resources (HR) Implications
Yes	Yes	No
Equality Impact Assessment (EIA)	Carbon Impact Assessment (CIA)	Data Protection Impact Assessment (DPIA)
No	No	No

Financial and legal implications

- 5.2 There is a cost incurred by the Council however this cost is largely recovered via the licence fees paid by those holding and applying for licences.
- 5.3 Prior to charging for the processing of caravan site licences and the annual inspections of sites the 2013 Act requires local authorities to adopt and publish their fees policy. On approval by Members this updated Fees Policy will replace the 2014 version and will be published on the council website in compliance with this legal requirement.
- 5.4 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149(7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 5.5 Further to paragraph 5.4 an Initial Screening Equality Impact Assessment has been completed, and there are no identified impacts requiring a full EIA to be undertaken.

6.0 Appendices

Appendix 1 – ECDC Park Homes Fee Policy 2025

Appendix 2 – ECDC Park Homes Fee Policy 2014

7.0 Background documents

Guidance: Ministry for Housing, Communities and Local Government (MHCLG)
Guidance - Mobile Homes Act 2013: A guide for local authorities on setting licence fees <https://www.gov.uk/government/publications/mobile-homes-act-2013-a-guide-for-local-authorities-on-setting-licence-fees/mobile-homes-act-2013-a-guide-for-local-authorities-on-setting-licence-fees-summary>

Legislation: The Caravan Sites and Control of Development Act 1960
<https://www.legislation.gov.uk/ukpga/Eliz2/8-9/62/contents>

The Mobile Homes Act 2013
<https://www.legislation.gov.uk/ukpga/2013/14>



East Cambridgeshire District Council Park Home Fees Policy April 2025

Directorate	Operational Services		
Service	Environmental Services		
Author	Karen See		
Approved by	Licensing Committee		
Approval date	November 2024	Review date	Annually, with a full review to be undertaken no later than end of 2029.

Executive Summary

The Mobile Homes Act 2013 (the '2013 Act') was introduced to provide greater protection to occupiers of residential caravans and mobile homes. The '2013 Act' introduced some important changes to park home site licensing on 1 April 2014 due to its amendments to Caravan Sites and Control of Development Act 1960 (the 'Amended Act'). The changes included the ability for Local Authorities to charge site owners a fee for applying for a site licence, for amendments or transfers of existing licences, for annual fees and for site owners depositing site rules with the Local Authority.

To be able to charge these fees the Council is required to publish them within a Fees Policy. The original Fees Policy for East Cambridgeshire District Council was adopted and published in 2014. This 2025 document is East

Cambridgeshire District Council updated Park Homes Fees Policy (2025) and it has been formulated to ensure the fee setting procedure remains relevant, transparent and compliant with legislation. The updated fees will be incorporated within the Council's 2025/26 Fees and Charges Schedule and will be subject to regular review by responsible officers. Such reviews will identify the requirement for changes within the caravan site licensing charging scheme because of deficits or surpluses, and changes will be adopted accordingly.

Publication of the Park Homes Fees Policy (2025) will be by 1 April 2025. Publication of the policy allows site owners to recover these costs should they opt to increase pitch fees on their sites at future review dates. The Local Authority will be complying with its statutory duty.

From 1 April 2025 the fees associated with applying for a new site licence, for transfers and variations of existing licences, for annual inspections and for depositing site rules are as follows:

Application for a new site licence

5 units or less	£285.00
6-24 units	£338.00
25-99 units	£394.00
100 units or more	£453.00

Annual site licence inspections

5 units or less	nil
6-24 units	£263.00
25-99 units	£305.00
100 units or more	£378.00

Transfer of site licence fee

5 units or less	£132.00
6-24 units	£132.00
25-99 units	£132.00
100 units or more	£132.00

Variation of site licence, requiring a site visit

5 units or less	£170.00
6-24 units	£180.00
25-99 units	£190.00
100 units or more	£190.00

Variation of site licence, no visit required

5 units or less	£107.00
6-24 units	£117.00

25-99 units	£127.00
100 units or more	£127.00

Deposit of site rules

All sites	£49.00
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Sites that are for **holiday use** only or are only allowed units stationed on them at certain times of the year are **exempt** from licensing fees. These are not considered to be 'Relevant Protected Sites'. These are the only statutory exemptions; however, the 'Amended Act' enables Local Authorities to fix different fees or to determine that no fee is required to be paid in certain cases.

It was felt appropriate for East Cambridgeshire District Council to make sites where there are **5 or less pitches exempt from annual fees** (but not other licensing fees) as these lower risk sites are less onerous to inspect and collecting annual fees from them would not be cost effective.

The '2013 Act' also introduced the ability for Local Authorities to serve enforcement notices and to carry out works in default to remedy breaches of site licence conditions. The Council intends to make a charge in relation to this, on a case-by-case basis, calculating the hourly costs to the local authority of undertaking the enforcement and any remediation costs incurred.

The Mobile Homes (Site Rules) (England) 2014 Regulations require site owners to deposit their site rules with the Local Authority. The Local Authority is required to review and publish the site rules, and a charge will be made for this.

1. Introduction

The Caravan Sites and Control of Development Act 1960 (CSCDA 1960) came into force on 29 August 1960. Part one of the Act introduced a licensing system, to be operated by Local Authorities to regulate the establishment and operation of caravan sites. Section 29 of this Act defines what constitutes a caravan and caravan site, and these are commonly known as park homes and park home sites.

The first schedule of the Act sets out cases where a site licence is not required, including:

- Local Authority-owned sites
- Use which is incidental to a dwelling-house and within the same curtilage
- Sites where a single caravan is stationed on land for not more than two nights and not more than 28 days in any 12 month period

- Sites where caravans are stationed on land not less than five acres for no more than 28 days and no more than three caravans are stationed at any one time
- Sites where caravans are solely for seasonal agricultural/forestry workers employed on land owned by the site owner
- Sites where caravans are solely for workers employed in building or engineering operations on that or adjacent land
- Sites used by travelling showmen who are members of a relevant organisation
- Sites occupied by organisations holding a certificate of exemption

Licences can only be issued to the owners of sites that have obtained valid planning permission.

The 2013 Act introduced some important changes to park home site licensing on 1 April 2014 due to its amendments to CSCDA 1960. These changes included the ability for Local Authorities to charge site owners a fee for applying for a site licence, for amendments or transfers of existing licences, for annual fees and for site owners depositing site rules with the Local Authority.

Section 10A (2) of the 'Amended Act' requires a Local Authority to publish a Fees Policy before charging fees for the licensing of park home sites. The East Cambridgeshire District Council Park Homes Fee Policy 2025 has been developed to update the original 2014 version, and to ensure the fee setting procedure remains relevant, transparent and compliant with legislation. The council will begin charging these fees on 1 April 2025.

2. Fees for new licence applications, transfer of licences, variation of licences and annual fees

2.1 Overview

Subject to the exemptions detailed in the introduction there is a requirement for site owners to ensure that their park home sites are licensed. Failure to do so would be an offence under Section 1(2) of the CSCDA 1960 which can attract a fine not exceeding level 4 on the standard scale upon summary conviction.

Section 3 (2A) of the 'Amended Act' enables Local Authorities to require a fee in respect to a relevant protected site application.

Section 5A (1) of the 'Amended Act' enables Local Authorities to require an annual fee to be paid by site owners in respect of 'relevant protected sites'.

Local Authorities may also charge a fee for alterations to licence conditions where these are requested by a site owner or where an application to transfer the licence to another person/organisation is received (Section 8 (1B) and Section 10 (1A) of the 'Amended Act', respectively).

When requiring a licence holder to pay an annual fee the Council must inform them of matters to which they have had regard to in fixing the fee. The costs associated with monitoring conditions on sites and dealing with licensing matters informally can be included within annual fees. However, annual fees should not include any costs incurred in relation to enforcement activities such as serving compliance notices, emergency action and works in default as these costs can be recovered by other means.

Costs relating to Local Authorities providing sites for caravans cannot be considered when determining fees.

2.2. Exemptions from paying fees

Sites that are for **holiday use** only or are only allowed units stationed on them at certain times of the year are exempt from licensing fees. These sites do not fall within the definition of “Relevant Protected Sites”. A relevant protected site is a site requiring a licence other than one which is for holiday use only or is otherwise not capable of being used all year round. This is similar to the definition of a ‘protected site’ provided in the Caravan Sites Act 1968 (CSA), although the definition of a ‘protected site’ includes local authority sites, which are excluded from the definition of a ‘relevant protected site’. These sites are exempt from the licensing regime and are the only statutory exemptions.

Section 10A (3) of the ‘Amended Act’ also enables Local Authorities to fix different fees **or to determine that no fee is required** to be paid in certain cases or descriptions of case.

It is considered appropriate for East Cambridgeshire District Council to make sites that have **5 or less pitches exempt from annual fees** (but not other licensing fees). These sites have fewer issues (e.g. fire separation) to consider when carrying out routine monitoring and are generally of very low risk, compared with larger multiple pitch sites. In many cases these are also occupied by a single family which further reduces risk. Collecting annual fees from these sites is not considered to be reasonable or cost effective. Little or no intervention is required with respect to the smaller sites after a licence has been approved, compared to the larger sites run by business operators which are subject to an annual inspection to assess for continued compliance with licence conditions. The costs associated with monitoring sites that have 5 or less pitches would be met through existing budgets and have not been included in the updated fee policy calculations.

2.3 Calculation method for fees

The method used in calculation of the various fees involved a costing exercise which identified the average time taken for authorised officers at different levels of responsibility, to undertake the range of steps required to administer licences and inspect site conditions.

The Council has considered the time taken and hourly rates of officers undertaking the following tasks and for which costs are incurred, when determining its fee policy. Activities include:

- initial enquiries
- 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
- travel time and time taken for inspections
- sending out forms
- updating IT systems
- processing the licensing fee
- land registry searches
- time for reviewing necessary documents and certificates
- downloading photographs
- preparing reports on contraventions
- preparing draft and final licences
- review by manager and the review of any consultation responses from third parties
- updating public register
- carrying out any risk assessment process considered necessary

Account was taken of the variation in sizes of relevant protected sites we have within the district and the fee structure has been banded into groups that reflect the average time required to undertake our statutory role with respect to all elements of the process for the largest, the mid-range and the smaller sites.

Given the ongoing cost of living impacts, and the financial challenges faced by councils and businesses alike, it is important that inflation impacts are considered year on year, to support the potential for any corresponding annual increases in the council's own costs in delivering the caravan site licensing service. Any increase will be in line with the council's annual budget setting process. However, the local authority will also consider the need to reduce fees, if it is found that a surplus of fees has been accrued. The fees applied each year are in accordance with the Fee Policy Framework, which is time and activity specific and based on the hourly rate of the officers involved.

The fee structure was devised to be as simple and clear as possible to prevent any future ambiguity.

When requiring a licence holder to pay an annual fee, the Council will refer the holder to the published fee policy and the matters to which they have had regard to in fixing the fee.

2.4 Time when Fees are payable

Section 10A (5) of the 'Amended Act' states that the Fees Policy must include provision about the time at which the annual fee is payable. For this policy the period covered by the annual fee will mirror the financial year (**1 April to 31 March**) and will be paid in advance. Invoices will be sent out during the month of April requiring payment within **30 days**. Where a new site is licensed part way through the year, payment of the annual fee will apply from the beginning of the next financial year.

Transfer or variation fees will be a one-off payment at the time of the transfer or variation.

3. Enforcement Notices and Works in Default

3.1 Overview

Section 9A of the 'Amended Act' allows Local Authorities from 1 April 2014 to serve **compliance notices** on site owners where site licence conditions are breached. These notices will set out what the site owner needs to do to correct the breaches and the timescales. Failure to comply with the notice would be a criminal offence, punishable by a fine at level 5 on the standard scale and the site licence could be revoked upon a third or subsequent prosecution. Following a successful prosecution for breaching a compliance notice, Local Authorities will be able to serve notice to enter the site and carry out the necessary works (Works in Default).

In addition to this, Section 9E of the 'Amended Act' allows a notice to be served on site owners enabling the Local Authority to enter the site and take **emergency action** where there is **an imminent risk of serious harm**.

3.2 Charges for compliance notices and works in default

The Council intends to make a charge in relation to service of enforcement notices, to be calculated on a case-by-case basis and based on the hourly costs to the local authority of undertaking the enforcement and any remediation costs incurred. When recovering expenses relating to works in default an administration charge will also be calculated, to cover the cost of officer time in arranging works in default from the date when the notice has been breached.

Unpaid charges can be placed as a charge against the site owner's land.

4. Fees for Depositing Site Rules

4.1 Overview

Site rules are different to site licence conditions in that they are neither created nor enforced by Local Authorities. They are a set of rules created by

the site owner which residents must comply with. They may reflect the site licence conditions but will also cover matters unrelated to licensing.

The Mobile Homes (Site Rules) (England) Regulations 2014 came into force on the 4 February 2014. The Local Authority must be notified of any site rule changes, are required to assess site rules for statutory compliance and site rules must be deposited with the Local Authority for publication. Some sites do not have any site rules and where this is the case, site rules do not need to be deposited. The site rules are written by the owner in conjunction with the site occupiers.

A Local Authority may levy a fee for the depositing of site rules, or the variation or deletion of site rules.

4.2 Fees for depositing Site Rules

A fee of **£49.00** has been calculated to cover local authority costs for initial deposit or for the replacement of existing site rules.

5. Revising Fees

The fees covered by the Park Homes Fees Policy 2025 will be reviewed on an annual basis to ensure the fees reflect the true costs incurred in the administration of the powers given by the legislation. The fees that have been set for 2025/26 are in accordance with the Fee Policy Framework which is time and activity specific and based on the hourly rate of the officers involved. It is not anticipated that a surplus will be accrued but the policy allows for this by introducing an annual review by authorised officers, to include consideration of surpluses or deficits.

Should a more significant change in fees be required prior to the programmed full review in 2029, then the Park Homes Fees Policy will be revised and published.

East Cambridgeshire District Council Park Home Fees Policy April 2014

Service	Environmental Services		
Author	Julia Atkins		
Approved by	Licensing Committee		
Approval date	13 th June 2014	Review date	Currently Under Review

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Executive Summary

The Mobile Homes Act 2013 (MHA 2013) was introduced in order to provide greater protection to occupiers of residential caravans and mobile homes. It received Royal Assent on 26th March 2013 with some parts implemented on 26th May 2013. The MHA 2013 will introduce some important changes to park home site licensing on 1st April 2014 due to its amendments to Caravan Sites and Control of Development Act 1960 (CSCDA 1960). These changes include the ability for Local Authorities to charge site owners a fee for applying for a site licence, for amendments or transfers of existing licences, for annual fees and for site owners depositing site rules with the Local Authority.

In order to be able to charge these fees the Council needs to publish them within a Fees Policy. Publication of this Fees Policy will enable fee recovery by the Council and enable site owners to recover these costs should they opt to increase pitch fees at the next pitch fee review date. This will also enable the Local Authority to comply with its' Statutory duty.

The fees associated with applying for a new site license, for transfers/variations of existing licenses and for annual fees are as follows:

Costs of New Application

1-5 pitches	£200
6-10 pitches	£225
11-20 pitches	£225
21-50 pitches	£240
51-100 pitches	£260
Greater 100 pitches	£260

Annual Fee/Admin and Monitoring of Site Licenses

1-5 pitches	nil
6-10 pitches	£220
11-20 pitches	£220
21-50 pitches	£220
51-100 pitches	£260
Greater 100 pitches	£260

<u>Cost of Laying Site Rules</u>	£25
<u>Cost of Variation/Transfer</u>	£100

Sites that are for **holiday use** only or are only allowed units stationed on them at certain times of the year are **exempt** from licensing fees. These are not considered to be 'Relevant Protected Sites'. These are the only statutory exemptions however, the MHA 2013 enables Local Authorities to fix different fees or to determine that no fee is required to be paid in certain cases.

It is considered appropriate for East Cambridgeshire District Council to make sites where there are **5 or less pitches exempt from annual fees** (but not

other licensing fees). These are lower risk sites that require infrequent inspections and collecting annual fees from them would not be cost effective.

The MHA 2013 also introduced the requirement for Local Authorities to serve enforcement notices and to carry out works in default to remedy breaches of site licence conditions from 1st April 2014. The Council would be able to recover expenses in relation to this.

The Mobile Homes (Site Rules) (England) 2014 came into force on the 4th February 2014. Site owners will need to replace existing site rules with new ones that should be deposited with the Local Authority. Local Authorities will be able to require a fee when site rules are deposited and will be required to publish an up to date register of site rules. **The fee for depositing site rules with the Council will be set at £25.00.**

1. Introduction

The Caravan Sites and Control of Development Act 1960 (CSCDA 1960) came into force on 29th August 1960. Part one of the Act introduced a licensing system, to be operated by Local Authorities to regulate the establishment and operation of caravan sites. Section 29 of this Act defines what constitutes a caravan and caravan site.

The first schedule of the CSCDA 1960 sets out cases where a site licence is not required, including:

- Local Authority-owned sites
- Use incidental to a dwelling-house and within the same curtilage
- Sites for stationing of a caravan for not more than 2 nights (as long as caravans had not been present for more than 28 days during the previous year.)
- Sites where caravans are stationed on land not less than five acres for not more than 28 days and no more than three caravans are stationed at any one time
- Sites where caravans are solely for seasonal agricultural/forestry workers employed on land owned by the site owner
- Sites where caravans are solely for workers employed in building or engineering operations on that or adjacent land
- Sites used by travelling showmen who are members of a relevant organisation
- Sites occupied by organisations holding a certificate of exemption

Licences can only be issued to the owners of sites that have obtained valid planning permission.

Housing has changed since the 1960s and many sites now accommodate Mobile/Park Homes. The CSCDA 1960 is still applicable for licensing these sites but the amendment of the CSCDA 1960 with the introduction of the

Mobile Homes Act 2013 will bring the legislation up to date with current housing needs.

The MHA 2013 will introduce some important changes to park home site licensing on 1st April 2014 due to its' amendments to CSCDA 1960. These changes include the ability for Local Authorities to charge site owners a fee for applying for a site licence, for amendments or transfers of existing licences, for annual fees and for site owners depositing site rules with the Local Authority.

Section 10A (2) of the CSCDA 1960 as amended, by the MHA 2013 requires a Local Authority to publish a Fees Policy before charging fees for the licensing of park home sites. East Cambridgeshire District Councils' Park Homes Fee Policy (the Fees Policy) has therefore been developed to enable the Council to begin charging these fees on 1st April 2014.

2. Fees for New Licences, Transfer/Variation and Annual Fees

2.1 Overview

Subject to the exemptions detailed in the introduction there is a requirement for site owners to ensure that their park home sites are licensed. Failure to do so would be an offence under Section 1(2) of the CSCDA 1960 which can attract a fine not exceeding level 4 (currently £2500) on the standard scale upon summary conviction.

Section 3 (2A) of the MHA 2013 enables Local Authorities to require a fee in respect to a relevant protected site application.

Section 5A (1) of the MHA 2013 enables Local Authorities to require an annual fee to be paid by site owners in respect of relevant protected sites.

Local Authorities may also charge a fee for alterations to licence conditions where these are requested by a site owner or where an application to transfer the licence to another person/organisation is received (Section 8 (1B) and Section 10 (1A) of the MHA 2013, respectively).

When requiring a licence holder to pay an annual fee, the Council must inform them of matters to which they have had regard to in fixing the fee. The costs associated with monitoring conditions on sites and dealing with licensing matters informally can be included within annual fees. However, annual fees should not take into account any costs incurred in relation to enforcement activities such as serving compliance notices, emergency action, and works in default as these costs can be recovered by other means.

Costs relating to Local Authorities providing sites for traveller caravans cannot be taken into account in fee determination either.

2.2. Exemptions from paying fees

Sites that are for **holiday use** only or are only allowed units stationed on them at certain times of the year are exempt from licensing fees. These sites do not fall within the definition of “Relevant Protected Sites”. These are the only statutory exemptions, however, Section 10A (3) of the MHA 2013 enables Local Authorities to fix different fees or to determine that no fee is required to be paid in certain cases or descriptions of case.

It was felt appropriate for East Cambridgeshire District Council to make sites that have **5 or less pitches exempt from annual fees** (but not other licensing fees). These sites have fewer issues (e.g. fire separation) to consider when carrying out routine monitoring and are generally of very low risk, compared with larger multiple pitch sites. In many cases these are also occupied by a single family which further reduces risk. Collecting annual fees from these sites was not considered to be cost effective. The intention would be to monitor these sites less frequently than those attracting an annual fee due to the lower risk generally associated with these sites. The costs associated with monitoring sites that have 5 or less pitches would be met through existing budgets.

2.3 Fees for New Licence, Transfer/Variation and Annual Fees

The calculation and methodology relating to the calculation of fees is explained in detail in Appendix- 2 Calculation of Fees. The fees were calculated with reference to ‘The Mobile Homes Act 2013-A Guide for Local Authorities on setting site licensing fees.’ In summary, this involved a costing exercise breaking down the amount of time taken for various steps in the processes and costing different officer levels involved with each stage. The templates were reviewed by officers responsible for licensing park home sites at East Cambridgeshire District Council and are considered comparable with nearby Local Authorities.

The fee structure was devised to be as simple and clear as possible to prevent any future ambiguity.

When requiring a licence holder to pay an annual fee the Council will inform them of the matters to which they have had regard to in fixing the fee. The fee's calculated are considered to be reasonable.

2.4 Time when Fees are payable

Section 10A(5) of the MHA 2013 states that the Fees Policy must include provision about the time at which the annual fee is payable. For the purpose of this policy the period covered by the annual fee will mirror the financial year (1st April to 31st March) and will be paid in advance. Invoices will be sent out during the month of April requiring payment within 30 days. Where a new site is licensed part way through the year then an invoice with the same payment terms will be sent shortly after the licence is issued, pro rata for this date to the beginning of the next financial year.

Transfer or variation must be paid at application.

3. Enforcement Notices and Works in Default

3.1 Overview

Section 9A of the MHA 2013 allows Local Authorities from 1st April 2014 to serve compliance notices on site owners where site licence conditions are breached. These notices will set out what the site owner needs to do to correct the breaches and the timescales. Failure to comply with the notice would be a criminal offence, punishable by a fine at level 5 on the standard scale (currently £5000), and the site licence could be revoked upon a third or subsequent prosecution. Following a successful prosecution for breaching a compliance notice Local Authorities will be able to serve notice to enter the site and carry out the necessary works (Works in Default).

In addition to this, Section 9E of the MHA 2013 allows a notice to be served on site owners enabling the Local Authority to enter the site and take emergency action where there is an imminent risk of serious harm.

The cost of deciding whether to take action, preparing and serving the various enforcement notices and the actual work itself can be recovered by Local Authorities through recharging for works in default.

Unpaid expenses can be placed as a charge against the site owner's land.

3.2 Charges for Works in Default

The administration charge that is added to the cost of works when recovering expenses relating to works in default includes the cost of the work plus officer time once the notice has been breached.

4. Fees for Depositing Site Rules

4.1 Overview

Site rules are different to site licence conditions in that they are neither created nor enforced by Local Authorities. They are a set of rules created by the site owner which residents have to comply with. They may reflect the site licence conditions but will also cover matters unrelated to licensing.

The Mobile Homes (Site Rules) (England) 2014 came into force on the 4th February 2014. Site owners will need to replace existing site rules with new ones and these should be deposited with the Local Authority by 3rd February 2015. Local Authorities will need to satisfy themselves that replacement or new rules deposited with them have been made in accordance with the statutory procedure. They will also be required to establish, keep up to date, and publish a register of site rules. In doing so a Local Authority may levy a fee for the depositing of site rules, or the variation or deletion of site rules.

4.2 Fees for depositing Site Rules

Once an administrative system is in place for holding and publishing site rules it is estimated that it will cost East Cambridgeshire District Council approximately **£25**.

A fee of **£25** will therefore be charged for depositing site rules or for replacing rules at a later date.

The relevant calculations can be viewed in Appendix 1-**Calculation of Fees**.

Appendix 1

Calculation of Fees

Methodology

The calculation relating to the setting of fees involved a simple costing exercise. The calculation involved cost matrixes that break down the amount of time taken at various stages of the process. The calculations were carried out with reference for 'The Mobile Homes Act 2013-A Guide for Local Authorities' on setting site licence fees.

The fee structure was devised to be fair, transparent and an accurate reflection of reasonable costs for the Council to administer the process.

The calculated costs

A summary of the calculated costs are as follows:-

Costs of New Application

1-5 pitches	£200
6-10 pitches	£225
11-20 pitches	£225
21-50 pitches	£240
51-100 pitches	£260
Greater 100 pitches	£260

Routine Regulation

1-5 pitches	nil
6-10 pitches	£220
11-20 pitches	£220
21-50 pitches	£220
51-100 pitches	£260
Greater 100 pitches	£260

<u>Cost of Laying Site Rules</u>	£25
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<u>Cost of Variation/Transfer</u>	£100
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Licensing Committee Annual Agenda Plan

Agenda Item 8

Lead Officer: Stewart Broome, Licensing Manager
Democratic Services Officer: Cameron Overton

11 December 2024	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services
Wed 22 January 2025	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services
Wed 12 February 2025	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services
Wed 12 March 2025	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services
Wed 14 May 2025	10:00am
Chair's Announcements	Democratic Services
Licensing Officer's Update	Stewart Broome, Licensing Manager
Forward Agenda Plan	Democratic Services