



**DARLINGTON**

Borough Council

# General Licensing Committee Agenda

9.30 am

Tuesday, 17 January 2023

Council Chamber, Town Hall, Darlington, DL1 5QT

**Members of the Public are welcome to attend this Meeting.**

1. Introductions/Attendance at Meeting
2. Declarations of Interest
3. To approve the Minutes of the meeting of this Committee held on 29 November 2022 (Pages 3 - 6)
4. To approve the Minutes of the meeting of the General Licensing Sub Committee held on 29 November 2022 (Pages 7 - 8)
5. Application for Grant of Licence for Premises to be approved as a venue for Marriages and Civil Partnerships - Darlington Arena, Neasham Road – Report of the Assistant Director, Law and Governance and Proper Officer for Darlington Registration District (Pages 9 - 18)
6. Licensing Fees and Charges for 2023 - 2024 – Report of the Group Director of Services (Pages 19 - 46)
7. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting

8. Questions



**Luke Swinhoe**  
**Assistant Director Law and Governance**

**Monday, 9 January 2023**

**Town Hall**  
**Darlington.**

**Membership**

Councillors Clarke, Crumbie, Donoghue, Haszeldine, C L B Hughes, B Jones, Lee, Newall, K Nicholson, Renton, A J Scott, Mrs H Scott and Snedker

If you need this information in a different language or format or you have any other queries on this agenda please contact Allison Hill, Democratic Officer, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays Email: [allison.hill@darlington.gov.uk](mailto:allison.hill@darlington.gov.uk) or telephone 01325 405997

## GENERAL LICENSING COMMITTEE

Tuesday, 29 November 2022

**PRESENT** – Councillors C L B Hughes (Chair), Clarke, Crumbie, B Jones, Lee, Newall and Snedker

**APOLOGIES** – Councillors Donoghue, Renton, A J Scott and Mrs H Scott,

**ABSENT** – Councillors Haszeldine and K Nicholson

**OFFICERS IN ATTENDANCE** – Amy Wennington (Principal Lawyer (Litigation)), Brian Murray (Assistant Licensing Manager), Colin Dobson (Licensing Manager), Sgt C Dickenson (Durham Constabulary), Allison Hill (Democratic Officer) and Hannah Miller (Democratic Officer)

### LG19 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

### LG20 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 6 SEPTEMBER 2022

Submitted – the Minutes (previously circulated) of the meeting of the General Licensing Committee held on 6 September 2022.

**RESOLVED** – That the Minutes of the meeting of the General Licensing committee held on 6 September 2022 be approved as a correct record.

### LG21 TO APPROVE THE MINUTES OF THE MEETINGS OF THE GENERAL LICENSING SUB COMMITTEE HELD ON 6 SEPTEMBER AND 18 OCTOBER 2022

Submitted – The Minutes (previously circulated) of the meetings of the General Licensing Sub-Committee held on 6 September and 18 October 2022

**RESOLVED** – That the Minutes of the meetings of the General Licensing Sub-Committee held on 6 September and 18 October 2022 be approved as a correct record.

### LG22 APPLICATION FOR RENEWAL OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS - WALWORTH CASTLE HOTEL, WALWORTH, DARLINGTON

The Assistant Director, Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to give consideration to the renewal of a Licence for the Walworth Castle Hotel, Walworth to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of The Marriage Act 1949 (as amended by the Marriage Act 1994); the Civil Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and 2021; and the Marriage (Same Sex Couples) Act (2013).

The submitted report gave a summary of the Walworth Castle Hotel as approved venue; the

designated rooms and maximum capacity for each room for civil marriage and civil partnerships at the Walworth Castle Hotel.

**RESOLVED** – That the licence for the Walworth Castle Hotel as an approved premise for civil marriage and civil partnerships be granted for a further three years from 9 January 2023 and that the places designated where civil marriage and civil partnerships can take place indoors at the premises and the maximum numbers of persons who can attend those marriage and civil partnerships continue to be:

Reception Lounge - 40  
Ballroom Lounge/Breakfast Room - 40  
Ballroom - 100  
Cardinals Court - 120  
Hansard Restaurant - 80  
King James Suite - 80  
Library Tower - 10  
Prince Bishops Room - 45  
Dungeon - 50  
Lady Palmer's Pavilion\* - 6 (outside of the structure is unlimited)

\*ie. two registrars, the couple and two witnesses inside the gazebo. Guests Outside on the garden is unlimited.

**LG23 APPLICATION FOR RENEWAL OF LICENCE OF PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS - HALLGARTH GOLF AND COUNTRY CLUB HOTEL, COATHAM MUNDEVILLE, DARLINGTON**

The Assistant Director, Law and Governance and Proper Officer for Darlington Registration District submitted a report (previously circulated) to give consideration to the renewal of a Licence for the Hallgarth Golf and Country Club Hotel, Coatham Mundeville to be approved as a venue for Civil Marriages and Civil Partnerships in accordance with the provisions of The Marriage Act 1949 (as amended by the Marriage Act 1994); the Civil Partnership Act (2004); the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and 2021; and the Marriage (Same Sex Couples) Act (2013).

The submitted report gave a summary of the Hallgarth Golf and Country Club Hotel as approved venue; the designated rooms and maximum capacity for each room for civil marriage and civil partnerships at the Hallgarth Golf and Country Club Hotel.

**RESOLVED** – That the licence for the Hallgarth Golf and Country Club Hotel as an approved premise for civil marriage and civil partnerships be granted for a further three years from 9 January 2023 and that the places designated where civil marriage and civil partnerships can take place indoors at the premises and the maximum numbers of persons who can attend those marriage and civil partnerships continue to be:

Summerson Suite - 220  
Brafferton Suite A - 120  
Residents Lounge - 25

Restaurant- 40

Conservatory- 50

The Secret Garden Gazebo\*- 6

\*ie. two registars, the couple and two witnesses inside the gazebo. Guests Outside on the garden is unlimited.

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## GENERAL LICENSING SUB COMMITTEE

Tuesday, 29 November 2022

**PRESENT** – Councillors Donoghue, C L B Hughes, B Jones, Lee and Snedker

**OFFICERS IN ATTENDANCE** – Amy Wennington (Principal Lawyer (Litigation)), Colin Dobson (Licensing Manager), Allison Hill (Democratic Officer), Brian Murray (Assistant Licensing Manager), Sgt C Dickenson (Durham Constabulary) and Hannah Miller (Democratic Officer)

### **LGS17 ELECTION OF CHAIR FOR THE PURPOSE OF THE MEETING**

**RESOLVED** - That Councillor C Hughes be elected Chair for the purpose of this meeting.

### **LGS18 DECLARATIONS OF INTEREST**

There were no declarations of interest reported at this meeting.

### **LGS19 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED** – That, pursuant to Sections 100A (4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraphs 1 and 7 of Part 1 of Schedule 12A to the Act.

### **LGS20 PRIVATE HIRE DRIVER LICENCE APPLICATIONS FOR GRANT (EXCLUSION PARAGRAPHS 1 AND 7)**

The Group Director of Services submitted a report (previously circulated) to give consideration to applications for grant of Private Hire Driver Licence.

#### **Ref 10/22**

To give consideration to the grant of a Private Hire Driver Licence in light of previous convictions.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided to grant the Private Hire Driver Licence as the incident had occurred in 2016 and they felt that the driver had showed a degree of naivety regarding the incident.

**RESOLVED** – That the application for a Private Hire Driver Licence be granted.

**Ref 11/22**

To give consideration to the grant of a Private Hire Driver Licence in light of previous convictions.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a Private Hire Driver Licence.

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided to grant the Private Hire Driver Licence.

**RESOLVED** – That the application for a Private Hire Driver Licence be granted.

**Ref 12/22**

To give consideration to the grant of a Private Hire Driver Licence in light of a previous caution.

The driver attended the meeting and responded to Members questions in relation to the above, and to why they felt that they were a fit and proper person to hold a

In reaching their decision, Members took into consideration the Council's Licensing Policy, which sets out the Council's stance on the Relevance of Convictions, Cautions and Endorseable Fixed Penalties in assessing whether an applicant is a fit and proper person; the Council's Private Hire and Hackney Carriage Licensing Policy and Procedures; and Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976.

After careful consideration Members decided not to grant of the application in relation to the caution for harassment received in 2020 and with regard to the information had come to light during the meeting from Sergeant Dickenson that the driver was currently on police bail for the offence of assault occasioning bodily harm and awaiting a decision from the Crown Prosecution Service; and also that the driver had not disclosed this information either at Interview by the Licensing Officers or to Members at the meeting and therefore had been dishonest.

**RESOLVED** – That the application be refused as the Committee did not consider the application to be a fit and proper person to hold a Private Hire Driver Licence.



## GENERAL LICENSING COMMITTEE

17 JANUARY 2023

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### APPLICATION FOR GRANT OF LICENCE FOR PREMISES TO BE APPROVED AS A VENUE FOR MARRIAGES AND CIVIL PARTNERSHIPS

DARLINGTON ARENA, NEASHAM ROAD, DARLINGTON

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#### Purpose of Report

1. To consider an application for the grant of a licence to be an approved venue for civil marriage and civil partnerships in accordance with the provisions of:
  - (a) The Marriage Act 1949 (as amended by the Marriage Act 1994);
  - (b) The Civil Partnership Act (2004);
  - (c) The Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and 2021; and
  - (d) The Marriage (Same Sex Couples) Act (2013).

#### Summary

2. Since 1994 local authorities have been able to approve venues where civil marriages and civil partnerships can take place as an alternative venue to a Register Office with most approved venues being hotels.
3. Darlington Arena is currently not licensed as an approved venue for civil marriages and civil partnerships. The Arena is looking to be an approved venue for civil marriages and civil partnerships from 1<sup>st</sup> April 2023 and have their first wedding booking for a civil marriage on Saturday 15<sup>th</sup> April 2023.

If their application is successful, then it would provide the Darlington Arena with a three year licence as an approved venue for civil marriages and civil partnerships for the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2026.

#### Information

4. Darlington Arena is already an experienced hospitality venue currently offering a variety of functions including wedding receptions.

The Arena has previously been licensed for civil ceremonies when under ownership as the Darlington Football Stadium but has not held a licence for civil ceremonies for a number of years. Civil Marriages were previously held at the premises without any concerns or incidents and little has changed in terms of the layout of the function suites within the venue.

There is adequate parking on site for the public who attend the marriage or civil partnership. The Darlington Arena has the required fire risk assessments and DDA risk assessments required to be an approved venue for civil marriages and civil partnerships.

The Darlington Arena have indicated that they will only host one civil ceremony per day and have identified a number of areas within the Arena where ceremonies could take place and also will offer outdoor ceremonies on the arena pitch.

The majority of ceremonies are expected to take place in the Executive Lounge which overlooks the pitch. Several other rooms (Presidents Suite, Platinum Suite, Board Room and Directors Room) are requested to be licensed however these are proposed to be licensed more for business continuity/emergency use.

The Concourse Suite has a separate entrance to the main Arena and function suite and is currently under refurbishment. The Arena anticipates utilising the Concourse suite to offer large weddings with the opportunity to be independent from the rest of the venue and allow couples more flexibility to provide their own suppliers.

A plan of the venue including the proposed locations for ceremonies is attached at Appendix 1

5. The proposed locations and capacities for civil marriages and civil partnerships at the Darlington Arena are:

Location	Maximum Capacity
Executive Lounge (the principal ceremony room)	150
Presidents Suite	250
Platinum Suite	110
Board Room/Directors Room	30 each/60 combined
Concourse Suite	400
Outdoors (Pitch)	The stadium has a maximum capacity of 25,000 people.

Notes:

1. Maximum capacities do not include the couple being married, registrars, photographers/videographers and venue staff.
2. Outdoor marriages/civil partnerships can take place at any location within the boundary of the venue.
3. Where an outdoor structure has been approved for marriages/civil partnerships the maximum number of persons within the approved structure is the couple being married and their witnesses and excludes registrars, photographers/videographers and venue staff. The number of guests located outside of the structure is unlimited and does not form part of the maximum capacity of the structure.

### **Financial Implications.**

6. Darlington Arena has been invoiced for £1750.00 being the fee for all venues seeking a grant or renewal of a licence for civil marriage or civil partnership.

### **Legal Implications.**

7. The grant of a licence to be an approved venue for civil marriages and civil partnerships is required to facilitate current bookings for hospitality functions at the Darlington Arena.

The Darlington Arena is seeking a standard three year licence from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2026. The licensing committee can issue a licence on a shorter timescale and also make any specific conditions on where ceremonies can take place and be managed.

### **Conclusions.**

8. Members are asked to grant the licence for Darlington Arena to be an approved venue for civil marriages and civil partnership for a three year period with effect from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2026.

### **Recommendations.**

9. It is recommended that the licence for Darlington Arena, Neasham Road as an approved venue for civil marriage and civil partnerships be granted for three years from 1<sup>st</sup> April 2023 and that the places designated where civil marriage and civil partnerships can take place at the premises and the maximum number of persons who can attend those marriage and civil partnerships can be:

Location	Maximum Capacity
Executive Lounge (the principal ceremony room)	150
Presidents Suite	250
Platinum Suite	110
Board Room/Directors Room	30 each/60 combined
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**Reasons.**

10. To facilitate civil marriages and civil partnerships at Darlington Arena.

**Luke Swinhoe, Assistant Director, Law and Governance and  
Proper Officer for Darlington Registration District**

Anthony Hall, Superintendent Registrar, Ext 6400

**Background Papers.**

There were no background papers in the production of this report.

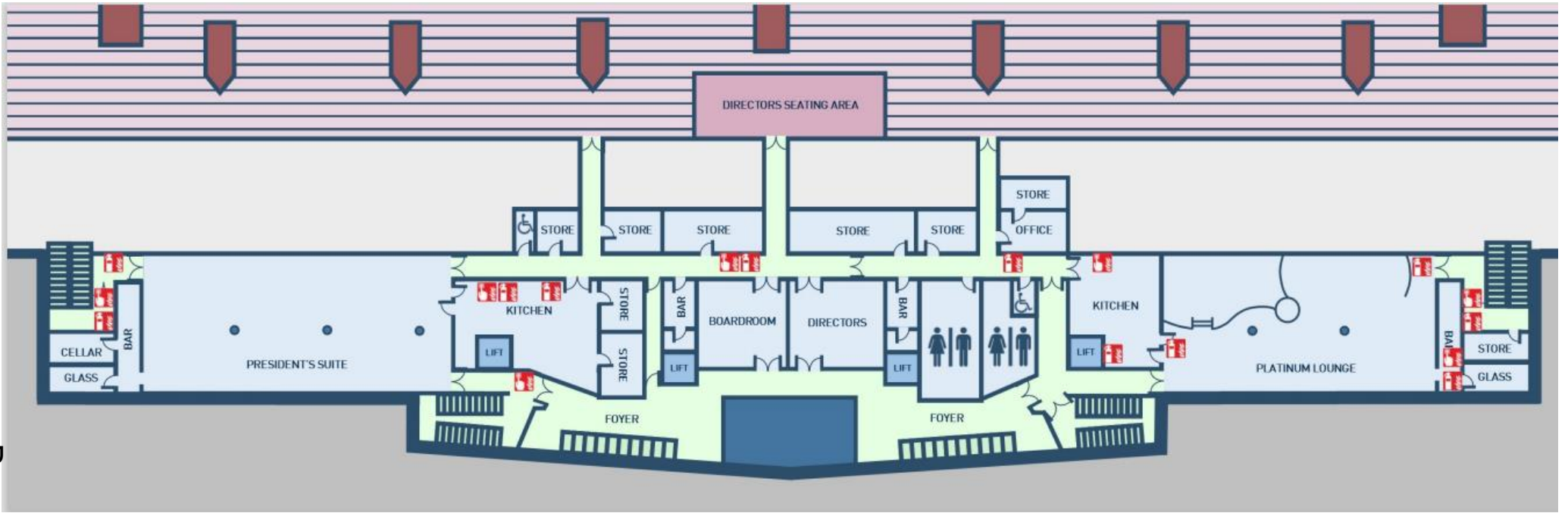
**Appendix 1.**

Floorplan of proposed locations for civil marriages and civil partnership ceremonies in Darlington Arena.

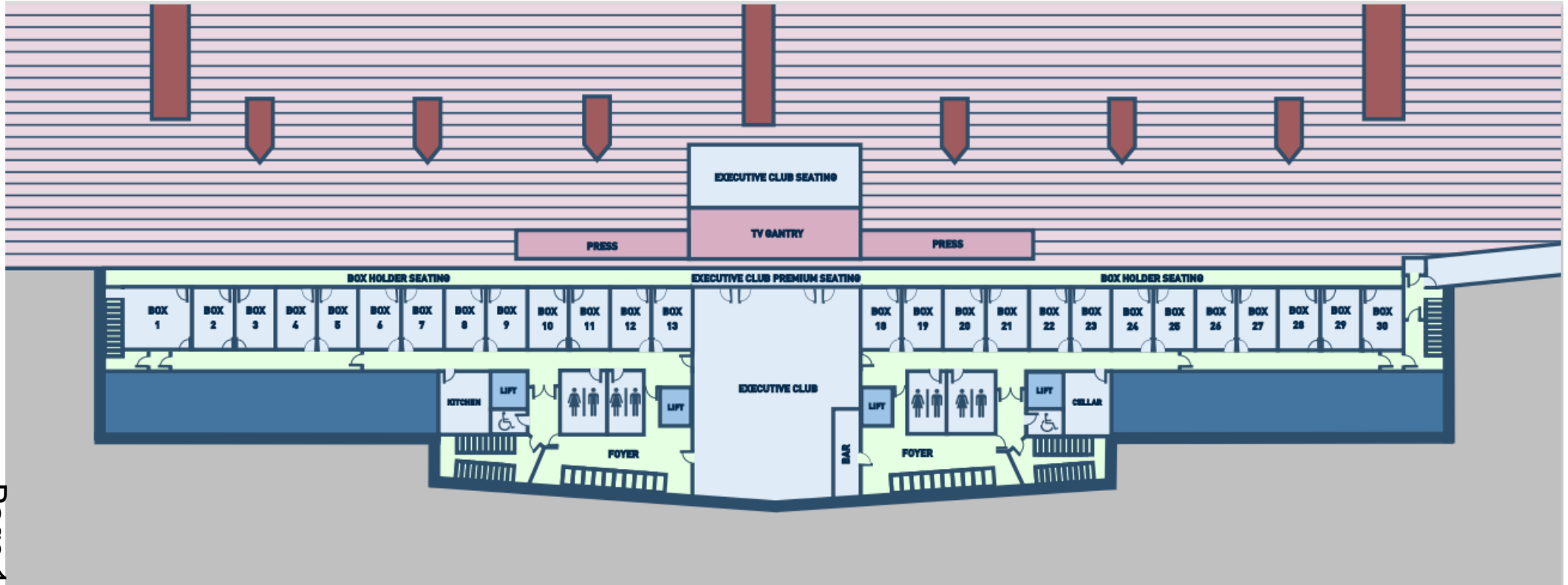
S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Well Being	This report has no direct implications to the Health and well-being of residents of Darlington
Carbon Impact and Climate Change	There are no issues which this reports needs to address
Diversity	There are no issues relating to diversity which this report needs to address
Wards Affected	Eastbourne Ward
Groups Affected	The impact of the report on any individual Group is considered to be minimal
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	The report contributes to the Council Plan in a number of ways through the involvement of Members in contributing to the delivery of the Plan.
Efficiency	The Work Programmes are integral to scrutinising and monitoring services efficiently (and effectively), however this report does not identify specific efficiency svings.
Impact on Looked After Children or Care Leavers	This report has no impact on Looked After Children or Care Leavers

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**GENERAL LICENSING COMMITTEE  
17 JANUARY 2023**

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**LICENSING FEES AND CHARGES FOR 2023 - 2024**

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**Purpose of the Report**

1. The purpose of this report is to invite Members to determine the fees relating to licensing. The fees are based on the cost recovery of administering and where appropriate enforcing the relevant legislation relating to such licences.

**Background**

2. Councils are responsible for administering a range of licences and for the majority of these regimes the costs are recovered through fees set by each council and paid by the licence applicant. It is an accepted principle in relation to these schemes that those who benefit from the system (licence holders) should cover the cost of it. Locally set fees are a vital means of ensuring that full costs can be recovered, reducing the risk of a subsidy from local tax payers, and that businesses do not pay more than they should.
3. Legislation permits the Council to recover all or part of the costs of providing the licensing service, including its administration and control (i.e. enforcement or supervision). It does not permit the Council to profit from its fees and charges, thus ring fencing the income to the licensing service. Surpluses **must** be carried forward and deficits **may** be carried forward to future years within each ring-fenced licensing budget. The Council may, however, choose to subsidise the service.
4. Some fees, notably in relation to the Licensing Act 2003, are set nationally within legislation and the Council has no control. Whilst the Gambling Act 2005 allows local authorities to set fees, regulations place a maximum amount that can be charged.
5. While Full Council previously determined the levy of all fees and charges in respect of the licensing service, on 28 January 2016 it delegated the setting of fees and registrations to the General Licensing Committee.

**Taxi licensing**

6. The taxi licensing regime is a 'two tier' system, involving two types of distinct regimes; hackney carriages and private hire. In the hackney carriage tier, drivers and vehicle proprietors are licensed; in the private hire tier, the licensed entities are drivers, vehicle proprietors and operators. There are therefore five categories of licence. R (on the application of Cummings) v Cardiff City Council [2014] ruled that local authorities must separate out the five streams (PHV / HCV/drivers x 2 and operators) when determining fees.
7. This financial year continued to see unprecedented challenges within the licensing environment following the on-going recovery from Covid-19 and the effects the war in Ukraine has had on the national economy.

8. Taxi provision, which is closely linked to the night-time economy has also had to suffer the impact of a driver shortage following the easing of Covid regulations. In early 2022 there were signs of a recovery, however this stalled when energy prices began to rise significantly. Although the number of drivers fluctuate from month to month, there were 111 fewer drivers from April 2021 -2022 than in the pre-covid period between April 2019 – 2020. At the time of reporting there are 394 drivers licensed with DBC.
9. In May 2022, the Licensing Committee approved a fare increase at the request of the hackney carriage trade due to the increased costs. In fixing the fares for hackney carriages there is a statutory requirement under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 to advertise the proposed increase in a local newspaper. This, and the cost of administering the process can be recovered through licence fees. It should be noted that Licensing have no control over the fare a private hire operator charges as it is a contract between the customer and operator.
10. Prior to the Covid-19 pandemic, DBC Licensing carried a modest surplus, which allowed licence fees to remain unchanged. As the number of applications reduced during the pandemic, it lowered the amount of income generated, however this was offset from separate covid funding. It is estimated that the loss of taxi income due to Covid-19 has been £45,000. This funding to support that loss is no longer available.
11. On the 1<sup>st</sup> September 2022, Licensing introduced a new on-line application for taxis with the aim of improving efficiency and satisfaction in processing these applications. Early indications are that staff and customers are seeing the benefits of the system and it will be subject of an evaluation in early 2023.
12. Funding for this system had been agreed in 2020 and carried over from that period when there had been a surplus in the budget. This was however funded on the assumption that driver numbers would remain the same and such a dramatic reduction in numbers had not been anticipated. Although it is clear that efficiency saving will be made with the new system, the income generated will not be as great due to the reduction in driver numbers.
13. Even though we are moving towards digitising the application process there are elements within taxi licensing that still require staff intervention such as checking 'right to work' documents and scrutiny of Disclosure and Barring (DBS) certificates.
14. On the 4<sup>th</sup> April The Financial Act 2022 introduced a requirement for all taxi and private hire driving licence applications to be accompanied with a code from HMRC to demonstrate that they are registered to pay tax on their earnings as a driver. This placed an additional administrative requirement on the licensing service. There were some applicants, who for their own personal reasons, withdrew their applications (or intention to apply) as they did not wish to disclose their financial details.
15. On 31<sup>st</sup> March, the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent and within that Act there is a requirement for licensing to check a national database (NR3) of licence refusals, suspensions and revocations. There is also a requirement to maintain this database with decisions made by this Licensing Authority. This has again placed an additional administrative requirement on the licensing department.
16. As part of the ongoing digitisation programme of the licensing department, an on-line appointment system that compliments the application process had been agreed. This allows drivers and

proprietors to book appointments directly with the testing centre at any time of the day without making a telephone call. It has proved to be very popular and effective within other business areas of DBC. This 'Qmatic' system is in the process of being integrated into the licensing department for taxis and will be a crucial element in improving service quality. When fully integrated it will be used with other licensing regimes. The cost of this system is £5,413

17. It will be difficult to make predictions of what the taxi fee income generation will be until a degree of stability returns to the licensed trade. A new company has taken over the licence of Darlington's main operator and whilst the previous operator licensed all their vehicles with DBC, the new operator may decide to licence their private hire vehicles with other local authorities. Private hire drivers also have that option to be licensed by a different local authority. This is lawful and a business decision from them, but would see a reduction in income for the taxi licensing budget.

### **Taxi Marshals**

18. Taxi marshals were introduced as a direct response to a shortage of drivers servicing the ranks for the night time economy. This created disorder and vulnerable people were reluctant to wait in the queue. Drivers were also reluctant to go to the ranks as they experienced abuse and sometimes damage to their vehicles. Funding for taxi marshals was sought through Safer Streets and that has been secured until September 2023. Marshals have proved very effective and are popular with both drivers and the public. Should they continue beyond September 2023, it is likely they will require a commitment for funding from the hackney carriage licensing budget. To continue their deployment for the remaining financial year would cost £17,000.

### **Staffing**

19. Recruitment into regulatory services positions is a challenge throughout the region at the moment and Licensing are in the process of recruiting a replacement for a Licensing Enforcement Officer who left the department in August 2022. There were also quite long periods during the last year when support officers left the department before their positions were filled. Savings from staff costs have clearly been made, however the additional pressures this has placed on current staff cannot be sustained indefinitely. It is anticipated that all positions will be filled by the new financial year.

### **Taxi Licensing Fees**

20. At the time of reporting, current estimates are that the taxi budget will carry forward a surplus of £5,193 into 2023/24 financial year. This however does not take into account the cost of the ongoing Qmatic project and had the budget not been heavily subsidised from underspend across other community safety departments, it would have been in a significant deficit.
21. The last adjustment of taxi fees was in April 2017 where there had been a reduction. Year on year cost recovery was stable until the impact of Covid-19, creating instability and loss of income to licensing finances. Recent months have also seen a large increase in almost every aspect of living and the predicted Retail Price Index (RPI) for the UK in 2023 is 5.5%. At the time of writing this report there is still a great deal of turbulence within the economy and this figure could rise even higher.
22. It is proposed that fees be increased for all taxi licensing streams by 5%.

## General Licensing Fees

23. Darlington's Licensing Department deal with almost all aspects of licensing (A to Z), each one having its own primary legislation. Within some licensing streams, fees are dictated by regulations that are set by government departments, whilst others have been decided as a result of detailed mapping processes.
24. A review of the general licensing fees was undertaken for the current financial year, which showed that at the end of the financial year there will be a projected surplus of £24,907 at the time of reporting. This however includes a carryover of over £20,000 from 2021/22 to cover the cost of new on-line licensing software. Again, without support from community safety department underspends and savings from staffing costs, this budget would be in deficit.
25. Once again, fees across the general licensing regimes have remained unchanged and were stable for a number of years until the impact Covid-19 had on reducing income from these licensing streams.

## Highways

26. Whilst the licensing department are responsible for most licensing regimes, there are certain business areas where consultation and guidance is required for decisions to be made. Highways are consulted before skips and scaffold licences are issued.
27. Over the past year the Highways Department examined in depth what services are provided by their 'Street works' team and Highway Inspectors, how they are funded and at what level.
28. It became apparent that the costs of some services such as monitoring and assessment were not being covered by the relevant permit fee.
29. They carried out a process mapping exercise to look at what time is spent by each area and have broken down the cost for each assessment/inspection.
30. Scaffolding and skips checks generally takes between 10mins – 30mins
31. Using an average of 20mins for the street works team of £30/hr, the cost of the skips and scaffold street works check is £10 each.
32. In addition to the street works a charge would be time for highway inspector meetings/reviews of scaffolding. This is generally for the town centre locations but it can also be other areas where they may restrict access to the highway.
33. Rather than charge £50/hr for the inspector time on every scaffold that required a meeting, it is considered prudent to charge £5/hr on each application to cover the highway inspector time/cost overall. This would also be more practical from a charging/payment perspective, as the scaffolders would know the costs up front when pricing works and the council would not have to recover additional payment for the inspector time as and when necessary.

Proposed increase:

- Skips - street works check - £10

- Scaffold - street works check - £10 + £5 highway inspector = £15

34. An increase in licence fees by the above amounts are required to ensure any costs incurred by Highways are recovered.

### **Pavement Cafes**

35. Pavement café licences are ordinarily issued under the Highways Act 1980, however the Business and Planning Act 2020 introduced a 'fast track' system of issuing licences to assist the hospitality trade recover from the impact Covid-19 had on their trade. This legislation placed a maximum fee of £100 that could be charged. Darlington's Licensing Committee, like many others in the country approved licences to be issued free of charge. Some of the lost income was recovered from government funds, however it is still estimated that the total loss as a result of Covid-19 was in the region of £5,000.

36. Due to the second wave of Covid-19 and a requirement to assist the hospitality trade further, this legislation was extended until September 2022.

37. It is now the intention of government to make this Act permanent (subject to some changes) through the Levelling Up Bill 2022. As this is still progressing through Parliament, a decision was taken to further extend this Act until September 2023.

38. One of the proposed amendments to the Act is that there will be a maximum fee of £350 that can be charged for a licence and that licence will be for two years.

39. The maximum cost of a licence under the current Highways Act in Darlington is £450 per year for venues with over 100 people. (Businesses can still chose to licence their pavement café under the Highway Act and pay a fee rather than the Business and Planning Act, which is currently free.) With the imposition of a maximum fee that could be charged under the planned Business and Planning Act of £350, a sliding scale of fees are proposed depending on size of the external area and how many people are accommodated. (See Pavement Café section of **Appendix 1**) These are more favourable than the previous fees to encourage the continuation of the 'pavement café culture' that has proved to be extremely popular following Covid-19 regulations.

### **Fees Proposal**

40. There will inevitably be significant year on year variations in the allocated costs depending on where time has been spent. In the case of *Hemmings v Westminster*, the High Court stated that, "*a local authority does not have to adjust the licence fee every year to reflect any previous deficit or surplus, so long as it all comes out in the wash eventually*". In this case of *R v Westminster City Council, ex parte Hutton* (1985) 83 L.G.R. 461, it was held that where the fee income generated in one year fails to meet the costs of administering the licensing system, it is open to the local authority to make a proportionate increase in the licence fee for the following year so as to recoup the cost of providing the service.

41. Whilst the Licensing Department have adopted the blended working model, there is still a requirement for an office function, as it is a customer facing service. These costs have been rising across the estate and any re-charge requires funding from the licensing budget.

42. As funding is no longer available to subsidise the licensing service post-covid, it is proposed that all fees in respect of hackney carriage, private hire and general licensing regimes will be increased by 5% (with the exception Highways and Pavement Cafes subject to separate studies) from 1st April 2023. The proposed licence fees are at **Appendix 1** and the current fees are at **Appendix 2**.

### **Recommendation**

43. Members are invited to approve that licensing fees across all regimes are increased by 5% in line with the predicted RPI for 2023

### **Reasons**

44. The recommendations are put forward to ensure there is a balance between recovering the costs of delivering the licensing service from the relevant licence fees whilst acknowledging the increased cost in delivering the service. This is a proportionate response in line with current economic factors and predictions.

**Dave Winstanley**  
**Group Director of Services**

Contact Officer – Colin Dobson x 5988

### **Background Papers**

The Local Government (Miscellaneous Provisions) Act 1976  
The Deregulation Act 2015  
Open for Business (LGA guidance on locally set fees)

### **Appendix**

1. Current licensing fees list with proposed new fees
2. Proposed fees



**Darlington Borough Council**

Licensing and Car Parking, Town Hall, Darlington. DL1 5QT

**Proposed Licensing Fees 2023**

<b>Animal Welfare (excluding veterinary fees)</b>		<b>£</b>
Dangerous Wild Animals		<b>£126.00</b>
Zoo	<b>Grant– licence for 4 years</b>	<b>£473.00</b>
	<b>Renewal– licence for 6 years</b>	<b>£473.00</b>

**\*\*See table at Appendix 1 for fee's under Animal Regulations 2018\*\*\***

<b>Cosmetics</b>		<b>£</b>
Premise Grant		<b>£294.00</b>
Personal Grant		<b>£68.00</b>
Variation		<b>£68.00</b>

<b>Caravan Sites</b>		<b>£</b>
Application for a Permanent Residential Site Licence 1-5 pitches		<b>£210.00</b>
Application for a Permanent Residential Site Licence 6-20 pitches		<b>£236.00</b>
Application for a Permanent Residential Site Licence 21-50 pitches		<b>£252.00</b>
Application for a Permanent Residential Site Licence more than 50 pitches		<b>£273.00</b>
Annual fee for a Permanent Residential Site Licence 1-5 pitches		<b>Nil</b>
Annual fee for a Permanent Residential Site Licence 6-50 pitches		<b>£231.00</b>
Annual fee for a Permanent Residential Site Licence more than 50 pitches		<b>£273.00</b>
Laying site rules		<b>£26.00</b>
Variation or transfer of a site licence		<b>£105.00</b>

<b>Gambling Act - See table below for licence and permit fees</b>	<b>£</b>
Small Society Lottery Registration	<b>£40.00</b>
Small Society Lottery Registration Annual Fee	<b>£20.00</b>

<b>Goods on the Highway</b>	<b>£</b>
Grant and Renewal	<b>£155.00</b>

<b>House to House Collections</b>	<b>£</b>
House to House Collection Permit	<b>NO FEE</b>

<b>Licensing Act 2003</b>	<b>£</b>
See table below	

<b>Pavement Café Licence</b>	<b>£</b>
Grant and Renewal Fees are based on the size of the proposed external pavement café area.	
<b>Number of People</b>	<b>Application Fee</b>
1 – 20	£200
21 – 40	£230
41 – 60	£260
61 – 80	£290
81 – 99	£320
Over 100	£350
Duplicate Licence Fee	£50
Transfer of Licence	£50
Change of Detail	£30
Variation of Covers	£100
Fees are due on an annual basis. Fees are not refundable if the application is unsuccessful. Fees are not refundable where a licence is surrendered.	

<b>Petroleum</b>	<b>£</b>
Licence is required where 225 litres or more are stored	
Up to 2,500 litres	<b>£45.00</b>
From 2,500 to 50,000 litres	<b>£61.00</b>
Exceeding 50,000 litres	<b>£128.00</b>

<b>Scrap Metal Dealers Act 2013</b>	<b>£</b>
Collectors Licence (3 years) - Grant	<b>£158.00</b>
Collectors Licence (3 years) - Renewal	<b>£158.00</b>
Minor Variation	<b>£16.00</b>
Major Variation	<b>£53.00</b>
*And in the case of a change from a Collector to a Site Licence a further 65.00 per site per remaining year(s) remaining on licence	
Site Licence – Grant	<b>£368.00 + £205.00**</b>

Site Licence – Renewal	<b>£284.00 + £205.00**</b>
** for every additional site	
Minor Variation	<b>£16.00</b>
Major Variation	<b>£53.00 + £68.00***</b>
*** per additional site per year remaining on licence where variation adds a site	

<b>Sex Establishments</b>	<b>£</b>
Grant Application Fee	<b>£3,885.00</b>
Renewal of Licence Fee	<b>£1,260.00</b>
Transfer of licence Fee	<b>£1,260.00</b>

<b>Skips, Scaffolding and Hoardings</b>	<b>£</b>
Place a skip on the highway (less than 3 days notice)	<b>£40.00</b>
Place a skip on the highway (more than 3 days notice)	<b>£25.00</b>
Erection of scaffolding	<b>£60.00</b>
Hoardings	<b>£60.00</b>

<b>Street Collections</b>	<b>£</b>
Street Collection Permit	<b>NO FEE</b>

<b>Street Trading</b>	<b>£</b>
Annual Consent – Town Centre	<b>£7350.00</b>
*** if paying monthly	<b>£651.00</b>
*** if paying weekly	<b>£179.00</b>
January to October per full calendar month	<b>£693.00</b>
per week	<b>£284.00</b>
per day (minimum of 4 days)	<b>£63.00</b>

November and December per full calendar month	<b>£1024.00</b>
per week	<b>£404.00</b>
per day (minimum of 4 days)	<b>£89.00</b>
Buskers (selling CDs) per ½ day	<b>£25.00</b>
Per full day	<b>£45.00</b>
None Town Centre Permits (moving or layby) + Application Fee	<b>£273.00</b>
News Vendor Permits	<b>£35.00</b>

<b>Transport – Drivers</b>	<b>£</b>
Hackney Carriage Driver Licence <b>Grant</b> (1 year)	<b>£169.00</b>
Hackney Carriage Driver Licence <b>Grant</b> (3 years)	<b>£329.00</b>
Hackney Carriage Driver Licence <u>Renewal</u> (1 year)	<b>£80.00</b>
Hackney Carriage Driver Licence <u>Renewal</u> (3 years)	<b>£240.00</b>

Private Hire / Dual Driver Licence <b>Grant (1 year)</b>	£169.00
Private Hire / Dual Driver Licence <b>Grant (3 years)</b>	£329.00
Private Hire / Dual Driver Licence <u>Renewal (1 year)</u>	£80.00
Private Hire / Dual Driver Licence <u>Renewal (3 years)</u>	£240.00
<b>Change from Single Licence to Combined</b> ( £30.00 admin charge, £10.00 for new badges, includes knowledge test)	<b>£42.00</b>
Replacement Drivers Badge	£11.00
Re-sit of Drivers Legislation Test	£37.00
Refused Application for Drivers Badge	£37.00
CRB Enhanced Disclosure Online	£44.00

<b>Transport - Private Hire Operators</b>	<b>£</b>
Operators Licence <b>Grant (1 year)</b>	£557.00
Operator Licence <b>Grant (5 years)</b>	£1218.00
Operator Licence Renewal <b>(1 year)</b>	£368.00
Operator Licence Renewal <b>(5 years)</b>	£1029.00
Operator Levy <b>(1 year)</b> (Per PHV Operated)	£11.00
Operator Levy <b>(5 year)</b> (Per PHV Operated)	£53.00
Admin charge for assistance with applications or where applications are refused by Committee	£37.00

<b>Transport – Vehicles – fees exclude plate, decal and tariff costs</b>	<b>£</b>
Hackney Carriage Vehicle Licence <b>Grant</b>	£404.00
<b>HYBRID GRANT 25% Discount</b> on Licence Fee Not Plates	£303.00
Hackney Carriage Vehicle Licence <u>Renewal</u>	£373.00
<b>HYBRID Renewal Fee</b>	£279.25
Hackney Carriage Vehicle Licence with Disabled Access <b>Grant</b>	£303.00
Hackney Carriage Vehicle Licence with Disabled Access <u>Renewal</u>	£279.00

Private Hire Vehicle Licence <b>Grant</b>	£389.00
<b>HYBRID GRANT 25% Discount</b> on Licence Fee Not Plates	£291.00
Private Hire Vehicle Licence <u>Renewal</u>	£357.00
<b>HYBRID Renewal Fee</b>	£268.00
Private Hire Vehicle Licence with Disabled Access <b>Grant (If Hybrid no change its Still 25% discount)</b>	£291.00

Private Hire Vehicle Licence with Disabled Access Renewal <b>(If Hybrid no change its Still 25% discount)</b>	<b>£268.00</b>
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Door Decal (Hackney Carriage)	<b>£5.00 each</b>
Rear Plate	<b>£16.00</b>
Front Plate	<b>£11.00</b>
Hackney Tariff Sticker	<b>£2.00</b>
Vehicle – Transfer of Owner	<b>£37.00</b>
Vehicle – Change of Registration Number	<b>£37.00</b>

<b>Allington Way Test Centre Fees</b>	
Vehicle Test	<b>£53.00</b>
Vehicle Test with MOT	<b>£63.00</b>
Failure to attend (with less than 48hrs notice)	<b>£53.00</b>
Vehicle Re-Test	<b>£26.00</b>
Vehicle Re-Test with Emissions Test	<b>£37.00</b>
Vehicle Re-Test Emissions Test only	<b>£11.00</b>

<b>Transport – General</b>	<b>£</b>
Duplicate Licence	<b>£16.00</b>
Change of name or address	<b>£37.00</b>
Administration Charge	<b>£37.00</b>

<b>Administration and Miscellaneous Fees</b>	<b>£</b>
Photocopying (per sheet)	<b>£1.00</b>
Withdrawn Application Fee	<b>£37.00</b>
Licence Replacement (where not stated)	<b>£11.00</b>

**Gambling Act – Premise Licence Fees**

Premises Type	Licence Grant	Annual Fee	Licence Variation	Transfer	Provisional Statement	Licence Reinstatement
Small Casinos	N/A	N/A	N/A	N/A	N/A	N/A
Existing Casinos	N/A	N/A	N/A	N/A	N/A	N/A
Bingo Halls	1300	600	1300	1200	1300	1200
Adult Gaming Centres	1300	600	1300	1200	1300	1200
Betting Tracks	1300	550	1300	950	1300	950
Family Entertainment Centres	1300	550	1300	950	1300	950
Betting Premises	1300	550	1300	1200	1300	1300

Notification of change £50

Copy of Licence £25

Permit Type	Grant	Variation	Transfer	Annual Fee	Renewal Fee
FEC Gaming Machine Permit	£300	N/A	N/A	N/A	£300
Prize Gaming Permits	£300	N/A	N/A	N/A	£300
Gaming Machines on Licensed Premises (Automatic Entitlement to 1 or 2 Machines)	£50	N/A	N/A	N/A	N/A
Gaming Machines on Licensed Premises (Application for 3 or more Machines)	£100	£100	£25	£50	N/A
Club Gaming Permits	£100 (FT) £200 in all other cases	£100	N/A	£50	£100 for CPC £200 in all other cases
Club Gaming Machine Permits	£100 (FT) £200 in all other cases	£100	N/A	£50	£100 for CPC £200 in all other cases

Change of name on Permit	£25
Duplicate copy of Permit	£15
Temporary Use Notice	£500
Copy/Replacement/Endorsed Copy of Notice	£25

**FT** = Fast Track; **CPC** = Holders of a Club Premises Certificate

<b>Licensing Act - Fees</b>					
Band	A	B	C	D	E
Non Domestic Rateable Value of the property to be licensed	None - £4,300	£4,301 - £33,000	£33,001 - £87,000	£87,001 - £125,000	£125,001 +
<b>If a premise does not have a NDRV then fees revert to Band C</b>					

<b>Premises Licences</b>					
<b>New applications and variation</b>	<b>£100</b>	<b>£190</b>	<b>£315</b>	<b>£450</b>	<b>£635</b>
Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises	N/A	N/A	N/A	x 2 = £900	x 3 = £1,905
<b>Annual Fee</b>	<b>£70</b>	<b>£180</b>	<b>£295</b>	<b>£320</b>	<b>£350</b>

Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises	N/A	N/A	N/A	x 2 = £640	x 3 = £1,050
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<b>Club Premises Certificates</b>					
New applications and variation	£100	£190	£315	£450	£635
Annual Fee	£70	£180	£295	£320	£350

There are additional fees for premises licence application and annual fees for exceptionally large-scale event (5,000 people +), unless certain conditions apply. Please read regulation 4(4) & 4(5) of the Licensing Act 2003 (fees) Regulations. Below is the list of additional fees payable where applicable.

<b>Number in attendance at any one time</b>	<b>Application fee (£'s)</b>	<b>Annual fee (£'s)</b>
5,000 - 9,999	1,000	500
10,000 - 14,999	2,000	1,000
15,000 - 19,999	4,000	2,000
20,000 - 29,999	8,000	4,000
30,000 - 39,999	16,000	8,000
40,000 - 49,999	24,000	12,000
50,000 - 59,999	32,000	16,000
60,000 - 69,000	40,000	20,000
70,000 - 79,000	48,000	24,000
80,000 - 89,000	56,000	28,000
90,000 and over	64,000	32,000

<b>Minor Variation</b>	
For minor structural variations or changes which do not impact upon the licensing objectives	£89.00

## Licensing Act - Fees continued

<b>Other Premises Licence Fees and Charges</b>	<b>£</b>
Application for a Provisional Statement	315.00
Application to Transfer a Premises Licence	23.00
Application to Change a DPS	23.00
Interim Authority Notice	23.00
Notification of Interest	21.00

<b>Other Licensing Act 2003 Fees</b>	<b>£</b>
Personal Licence Application - New	37.00
Temporary Event Notice	21.00

<b>Miscellaneous Fees and Charges</b>	<b>£</b>
Notification of change of name or address	10.50
Notification of alteration of club rules	10.50
Theft/loss of licence, certificate, summary or temporary event notice	10.50



Type of Licence - Breeding of Dogs			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£137.00	1 Year Licence
		Mandatory mid licence inspection fee	£74.00	£258.00 2 Year Licence
		Annual Enforcement Fee payable for each year of licence	£47.00	£305.00 3 Year Licence £352.00
	Renewal	Application Fee includes inspection fee	£105.00	1 Year Licence
		Mandatory mid licence inspection fee	£74.00	£226.00 2 Year Licence
		Annual Enforcement Fee payable for each year of licence	£47.00	£273.00 3 Year Licence £320.00

**Please note - A vets fee is also payable where a vets inspection is either required by law or deemed necessary by Darlington Borough Council**

Type of Licence - Selling Animals as Pets - Commercial			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£137.00	1 Year Licence
		Mandatory mid licence inspection fee	£81.00	£265.00 2 Year Licence
		Annual Enforcement Fee payable for each year of licence	£47.00	£312.00 3 Year Licence £359.00
	Renewal	Application Fee includes inspection fee	£105.00	1 Year Licence
		Mandatory mid licence inspection fee	£81.00	£233.00 2 Year Licence
		Annual Enforcement Fee payable for each year of licence	£47.00	£280.00 3 Year Licence £327.00

Type of Licence - Selling Animals as Pets - Home			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£137.00	1 Year Licence
		Mandatory mid licence inspection fee	£74.00	£258.00 2 Year Licence
		Annual Enforcement Fee payable for each year of licence	£47.00	£305.00 3 Year Licence £352.00
	Renewal	Application Fee includes inspection fee	£105.00	1 Year Licence
		Mandatory mid licence inspection fee	£74.00	£226.00 2 Year Licence
		Annual Enforcement Fee payable for each year of licence	£47.00	£273.00 3 Year Licence £320.00

<b>Type of Licence - Keeping or Training Animals for Exhibition</b>			<b>Fee</b>	<b>Duration Fee</b>
Type of Application	Grant	Application Fee includes initial licence inspection	£100.00	3 Year Licence £247.00
		Annual Enforcement Fee payable for each year of licence	£135.00	
	Renewal	Application Fee includes inspection fee	£80.00	3 Year Licence £226.00
		Annual Enforcement Fee payable for each year of licence	£135.00	

<b>Type of Licence - Hiring Out Horses</b>			<b>Fee</b>	<b>Duration Fee</b>
Type of Application	Grant	Application Fee includes initial licence inspection	£152.00	1 Year Licence £278.00
		Mandatory mid licence inspection fee	£79.00	2 Year Licence £325.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £372.00
	Renewal	Application Fee includes inspection fee	£121.00	1 Year Licence £247.00
		Mandatory mid licence inspection fee	£79.00	2 Year Licence £294.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £341.00

<b>Type of Licence - Boarding of Dogs and Cats - Commercial</b>			<b>Fee</b>	<b>Duration Fee</b>
Type of Application	Grant	Application Fee includes initial licence inspection	£179.00	1 Year Licence £321.00
		Mandatory mid licence inspection fee	£95.00	2 Year Licence £368.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £415.00
	Renewal	Application Fee includes inspection fee	£147.00	1 Year Licence £289.00
		Mandatory mid licence inspection fee	£95.00	2 Year Licence £336.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £383.00

<b>Type of Licence - Boarding of Dogs and Cats† - Home Boarding</b>			<b>Fee</b>	<b>Duration Fee</b>
Type of Application	Grant	Application Fee includes initial licence inspection	£137.00	1 Year Licence £258.00
		Mandatory mid licence inspection fee	£74.00	2 Year Licence £305.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £352.00
	Renewal	Application Fee includes inspection fee	£105.00	1 Year Licence £226.00

		Mandatory mid licence inspection fee	£74.00	2 Year Licence £273.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £320.00

† Please note that Cats may only be boarded in pens constructed for that purpose and shall be kept in garden - check this is right

Type of Licence - Boarding of Dogs - Dog Day Care - up to 7 dogs			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£137.00	1 Year Licence £258.00
		Mandatory mid licence inspection fee	£74.00	2 Year Licence £305.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £352.00
	Renewal	Application Fee includes inspection fee	£105.00	1 Year Licence £226.00
		Mandatory mid licence inspection fee	£74.00	2 Year Licence £273.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £320.00

Type of Licence - Boarding of Dogs - Dog Day Care - 8+ dogs			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£194.00	1 Year Licence £320.00
		Mandatory mid licence inspection fee	£79.00	2 Year Licence £367.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £414.00
	Renewal	Application Fee includes inspection fee	£163.00	1 Year Licence £289.00
		Mandatory mid licence inspection fee	£79.00	2 Year Licence £336.00
		Annual Enforcement Fee payable for each year of licence	£47.00	3 Year Licence £383.00

Type of Licence - Boarding of Dogs - Franchise - based within Darlington Borough Council			Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£137.00 + £11.00 per host
		Mandatory mid licence inspection fee	£68.00 - per host
		Annual Enforcement Fee Payable for each year of the licence	£47.00
	Renewal	Application Fee includes inspection fee includes inspection fee	£105.00 + £11.00 per host
		Mandatory mid licence inspection fee	£68.00 - per host
		Annual Enforcement Fee payable for each year of licence	£47.00

Type of Licence - Boarding of Dogs - Franchise Out of LA Area			Fee
Type of Application	Grant	Application Fee	£63.00
		Mandatory mid licence inspection fee	£68.00 - per host

Licensing fees and charges 2023 - 2024

	Renewal	Application Fee	£58.00
		Mandatory mid licence inspection fee	£63.00 - per host

<b>Additional Fees</b>	<b>Fee</b>
Cost Per additional licensable activity - Grant and Renewal	£68.00 each
Mandatory mid licence inspection fee - Grant and Renewal	£32.00 each
Variation of Licence where no inspection is required	£37.00 each
Variation of Licence where inspection is required	£95.00 each
Application for Re- Rating	£74.00 each
Copy Licence	£16.00
Administration Fee	£37.00

### Notes

1. A new application would be required for the following changes to a business
  - Change of Address of premises where animals are kept or accommodated
  - Change of Business Owner
  - Addition of a new licensable activity
2. A variation of licence would be required for the following proposed amendments
  - Changes to the number of animals licensed
  - Changes to the identity of animals licensed (where animals are identified on the licence)
  - A change of licence holder's address (where no animals are kept or accommodated at those premises)
  - The addition or removal of a host premises for dog boarding activities
  - Changes to the plan of the premise that are being used to keep or accommodate animals
3. It is not possible to combine the activity of 'Keeping or Training Animals for Exhibition Only' with any other licensable activity on one licence. This is because such licenses must by law, be for a three year duration and do not qualify for a Star Rating. Where this activity does take place at the same premises as another activity, a reduced fee may be applicable.

# Darlington Borough Council

Licensing and Car Parking, Town Hall, Darlington. DL1 5QT

## Licensing Fees 2020

Updated: 14 January 2020 – Applicable from 1 April 2021

<b>Animal Welfare (excluding veterinary fees)</b>		<b>£</b>
Dangerous Wild Animals		£120.00
Zoo	Grant– licence for 4 years	£450.00
	Renewal– licence for 6 years	£450.00

**\*\*See table at Appendix 1 for fee's under Animal Regulations 2018\*\***

<b>Cosmetics</b>	<b>£</b>
Premise Grant	£280.00
Personal Grant	£65.00
Variation	£65.00

<b>Caravan Sites</b>	<b>£</b>
Application for a Permanent Residential Site Licence 1-5 pitches	£200.00
Application for a Permanent Residential Site Licence 6-20 pitches	£225.00
Application for a Permanent Residential Site Licence 21-50 pitches	£240.00
Application for a Permanent Residential Site Licence more than 50 pitches	£260.00
Annual fee for a Permanent Residential Site Licence 1-5 pitches	Nil
Annual fee for a Permanent Residential Site Licence 6-50 pitches	£220.00
Annual fee for a Permanent Residential Site Licence more than 50 pitches	£260.00
Laying site rules	£25.00
Variation or transfer of a site licence	£100.00

<b>Gambling Act - See table below for licence and permit fees</b>	<b>£</b>
Small Society Lottery Registration	£40.00
Small Society Lottery Registration Annual Fee	£20.00

<b>Goods on the Highway</b>		<b>£</b>
Grant and Renewal		<b>£155.00</b>

<b>House to House Collections</b>		<b>£</b>
House to House Collection Permit		<b>NO FEE</b>

<b>Licensing Act 2003</b>		<b>£</b>
See table below		

<b>Pavement Café Licence</b>		<b>£</b>
Grant and Renewal Fees are based on the size of the proposed external pavement café area.		
<b>Number of People</b>		<b>Application Fee</b>
1 – 10		<b>£200</b>
11 – 25		<b>£240</b>
26 – 40		<b>£280</b>
41 – 60		<b>£320</b>
61 – 80		<b>£360</b>
81 – 99		<b>£400</b>
Over 100		<b>£450</b>
Duplicate Licence Fee		<b>£50</b>
Transfer of Licence		<b>£50</b>
Change of Detail		<b>£30</b>
Variation of Covers		<b>£100</b>
Fees are due on an annual basis. Fees are not refundable if the application is unsuccessful. Fees are not refundable where a licence is surrendered.		

<b>Petroleum</b>		<b>£</b>
Licence is required where 225 litres or more are stored		
Up to 2,500 litres		<b>£45.00</b>
From 2,500 to 50,000 litres		<b>£61.00</b>
Exceeding 50,000 litres		<b>£128.00</b>

<b>Scrap Metal Dealers Act 2013</b>		<b>£</b>
Collectors Licence (3 years) - Grant		<b>£150.00</b>
Collectors Licence (3 years) - Renewal		<b>£150.00</b>
Minor Variation		<b>£15.00</b>
Major Variation		<b>£50.00</b>
*And in the case of a change from a Collector to a Site Licence a further 65.00 per site per remaining year(s) remaining on licence		
Site Licence – Grant		<b>£350.00 + £195.00**</b>
Site Licence – Renewal		<b>£270.00 + £195.00**</b>

** for every additional site	
Minor Variation	£15.00
Major Variation	£50.00 + £65.00***
*** per additional site per year remaining on licence where variation adds a site	

<b>Sex Establishments</b>	<b>£</b>
Grant Application Fee	£3,700.00
Renewal of Licence Fee	£1,200.00
Transfer of licence Fee	£1,200.00

<b>Skips, Scaffolding and Hoardings</b>	<b>£</b>
Place a skip on the highway (less than 3 days notice)	£30.00
Place a skip on the highway (more than 3 days notice)	£15.00
Erection of scaffolding	£50.00
Hoardings	£50.00

<b>Street Collections</b>	<b>£</b>
Street Collection Permit	NO FEE

<b>Street Trading</b>	<b>£</b>
Annual Consent – Town Centre	£7000.00
*** if paying monthly	£620.00
*** if paying weekly	£170.00
January to October per full calendar month	£660.00
per week	£270.00
per day (minimum of 4 days)	£60.00

November and December per full calendar month	£975.00
per week	£385.00
per day (minimum of 4 days)	£85.00
Buskers (selling CDs) per ½ day	£25.00
Per full day	£45.00
None Town Centre Permits (moving or layby) + Application Fee	£260.00
News Vendor Permits	£35.00

<b>Transport – Drivers</b>	<b>£</b>
Hackney Carriage Driver Licence <b>Grant</b> (1 year)	£161.00
Hackney Carriage Driver Licence <b>Grant</b> (3 years)	£356.00
Hackney Carriage Driver Licence <u>Renewal</u> (1 year)	£76.00

Hackney Carriage Driver Licence <u>Renewal</u> (3 years)	£271.00
Private Hire / Dual Driver Licence <b>Grant</b> (1 year)	£161.00
Private Hire / Dual Driver Licence <b>Grant</b> (3 years)	£356.00
Private Hire / Dual Driver Licence <u>Renewal</u> (1 year)	£76.00
Private Hire / Dual Driver Licence <u>Renewal</u> (3 years)	£271.00
<b>Change from Single Licence to Combined</b> (£30.00 admin charge, £10.00 for new badges, includes knowledge test)	<b>£40.00</b>
Replacement Drivers Badge	£10.00
Re-sit of Drivers Legislation Test	£35.00
Refused Application for Drivers Badge	£35.00
CRB Enhanced Disclosure Online	£44.00

<b>Transport - Private Hire Operators</b>	<b>£</b>
Operators Licence <b>Grant</b> (1 year)	£530.00
Operator Licence <b>Grant</b> (5 years)	£1160.00
Operator Licence Renewal (1 year)	£350.00
Operator Licence Renewal (5 years)	£980.00
Operator Levy (1 year) (Per PHV Operated)	£10.00
Operator Levy (5 year) (Per PHV Operated)	£50.00
Admin charge for assistance with applications or where applications are refused by Committee	£35.00

<b>Transport – Vehicles – fees exclude plate, decal and tariff costs</b>	<b>£</b>
Hackney Carriage Vehicle Licence <b>Grant</b>	£385.00
<b>HYBRID GRANT</b> 25% Discount on Licence Fee Not Plates	£289.00
Hackney Carriage Vehicle Licence <u>Renewal</u>	£355.00
<b>HYBRID Renewal Fee</b>	£266.25
Hackney Carriage Vehicle Licence with Disabled Access <b>Grant</b>	£289.00
Hackney Carriage Vehicle Licence with Disabled Access <b>Renewal</b>	£266.00
Private Hire Vehicle Licence <b>Grant</b>	£370.00
<b>HYBRID GRANT 25% Discount</b> on Licence Fee Not Plates	£277.00



Private Hire Vehicle Licence <u>Renewal</u>	<b>£340.00</b>
<b>HYBRID Renewal Fee</b>	<b>£255.00</b>
Private Hire Vehicle Licence with Disabled Access <b>Grant (If Hybrid no change its Still 25% discount)</b>	<b>£277.00</b>
Private Hire Vehicle Licence with Disabled Access Renewal <b>(If Hybrid no change its Still 25% discount)</b>	<b>£255.00</b>

Door Decal (Hackney Carriage)	<b>£5.00 each</b>
Rear Plate	<b>£15.00</b>
Front Plate	<b>£10.00</b>
Hackney Tariff Sticker	<b>£2.00</b>
Vehicle – Transfer of Owner	<b>£35.00</b>
Vehicle – Change of Registration Number	<b>£35.00</b>

<b>Allington Way Test Centre Fees</b>	
Vehicle Test	<b>£50.00</b>
Vehicle Test with MOT	<b>£60.00</b>
Failure to attend (with less than 48hrs notice)	<b>£50.00</b>
Vehicle Re-Test	<b>£25.00</b>
Vehicle Re-Test with Emissions Test	<b>£35.00</b>
Vehicle Re-Test Emissions Test only	<b>£10.00</b>

<b>Transport – General</b>	<b>£</b>
Duplicate Licence	<b>£15.00</b>
Change of name or address	<b>£35.00</b>
Administration Charge	<b>£35.00</b>

<b>Administration and Miscellaneous Fees</b>	<b>£</b>
Photocopying (per sheet)	<b>£1.00</b>
Withdrawn Application Fee	<b>£35.00</b>
Licence Replacement (where not stated)	<b>£10.50</b>

<b>Gambling Act – Premise Licence Fees</b>
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<b>Premises Type</b>	<b>Licence Grant</b>	<b>Annual Fee</b>	<b>Licence Variation</b>	<b>Transfer</b>	<b>Provisional Statement</b>	<b>Licence Reinstatement</b>
Small Casinos	N/A	N/A	N/A	N/A	N/A	N/A
Existing Casinos	N/A	N/A	N/A	N/A	N/A	N/A
Bingo Halls	1300	600	1300	1200	1300	1200

Adult Gaming Centres	1300	600	1300	1200	1300	1200
Betting Tracks	1300	550	1300	950	1300	950
Family Entertainment Centres	1300	550	1300	950	1300	950
Betting Premises	1300	550	1300	1200	1300	1300

Notification of change £50

Copy of Licence £25

Permit Type	Grant	Variation	Transfer	Annual Fee	Renewal Fee
FEC Gaming Machine Permit	£300	N/A	N/A	N/A	£300
Prize Gaming Permits	£300	N/A	N/A	N/A	£300
Gaming Machines on Licensed Premises (Automatic Entitlement to 1 or 2 Machines)	£50	N/A	N/A	N/A	N/A
Gaming Machines on Licensed Premises (Application for 3 or more Machines)	£100	£100	£25	£50	N/A
Club Gaming Permits	£100 (FT) £200 in all other cases	£100	N/A	£50	£100 for CPC £200 in all other cases
Club Gaming Machine Permits	£100 (FT) £200 in all other cases	£100	N/A	£50	£100 for CPC £200 in all other cases

Change of name on Permit	£25
Duplicate copy of Permit	£15
Temporary Use Notice	£500
Copy/Replacement/Endorsed Copy of Notice	£25

FT = Fast Track; CPC = Holders of a Club Premises Certificate

Licensing Act - Fees					
Band	A	B	C	D	E
Non Domestic Rateable Value of the property to be licensed	None - £4,300	£4,301 - £33,000	£33,001 - £87,000	£87,001 - £125,000	£125,001 +
<b>If a premise does not have a NDRV then fees revert to Band C</b>					

<b>Premises Licences</b>					
<b>New applications and variation</b>	<b>£100</b>	<b>£190</b>	<b>£315</b>	<b>£450</b>	<b>£635</b>
Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises	N/A	N/A	N/A	x 2 = £900	x 3 = £1,905

<b>Annual Fee</b>	<b>£70</b>	<b>£180</b>	<b>£295</b>	<b>£320</b>	<b>£350</b>
Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises	N/A	N/A	N/A	x 2 = £640	x 3 = £1,050

<b>Club Premises Certificates</b>					
New applications and variation	£100	£190	£315	£450	£635
Annual Fee	£70	£180	£295	£320	£350

There are additional fees for premises licence application and annual fees for exceptionally large-scale event (5,000 people +), unless certain conditions apply. Please read regulation 4(4) & 4(5) of the Licensing Act 2003 (fees) Regulations. Below is the list of additional fees payable where applicable.

<b>Number in attendance at any one time</b>	<b>Application fee (£'s)</b>	<b>Annual fee (£'s)</b>
5,000 - 9,999	1,000	500
10,000 - 14,999	2,000	1,000
15,000 - 19,999	4,000	2,000
20,000 - 29,999	8,000	4,000
30,000 - 39,999	16,000	8,000
40,000 - 49,999	24,000	12,000
50,000 - 59,999	32,000	16,000
60,000 - 69,000	40,000	20,000
70,000 - 79,000	48,000	24,000
80,000 - 89,000	56,000	28,000
90,000 and over	64,000	32,000

<b>Minor Variation</b>	
For minor structural variations or changes which do not impact upon the licensing objectives	£89.00

## Licensing Act - Fees continued

Other Premises Licence Fees and Charges	£
Application for a Provisional Statement	315.00
Application to Transfer a Premises Licence	23.00
Application to Change a DPS	23.00
Interim Authority Notice	23.00
Notification of Interest	21.00

Other Licensing Act 2003 Fees	£
Personal Licence Application - New	37.00
Temporary Event Notice	21.00

Miscellaneous Fees and Charges	£
Notification of change of name or address	10.50
Notification of alteration of club rules	10.50
Theft/loss of licence, certificate, summary or temporary event notice	10.50

### Appendix 1

Please note -

A vets fee is also payable where a vets inspection is either required by law or deemed necessary by Darlington Borough Council

Type of Licence - Breeding of Dogs		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
	Renewal	Application Fee includes inspection fee	£100.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
			1 Year Licence £245.00
			2 Year Licence £290.00
			3 Year Licence £335.00
			1 Year Licence £215.00
			2 Year Licence £260.00
			3 Year Licence £305.00

Type of Licence - Selling Animals as Pets - Commercial		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00
		Mandatory mid licence inspection fee	£77.00
		Annual Enforcement Fee payable for each year of licence	£45.00
	Renewal	Application Fee includes inspection fee	£100.00
		Mandatory mid licence inspection fee	£77.00
		Annual Enforcement Fee payable for each year of licence	£45.00
			1 Year Licence £252.00
			2 Year Licence £297.00
			3 Year Licence £342.00
			1 Year Licence £222.00
			2 Year Licence £267.00
			3 Year Licence £312.00

Type of Licence - Selling Animals as Pets - Home		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
	Renewal	Application Fee includes inspection fee	£100.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
			1 Year Licence £245.00
			2 Year Licence £290.00
			3 Year Licence £335.00
			1 Year Licence £215.00
			2 Year Licence £260.00
			3 Year Licence £305.00

Type of Licence - Keeping or Training Animals for Exhibition		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£100.00
		Annual Enforcement Fee payable for each year of licence	£135.00
	Renewal	Application Fee includes inspection fee	£80.00
		Annual Enforcement Fee payable for each year of licence	£135.00
			3 Year Licence £235.00
			3 Year Licence £215.00

Type of Licence - Hiring Out Horses			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£145.00	1 Year Licence £265.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £310.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £355.00
	Renewal	Application Fee includes inspection fee	£115.00	1 Year Licence £235.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £280.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £325.00

Type of Licence - Boarding of Dogs and Cats - Commercial			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£170.00	1 Year Licence £305.00
		Mandatory mid licence inspection fee	£90.00	2 Year Licence £350.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £395.00
	Renewal	Application Fee includes inspection fee	£140.00	1 Year Licence £275.00
		Mandatory mid licence inspection fee	£90.00	2 Year Licence £320.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £365.00

Type of Licence - Boarding of Dogs and Cats† - Home Boarding			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00	1 Year Licence £245.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £290.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £335.00
	Renewal	Application Fee includes inspection fee	£100.00	1 Year Licence £215.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £260.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £305.00

† Please note that Cats may only be boarded in pens constructed for that purpose and shall be kept in garden - check this is right

Type of Licence - Boarding of Dogs - Dog Day Care - up to 7 dogs			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00	1 Year Licence £245.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £290.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £335.00
	Renewal	Application Fee includes inspection fee	£100.00	1 Year Licence £215.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £260.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £305.00

Type of Licence - Boarding of Dogs - Dog Day Care - 8+ dogs			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£185.00	1 Year Licence £305.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £350.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £395.00
	Renewal	Application Fee includes inspection fee	£155.00	1 Year Licence £275.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £320.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £365.00

Type of Licence - Boarding of Dogs - Franchise - based within Darlington Borough Council			Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00 + £10.00 per host
		Mandatory mid licence inspection fee	£65.00 - per host
		Annual Enforcement Fee Payable for each year of the licence	£45.00
	Renewal	Application Fee includes inspection fee includes inspection fee	£100.00 + £10.00 per host
		Mandatory mid licence inspection fee	£60.00 - per host
		Annual Enforcement Fee payable for each year of licence	£45.00

Type of Licence - Boarding of Dogs - Franchise Out of LA Area			Fee
Type of Application	Grant	Application Fee	£60.00
		Mandatory mid licence inspection fee	£65.00 - per host
	Renewal	Application Fee	£55.00
		Mandatory mid licence inspection fee	£60.00 - per host

Additional Fees		Fee
Cost Per additional licensable activity - Grant and Renewal		£65.00 each
Mandatory mid licence inspection fee - Grant and Renewal		£30.00 each
Variation of Licence where no inspection is required		£35.00 each
Variation of Licence where inspection is required		£90.00 each
Application for Re- Rating		£70.00 each
Copy Licence		£15.00
Administration Fee		£35.00

Notes

1. A new application would be required for the following changes to a business
  - Change of Address of premises where animals are kept or accommodated
  - Change of Business Owner
  - Addition of a new licensable activity
2. A variation of licence would be required for the following proposed amendments
  - Changes to the number of animals licensed
  - Changes to the identity of animals licensed (where animals are identified on the licence)
  - A change of licence holder's address (where no animals are kept or accommodated at those premises)
  - The addition or removal of a host premises for dog boarding activities
  - Changes to the plan of the premise that are being used to keep or accommodate animals
3. It is not possible to combine the activity of 'Keeping or Training Animals for Exhibition Only' with any other licensable activity on one licence. This is because such licenses must by law, be for a three year duration and do not qualify for a Star Rating. Where this activity does take place at the same premises as another activity, a reduced fee may be applicable.