



City of Westminster

# Licensing Fees 2017/2018

Public Protection and Licensing

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# 1. Introduction

- 1.1 The City of Westminster has over 226,000 residents and it is estimated that over a million people set foot in Westminster at some point during the day. Westminster is also one of Europe's most prestigious business locations and is considered the entertainment capital of the United Kingdom. The majority of businesses within Westminster are small, employing fewer than 5 people.
- 1.2 Due to the nature of the City of Westminster the council is the largest licensing authority in the United Kingdom. It receives over 11,000 applications each year for a vast array of different permissions and authorisations.
- 1.3 The Council's Public Protection and Licensing Department has produced this document to set out its fees and charges applicable for the majority of the licensing regimes which it is responsible for. A separate fee document has been provided for Street Trading fees.
- 1.4 The licensing regimes listed within this document cover a wide range of activities and services ranging from the sale and supply of alcohol to individuals keeping dangerous wild animals. The purpose of the licensing regimes are specific to the regulation that govern it but in general, licensing is required to protect the public, protect and support businesses practices and ensure fair trading; and ensure the welfare of animals.
- 1.5 The council has the power to set some fees for certain licensing regimes. However, a number of licensing regimes have fees that have been set by the specific Act or associated regulations. There are three fee regime types that have been set out within this document. These fee regime types relate to how the fees have been set.

Type 1 Fee Regime	Type 2 Fee Regime	Type 3 Fee Regime
Fees that are set by statute for which the council has no power to amend.	A maximum fee cap set by statute that permits councils to set a reasonable fee to recover its costs up to that cap.	The relevant statute permits councils to set their own local fees that will enable it to recover its reasonable costs.

- 1.6 All of the fees within type 2 up to the relevant cap and all of the fees within type 3 fee regimes have been set to recover the council's reasonable costs in carryout its functions for each specific regime. The fees relate to that regime only and all the income received from fees is used to offset those costs. The council cannot and does not use the income from one specific licensing regime to cover deficits in other regimes.
- 1.7 The council will aim to undertake a review of type 2 and 3 licensing regime fees every year. When considering the fees the council will take into account the costs that it has incurred from the previous year and set a fee based on those costs. If the council does, in reviewing the fees identify a surplus or a deficit it will adjust the fees accordingly to either reduce the fee levels to reduce the surplus or increase the fee levels to repay that deficit in costs from previous years. This means that the fees will fluctuate year on year based on the review of income and cost associated with that relevant licensing regime.

- 1.8 The Street Licensing fees were set a number of years ago and the Council are currently undertaking a review of those fee levels. Once that review process has been completed to determination the fees will fall within the type 3 licensing fee regimes. However, until that review has been completed these fees are listed outside of the licensing fee regime types at present.
- 1.9 This document is intended to contain all of the relevant information relating to fees and payment of those fees that applicants, licensees and their agents require to ensure that they can make valid applications and continue the relevant authorised activity.

## **2. European Services Directive**

- 2.1 The European Union Services Directive -2006/123/EC (the Directive) was given effect in UK law via the Provision of Services Regulations 2009 (SI2009/2999). This Directive and the Regulations contain provisions about the fees which may be charged under relevant licensing regimes within the scope of the Directive. In particular licensing authorities may not set fees that are dissuasive, and any fees must be reasonable and proportionate to the cost of the licensing process and the issuing of the licence.
- 2.2 These provisions have been taken into account in setting the fees set out in this document.
- 2.3 In addition, a recent judgment of the Supreme Court in a case involving the City Council has provided further clarification of the type of costs which may be taken into account when setting fees, and when fees may be payable. Pending further guidance from the European Court of Justice, the judgment of the Supreme Court established a licensing regime may operate on the basis that an applicant must pay:
  - (i) on making the application, the costs of the application process and,
  - (ii) on the application being successful, a further fee to cover the costs of the running and enforcement of the licensing regime.
- 2.4 The council has following this decision reviewed the Type 3 regime fees, for which the Directive relates so that they identify the costs for processing the application through to determination (Part A) and the cost for running and the enforcement of the licensing regime (Part B). These are reflected in the Type 3 regime fees set out in part 5 of this document.

### 3. Type 1 Regime Fees

3.1 The following fees have been set via the relevant statutes associated with that licensing regime. The specific legislation relating to these fees have been provided for completeness.

#### Explosives

3.2 Health and Safety (Fees) Regulations 2012 (as amended by Schedule 13, Part 1 of the Explosives Regulations 2014)

Application Type		Duration of the licence	Fee
Explosives Licence where a minimum separation distance of greater than 0 metres is prescribed	New	1 year's duration	£178
		2 years' duration	£234
		3 years' duration	£292
		4 years' duration	£360
		5 years' duration	£407
Explosives Licence where no minimum separation distance or a 0 metres minimum separation distance is prescribed	New	1 year's duration	£105
		2 years' duration	£136
		3 years' duration	£166
		4 years' duration	£198
		5 years' duration	£229
Explosives Licence where a minimum separation distance of greater than 0 metres is prescribed	Renewal	1 year's duration	£83
		2 years' duration	£141
		3 years' duration	£198
		4 years' duration	£256
		5 years' duration	£313
Explosives Licence where no minimum separation distance or a 0 metres minimum separation distance is prescribed	Renewal	1 year's duration	£52
		2 years' duration	£83
		3 years' duration	£115
		4 years' duration	£146
		5 years' duration	£178



Explosive Licence	Change of name of licensee or address of site	N/A	£35
	Transfer	N/A	£35
	Duplicate	N/A	£35

## Fireworks

### 3.3 Fireworks Regulations 2004

Application Type		Fee
Firework Licence	New	£500

## Gambling Act 2005

### Permits

### 3.4 The Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007

Application Type		Fee
Family Entertainment Centre Gaming Machine Permit	New	£300
	Renewal	£300
	Change of name	£25
	Duplicate	£15

### 3.5 The Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007

Application Type		Fee
Club Gaming and Club Machine Permits	New	£200
	New (holder of a Club Premises Certificate under the Licensing Act 2003)	£100
	Renewal	£200

	Renewal (holder of a Club Premises Certificate under the Licensing Act 2003)	£100
	Variation	£100
	First Annual Fee	£50
	Annual Fee	£50
	Duplicate	£15

3.6 The Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007

Application Type		Fee
Licensed Premises (Licensing Act 2003) Gaming Machine Permit	New	£150
	Renewal	£200
	Transfer	£25
	Variation	£100
	First Annual Fee	£50
	Annual Fee	£50
	Change of name	£25
	Duplicate	£15

3.7 The Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007

Application Type		Fee
Prize Gaming Permits	New	£300
	Renewal	£300
	Change of name	£25
	Duplicate	£15

## Notifications

3.8 Gaming Machines in Alcohol Licensed Premises (Notification Fee) (England and Wales) Regulations 2007

Application Type		Fee
Alcohol licensed premises notification of making gaming machines available for use	New	£50

### Small Society Lotteries

- 3.9 The Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007

Application Type		Fee
Small Society Lotteries	New	£40
	Annual Fee	£20

### Licensing Act 2003

- 3.10 The Licensing Act 2003 fees for Premises Licences and Club Premises Certificates are based on the rateable value for the premises to which the licence or certificate relates. To identify what the rateable value is for a property, applicants should visit Valuation Office Agency (VOA) website via [www.2010.voa.gov.uk](http://www.2010.voa.gov.uk).
- 3.11 Some newly built premises may not have a rateable value on this site yet when an application is being made. Open spaces will also normally not have a rateable value and as such appear on the VOA site. In these cases applicants should make the application and pay the Band A fee level.
- 3.12 The fees relating to licences and notifications under the Licensing Act 2003 are set out in the Licensing Act 2003 (Fees) Regulations 2005.

### Rateable Value Bands

Rateable Value	Band
No rateable value to £4,300	A
£4,300 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

### Premises Licence

Application Type	Band	Fee
New and variation*	A	£100

	B	£190
	C	£315
	D	£450
	E	£635
New and variation: Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D and E only)*	D	£900
	E	£1,905
Annual Fee*	A	£70
	B	£180
	C	£295
	D	£320
	E	£350
Annual fee: Annual charge multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D and E only)*	D	£640
	E	£1,050
Change of name or address	A to E	£10.50
Duplicate	A to E	£10.50
Provisional Statement	A to E	£315
Variation to specify designated premises supervisor (DPS)	A to E	£23
Transfer	A to E	£23
Interim Authority Notice following death or incapacity of licence holder	A to E	£23
Notification of interest in a premises by freeholder, etc	A to E	£21

\* There are additional fees for large premises which have a capacity of 5,000 people or more which is payable in addition to the fees specified for new and variation applications or annual fees.

Additional Fee type	Number in attendance at	New and	Annual Fee
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	any one time	Variation Fee	
Large premises or events	5,000 to 9,999	£1,000	£500
	10,000 to 14,999	£2,000	£1,000
	15,000 to 19,999	£4,000	£2,000
	20,000 to 29,999	£8,000	£4,000
	30,000 to 39,999	£16,000	£8,000
	40,000 to 49,999	£24,000	£12,000
	50,000 to 59,999	£32,000	£16,000
	60,000 to 69,999	£40,000	£20,000
	70,000 to 79,999	£48,000	£24,000
	80,000 to 89,999	£56,000	£28,000
90,000 and over	£64,000	£32,000	

### Club Premises Certificates

Application Type	Band	Fee
New and variation	A	£100
	B	£190
	C	£315
	D	£450
	E	£635
Annual Fee	A	£70
	B	£180
	C	£295
	D	£320
	E	£350
Duplicate	A to E	£10.50
Notification of change of name or alteration of club rules	A to E	£10.50
Change of relevant registered address of club	A to E	£10.50

## Personal Licences

Application Type		Fee
Personal Licence	New	£37
	Duty to notify change name or address	£10.50
	Duplicate	£10.50

## Temporary Event Notices

Application Type		Fee
Temporary Event Notice	New	£21
	Duplicate	£10.50

## 4. Type 2 Regime Fees

- 4.1 The following fees have been set by the council taking into account the costs associated with each application type or annual fee. The fees have been set taking into account the statutory set cap. If a fee has reached the relevant cap it has been highlighted in yellow.

### Gambling Act 2005

#### Premises Licence

- 4.2 The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007

Application Type		Fee	Fee if payment made via cheque
Casino Premises Licences	Annual Fee	£3,000	£3,000
	Variation	£2,000	£2,000
	Transfer	£332	£352
	Re-instatement	£332	£352
	Duplicate	£21	£25
	Change of Details	£50	£50

Application Type		Fee	Fee if payment made via cheque
Bingo Premises Licence	New	£3,500	£3,500
	Annual Fee	£1,000	£1,000
	Variation	£1,750	£1,750
	Transfer	£341	£361
	Re-instatement	£341	£361
	Provisional Statement	£3,500	£3,500
	New Licence App following Provisional Statement	£375	£395

	Duplicate	£21	£25
	Change of Details	£50	£50

Application Type		Fee	Fee if payment made via cheque
Betting (Other) Premises Licence	New	£3,000	£3,000
	Annual Fee	£600	£600
	Variation	£1,500	£1,500
	Transfer	£375	£395
	Re-instatement	£375	£395
	Provisional Statement	£3,000	£3,000
	New Licence App following Provisional Statement	£375	£395
	Duplicate	£21	£25
	Change of Details	£50	£50

Application Type		Fee	Fee if payment made via cheque
Betting (Track) Premises Licence	New	£2,500	£2,500
	Annual Fee	£1,000	£1,000
	Variation	£1,250	£1,250
	Transfer	£375	£395
	Re-instatement	£370	£390
	Provisional Statement	£2,500	£2,500
	New Licence App following Provisional Statement	£375	£395



	Duplicate	£21	£25
	Change of Details	£50	£50

Application Type		Fee	Fee if payment made via cheque
Family Entertainment Centre Premises Licence	New	£2,000	£2,000
	Annual Fee	£750	£750
	Variation	£1,000	£1,000
	Transfer	£375	£395
	Re-instatement	£375	£395
	Provisional Statement	£2,000	£2,000
	New Licence App following Provisional Statement	£375	£395
	Duplicate	£21	£25
	Change of Details	£50	£50

Application Type		Fee	Fee if payment made via cheque
Adult Gaming Centre Premises Licence	New	£2,000	£2,000
	Annual Fee	£1,000	£1,000
	Variation	£1,000	£1,000
	Transfer	£375	£395
	Re-instatement	£370	£390
	Provisional Statement	£2,000	£2,000
	New Licence App following Provisional Statement	£375	£395

	Duplicate	£21	£25
	Change of Details	£50	£50

### Temporary Use Notices

#### 4.3 The Gambling Act 2005 (Temporary Use Notices) Regulations 2007

Application Type		Fee
Temporary Use Notice	New	£500
	Duplicate	£25

## 5. Type 3 Regime Fees

5.1 The following fees have been set by the council using the relevant statutory powers within the statutes governing those licensing regimes.

5.2 Please note that the fees shown below do not include the £20 cheque surcharge which will be required in addition to the below fees if payment of Part A or B is made by cheque. If parts A and B are paid for with separate cheques then the surcharge will be payable when making payment for each part of the fee.

### Animal Boarding Establishments

5.3 Animal Boarding Establishments Act 1963

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£1,054	£100	£1,154
Renewal	£456	£100	£556
Duplicate	£21	£0	£21

### Auction Premises

5.4 Greater London Council (General Powers) Act 1984, Part 6

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£663	£100	£763
Duplicate	£21	£0	£21

### Dangerous Wild Animals

5.5 Dangerous Wild Animals Act 1976

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£890	£100	£990
Renewal	£230	£100	£330
Duplicate	£21	£0	£21

## Dog Breeding Establishments

### 5.6 Breeding of Dogs Act 1973

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£716	£100	£816
Renewal	£397	£100	£497
Duplicate	£21	£0	£21

## Exhibitions (Prescribed Venues)

### 5.7 Greater London Council (General Powers) Act 1966

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£743	£100	£843
Renewal	£259	£100	£359
Duplicate	£21	£0	£21

## Hypnotism

### 5.7 Hypnotism Act 1952

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£421	£100	£521
Renewal	£102	£100	£202
Duplicate	£21	£0	£21

## Marriage Venues

### 5.8 Marriages and Civil Partnerships (Approved Premises) Regulations 2005

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
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New	£1,065	£100	£1,165
Renewal	£708	£100	£808
Change of responsible person	£81	£0	£81
Amend application	£196	£0	£196
Change of Details	£123	£0	£123
Duplicate	£21	£0	£21

## Performing Animals

### 5.9 Performing Animals (Regulation) Act 1925

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£645	£50	£695
Variation	£366	£0	£366
Inspection of Register	£290	£0	£290
Copy of Register	£7	£0	£7
Duplicate	£21	£0	£21

## Pet Shops

### 5.10 Pet Animals Act 1951

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£1,147	£100	£1,247
Renewal	£521	£100	£621
Duplicate	£21	£0	£21

## Poisons

### 5.11 Poisons Act 1972

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£143	£100	£243
Renewal	£51	£100	£151
Variation	£117	£0	£117
Duplicate	£21	£0	£21

## **Riding Establishments**

### 5.12 Riding Establishments Act 1964

<b>Application Type</b>	<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
New	£1,313	£100	£1,413
Renewal	£864	£100	£964
Duplicate	£21	£0	£21

## **Scrap Metal Dealers**

### 5.13 Scrap Metal Dealers Act 2013

<b>Application Type</b>		<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
Site Licence	New	£411	£100	£511
	Renewal	£169	£100	£269
	Variation	£319	£0	£319
	Duplicate	£21	£0	£21

<b>Application Type</b>		<b>Part A Fee</b>	<b>Part B Fee</b>	<b>Total Fee (Parts A and B)</b>
Collector's Licence	New	£496	£100	£596
	Renewal	£169	£100	£269
	Variation	£234	£0	£234

	Duplicate	£21	£0	£21
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## Sex Establishments

### 5.14 Local Government (Miscellaneous Provisions) Act 1982

Application Type		Part A Fee	Part B Fee	Total Fee (Parts A and B)
Sex Shops, Sex Cinemas and Hostess Bars	New	£2,035	£2,262	£4,297
	Renewal	£1,086	£2,262	£3,348
	Variation	£988	£0	£988
	Transfer	£329	£0	£329
	Paragraph 7 Waiver	£717	£0	£717
	Duplicate	£21	£0	£21

Application Type		Part A Fee	Part B Fee	Total Fee (Parts A and B)
Sexual Entertainment Venues	New	£1,698	£2,262	£3,960
	Renewal	£1,006	£2,262	£3,268
	Variation	£1,065	£0	£1,065
	Transfer	£298	£0	£298
	Paragraph 7 Waiver	£701	£0	£701
	Duplicate	£21	£0	£21

## Special Treatment Premises Licences

### 5.15 London Local Authorities Act 1991

Application Type		Part A Fee	Part B Fee	Total Fee (Parts A and B)
Higher Risk	New	£1,345	£1,092	£2,437

Special Treatment Premises Licence	Renewal	£676	£1,092	£1,768
	Variation	£609	£0	£609
	Transfer	£193	£0	£193
	Removal of Treatment	£183	£0	£183
	Renewal of provisional licence	£183	£0	£183
	Confirmation of provisional licence	£176	£1,092	£1,268
	Change of details	£114	£0	£115
	Late renewal surcharge**	£41	£0	£41
	Duplicate	£21	£0	£21

\*\* Surcharge to be paid for renewal applications that are received within 30 days from the date the licence lapsed. Any renewal applications received after that period will not be accepted and a new application and associated fee will be required.

Application Type		Part A Fee	Part B Fee	Total Fee (Parts A and B)
Lower Risk Special Treatment Premises Licence	New	£1,236	£1,092	£2,328
	Renewal	£676	£1,092	£1,768
	Variation	£609	£0	£609
	Transfer	£192	£0	£193
	Removal of Treatment	£183	£0	£183
	Renewal of provisional licence	£183	£0	£183
	Confirmation of provisional licence	£176	£1,092	£1,268



	Change of details	£114	£0	£115
	Late renewal surcharge**	£41	£0	£41
	Duplicate	£21	£0	£21

\*\* Surcharge to be paid for renewal applications that are received within 30 days from the date the licence lapsed. Any renewal applications received after that period will not be accepted and a new application and associated fee will be required.

## Sports Grounds

### 5.16 Safety at Sports Grounds Act 1975

Application Type	Part A Fee	Part B Fee	Total Fee (Parts A and B)
New	£8,835	£0	£8,835
Replacement	£8,602	£0	£8,602
Transfer	£227	£0	£227
Duplicate	£21	£0	£21

## Zoos

### 5.17 Zoo Licensing Act 1981

Application Type	Part A Fee	Part B Fee	Total Fee (Parts A and B)
New	27,234	£0	£27,234
Renewal	£35,665	£0	£35,665
Exemption Request	£2,127	£0	£2,127
Alteration	£2,198	£0	£2,198
Transfer	£187	£0	£187
Duplicate	£21	£0	£21

## 6. Street Licensing Fees

- 6.1 The Street Trading fees set out within this section have been set under the provisions of the City of Westminster Act 1999

### Street Trading

- 6.2 City of Westminster Act 1999

Application Type	Fee
New Street Trading Licence	£93.73
Each additional pitch	£15.45
Applications which breach commodity guidelines and where there is a need to report to Committee	£169.95
Variation to reduce the number of commodities or to reduce the days or reduce the hours of trading	£17.51
Other variation applications	£55.11
Duplicate	£15.45
Fee for ID plate	£2.06
Entry of name on Register of Approval Casual Traders	£48.93
Application for a Street Trading Exhibitions Licence	£95.79

### Market Pitches

- 6.3 City of Westminster Act 1999

Markets	Daily Charge	With 5% Discount
Monday to Thursday	£10.61	£10.08
Friday	£20.16	£19.15
Saturday	£24.40	£23.18

- 6.4 Traders at isolated pitches selling commodities limited to ice cream or frozen confectionary are entitled to a 75% discount of the fees below between October and March inclusive.

<b>Isolated pitches in W1 or WC2</b>	<b>Daily Charge</b>	<b>With 5% Discount</b>
Monday to Thursday	£24.72	£23.48
Friday	£45.32	£43.05
Saturday	£53.56	£50.88
Sunday	£57.68	£54.80

<b>Isolated pitches not in W1 or WC2</b>	<b>Daily Charge</b>	<b>With 5% Discount</b>
Monday to Thursday	£19.06	£18.11
Friday	£36.20	£34.39
Saturday	£43.83	£41.64
Sunday	£47.64	£45.26

### **Approved Registration of Casual Trading**

- 6.5 Casual traders need to purchase pre-paid vouchers in order to trade. You can see the steps on how to become an approved casual trader by visiting [www.westminster.gov.uk/steps-become-approved-casual-trader](http://www.westminster.gov.uk/steps-become-approved-casual-trader)

<b>Casual charges</b>	<b>Daily Charge</b>
Monday to Thursday	£19.44
Friday	£28.50
Saturday	£29.72

### **Exhibition Sites**

<b>Sites</b>	<b>Charge Type</b>	<b>Daily Charge</b>	<b>With 5% Discount</b>
Bayswater Road Exhibition	Weekly charge (2.74m pitch)	£7.47	£7.10
Green Park Exhibition	Weekly charge per day (2.74m pitch)	£7.47	£7.10

## Tables and Chairs Licence

- 6.6 The following fees relate to Temporary Licences under the City of Westminster Act 1999, commonly referred to as Tables and Chairs. These fees came into effect from the 1<sup>st</sup> June 2003.
- 6.7 The fee structure for tables and chairs licences are made up of three components:
- 6.7.1 An initial application fee based upon the number of chairs applied for;
- 6.7.2 A supplement for new applications (as opposed to applications for a further licence to continue trading under the same terms and conditions. Note – applications for a further licence will only be accepted prior to the expiry of the current temporary licence. Applications received after expiry will have to pay the new application supplement); this varies also on the number of chairs applied for;
- 6.7.3 An hourly charge for every additional hour that the licence is in use past the hour of 7pm on any individual night of the week.

Number of chairs	Application fee	Supplement for new applications	Additional charge for each hour beyond 7pm per day
1 - 4	£325	£50	£7
5 - 9	£500	£75	£11
10 - 16	£900	£110	£15
17 - 23	£1,300	£175	£21
24 - 36	£1,750	£200	£28
37+	£2,400	£300	£38

- 6.8 A fee will also be made payable for an application to vary the terms and conditions of existing licences, and also the production of duplicate licences due to loss or change of premises name.

Application Type	Fee
Duplicate licence	£40
Variation of a licence	£150

6.9 An example of how the fees should be calculated is shown below:

*If a new application is made for a Tables and Chairs licence for 8 chairs with an extension of hours on Monday to Saturday up to 11pm,*

*The fee payable would be 6 days x 4 hours x £11 charge = £264 for the hours the premises use the licence after 7pm;*

*Application fee if £500; plus the supplement for new applications of £75*

*Total fee payable would be £839*

### **Operation of Loudspeakers in Streets or Roads**

6.10 Noise and Statutory Nuisance Act 1993

<b>Application Type</b>	<b>Fee</b>
Loudspeaker consent	£176
Opposed application of loudspeaker consent	£1,830.33

### **Operation of Amplified Noise Equipment in Controlled Area of Parliament Square**

6.11 Police Reform and Social Responsibility Act 2011

<b>Application Type</b>	<b>Fee</b>
Loudspeaker consent	£176
Opposed application of loudspeaker consent	£1,830.33

## **7. Annual Fees**

- 7.1 Annual fees are required for certain types of licences under the Gambling Act 2005 and Licensing Act 2003 where there is no renewal application process. Annual fees are payable each year and cover the costs associated with the on-going maintenance and development of these licensing regimes and for ensuring compliance with the Act.

### **Gambling Act 2005**

- 7.2 The Gambling Act requires all new premises licences holders to pay the first annual fee within 30 days from the date the licence is granted. All ongoing annual fees will then be payable to the council by the anniversary of the original grant date for the premises licence. If the fee is not paid then the council must revoke the licence, see part 9 for more information on failure to pay.

### **Licensing Act 2003**

- 7.3 Premises Licence and Club Premises Certificate holders must pay an annual fee before the anniversary of the original grant date for that licence. Failure to pay the annual fee prior to this date will result in the council suspending the relevant licence or certificate, see part 9 for more information on failure to pay.

### **Process of annual fee payments**

- 7.4 It is the responsibility of each licence holder to ensure that the annual fee is paid to the council in time. The Council will assist licensees by writing to them prior to the annual fee payment due deadline to inform them of this payment and how it can be made.
- 7.5 The payment for annual fees can be made online, over the phone or sent in as a cheque. Please see part 7 below for further information on payment options.
- 7.6 The Licensing Service does not currently issue invoices for annual fee payments and as a result licensees must ensure that they make a payment using one of the three payment options above before the required deadline.

## 8. Payment Options

- 8.1 The council provides a number of ways applicants and existing licensees can pay their fees. There are three ways to pay for a fee to the council. These are when making an application online via the online payment system, requesting to make payment over the phone using a credit or debit card on your paper application form and making a payment over the phone using a credit or debit card or sending in a cheque with the paper application fee.

### Online payment

- 8.2 If an applicant uses the online application process they will be required to make a credit or debit card payment via this process before the application is submitted to the council. This is the simplest and easiest way of making an application to the council and paying the required fee.
- 8.3 To apply online for the majority of licence applications please visit the council's website via [www.westminster.gov.uk/apply-for-licence-online](http://www.westminster.gov.uk/apply-for-licence-online).

### Telephone payment

- 8.4 If an applicant wishes to make a paper application but make the payment over the phone they can select that option by ticking the relevant box on the form. The Council will then contact the applicant via the preferred telephone number when the application is received to take the payment. The council accepts the following credit and debit cards.

Visa Credit	Visa - Delta Debit	Mastercard Credit
Mastercard Debit	Maestro Domestic	Maestro International
Electron		

### Cheques

- 8.5 An applicant can provide a cheque with their application made payable to Westminster City Council. Due to the time requirements for processing these cheques the council has established a cheque payment surcharge of £20 for all Type 3 and some of the Type 2 licensing regime fees. These surcharges are identified in parts 4 and 5 above. This surcharge is part of the fee level and if a cheque is received and does not meet the required fee level the application will be invalidated until the correct fee amount is paid within a specified period. If the fee level isn't paid correctly by the specified date then the application will be returned to the applicant as invalid (see part 9 below).

### Payment types that are not accepted

- 8.6 The council cannot accept American Express card payments via the online payment system or over the telephone.
- 8.7 The council does not have a facility to process cash and if any applications are received with cash these applications will be invalidated. From the 1<sup>st</sup> January 2016

the Licensing Service will no longer be accepting postal orders as payment for licence fees.

- 8.8 Any applications that are submitted with either cash or postal order as payment for the fee will be invalidated until the correct fee has been paid using an accepted payment method within a specified period. If the fee level is not paid correctly by the specified date then the application will be returned to the applicant as invalid (see part 9 below).



## 9. Refunds

- 9.1 Any requests for a refund must be made in writing to the Licensing Service, setting out the reasons for the refund request, which application the request relates to and providing the required information to enable the refund to be processed. To assist a refund request form has been provided with this document at Annex 1.
- 9.2 If a fee was paid over the phone then a refund can be made to the same card in which the payment was made from, subject to that card still being within the relevant expiry date.
- 9.3 If a licence, listed in part 5 above is surrendered during the period in which that licence is in force a refund of the part B fee will be provided for every full month of the outstanding period of that licence. The part A fee amount is non-refundable as this fee covers the initial processing cost for that application. An example of the calculation for a refund of part B is provided below.
- 9.4 A special treatment licence was issued from the 1<sup>st</sup> April but then surrendered on the 22<sup>nd</sup> October. The pro-rata refund would be calculated as follows:
- |                                   |                              |
|-----------------------------------|------------------------------|
| Part B fee paid -                 | £1,300                       |
| Part B fee divided by 12 months - | £108.33 per month            |
| Period of licence remaining -     | 5 months (November to March) |
- $£108.33 \times 5 = £541.65$
- 9.5 If an application is made to the council when it should have been made to another local authority then the council will refund the full amount if the fee has already been processed.

## 10. Failure to Make Payment

- 10.1 If the application fee is not paid, is made via a payment method that isn't accepted or is not the correct fee amount then the application will be deemed as invalid. This means that if that application process has a consultation period it will not have started and the council will not be able to determine the application.
- 10.2 In the event of an application being made without a fee, with the wrong payment method or with a fee which is not correct then a member of the Licensing Team will attempt to contact the applicant or its agent via email or telephone. If these methods are not available then a letter will be sent to the applicant or agent. The Licensing Team member will advise the applicant or the agent of the reasons for invalidity and what can be done to rectify the reason for invalidity.
- 10.3 The best option to address the issues with the fee is to make a payment over the phone via credit or debit card. Once the payment is authorised the officer will be able to confirm that the application is valid and any consultation start dates confirmed over the phone.
- 10.4 If payment cannot be made over the phone then a cheque can be sent to the council via the post. It should be noted that payment of any fee amount via cheque may require a £20 surcharge depending on the fee regime applicable for that application. The officer will advise the applicant or agent of this when confirming how the payment will be made. The application will not be made valid until the cheque, which has the correct fee on it has been received by the council. This may delay any consultation period start date.
- 10.5 If no payment is made or no contact is made by the applicant or agent within 14 days of the notification of the application being invalid the council will close the application. A new application will then be required in full. The applicant or agent will be notified of this in writing if the application is closed.
- 10.6 If an annual fee payment has not been made by the specific deadline the council will contact the licensee and advise them of the need to make the payment immediately. If the annual fee is not made then the council will take the required steps which will be to suspend the Licensing Act 2003 Premises Licence or revoke the Gambling Act 2005 Premises Licence or Permit.
- 10.7 If the licensable activity continues whilst a licence is suspended or revoked the council will start enforcement action for the relevant offence of operating without the correct permission being in place. It should be noted that some of the punishment relating to providing licensable activities without the required permissions can include imprisonment or a very large fine or both.



# City of Westminster

## Licensing - Refund Request Form

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

### 1. Reason for Refund

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### 2. Licence Details

<b>Licence/Application Number</b>	
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<b>Licensee/Applicant Trading as name</b>
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<b>Licence/Application premises address</b>
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<b>Post town</b>	<b>Post code</b>
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**3. Your personal details****Title Please tick**Mr  Mrs  Miss  Ms  Other (please state)

Surname

Forenames

**Company Name (If refund request is made on behalf of a company)****Address (We will use this address to correspond with you)****Post town****Post code****Telephone Numbers**

Daytime

Evening

Mobile

**E-mail Address**

<b>4. Account Details</b>	
Account Name	
<b>Bank Account Details</b>	
Account Number	Sort Code
Customer Roll Number	
Bank/Building Society	

<b>Signature</b>		<b>Date</b>	
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# City of Westminster

## **Licensing Teams**

Public Protection & Licensing  
Westminster City Council  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Tel: 020 7641 6500

[www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing)