



# LICENSING COMMITTEE REPORT

Date	<b>28 November 2018</b>
Classification	<b>For general release</b>
Title or report	<i>Fees and charges review for street trading on a pitch at a market in Westminster</i>
Report of	<b>Director of Public Protection and Licensing</b>
Decision maker	<b>Licensing Committee</b>
Wards involved	<b>All</b>
Financial summary	This report sets out the results of the consultation into the fees and charges for street trading on a market where the Authority can set a fee to recover its costs in relation to a licence application and services provided for administration, cleansing, waste disposal and enforcement.
Report author and telephone	Rosalind Hick, Team Manager Regulatory Standards Ext. 1775

## 1 Executive Summary

- 1.1 This report seeks a decision to implement a revised set of fees for the application for a licence for street trading on a market pitch in Westminster, and the charges applied for each day that the licence is in force, following the consultation, approved by the Licensing Committee on 4<sup>th</sup> July 2018.



- 1.2 The consultation ran as part of a wider consultation into markets across Westminster, from 6<sup>th</sup> August 2018 until the 29<sup>th</sup> October.
- 1.3 As part of the consultation, proposals for a new application fee and 4 options for the daily charge were set out. The proposals also included some concessions on the application fee for charitable or community events, for start-up businesses and for Westminster residents.
- 1.4 Licence holders affected by the proposal and representative trade bodies were notified of the changes proposed and given the opportunity to make representations and provide their views.
- 1.5 The consultation produced a large number of responses from traders, summarised within this report, with a clear preference for the option that set out charges over a two year period, with a tapered charge in year one. Support was also given for the proposed revised application fees and associated concessions.
- 1.6 A number of general comments were also received from traders, across all markets. A summary of these broken down by market is included in the report. These traders have also been given the opportunity to meet officers in person and/or attend the Licensing Committee hearing to discuss the fee and charges proposed, making further representation.
- 1.7 The provisional findings of the wider consultation into markets across Westminster and the next steps towards the development of a strategy for markets across Westminster are provided to the Licensing Committee as a separate presentation for information.

## **2 Recommendations**

- 2.1 That the Committee give consideration and their approval for:
  1. The proposed application fees as set out in **Appendix A**
  2. The concessions on the application fee in relation to charitable or community stalls, start-up business and Westminster residents as shown in **Appendix A**



3. Option 4 of the proposed daily charge for a pitch on a market in Westminster; a tapered rate over a two year period, of £16 Monday – Thursday and £22 Friday and Saturday in year one, rising to £22 across all days in year two as shown in **Appendix B**.

55% of traders responding to the consultation were in support of Option 4 which allows traders a one year transitional period to full charging.

4. For all the above to be applied to all applications and all existing traders as of the 1<sup>st</sup> April 2019.
5. For all waivers to continue as per existing Street Trading policy 2013
6. A further review on the fees and charges for street trading on a pitch at a market in Westminster to be brought to Licensing Committee in April 2020, in line with the provisions set out in the City of Westminster Act 1999 ( The Act ), and annual fee reviews thereafter.

### **3 Background**

- 3.1 The last full fee review in relation to street trading was taken to Licensing Sub Committee on the 15 June 2006.
- 3.2 The criteria for determining charges for street trading in Westminster is set out in section 22 of The Act. Within The Act, the council is allowed to recover certain costs associated with the administration of any street trading application, that is, the Application Fee, and costs for cleansing, waste disposal and enforcement, that is the Daily Charge. Any fee review can only seek to cover these provisions.
- 3.3 Costs associated with maintenance of public realm infrastructure and new schemes cannot be included in licensing fees or charges. These costs are borne by the council from capital budget or other funding streams.
- 3.3 The proposals for a revised application fee and daily charge show an increase in fees to enable cost recovery on an annual basis. The present position is that existing fees and charges do not represent cost recovery and there is an accumulated deficit on the street trading account. This deficit has accumulated due to the length of time since the last full fee increase.



- 3.4 It is recognised that were the council to recover this accumulated deficit this could place significant financial pressure on existing traders. Therefore, none of the proposed fee options included the recovery of this deficit. For context, the deficit built over the last four years is in excess of £1million
- 3.5 The decisions of the Supreme Court in April 2015 and July 2017 in *Hemming vs Westminster City Council* in relation to fee setting and the recovery of costs were applied in full to the fee review proposals.
- 3.6 Street trading fees and charges in respect of street trading isolated pitches are not considered within this report.

#### **4 Consultation Framework**

- 4.1 Under section 22 (9) of The Act, before any charges are determined or varied, notice must first be given to all existing licence holders and representative bodies. This notice has to set out the proposals and proposed charges and must be accompanied by a statement showing how the proposed charges have been calculated. A minimum 28 days consultation period is allowed to enable representations to be made.
- 4.2 After the Licensing Committee decision to approve the consultation on the 4<sup>th</sup> July, throughout the month of July, pre consultation drop in sessions were set up for traders at each market, to enable questions to be raised before the formal consultation launch date.
- 4.3 The consultation formally began on the 6<sup>th</sup> August 2018 and ran until the 29<sup>th</sup> October. This extended period enabled a broad consultation and a variety of opportunities for traders to participate.
- 4.4 A formal notice was put on the Public Notice page of the Westminster Gazette on the 14<sup>th</sup> September 2019
- 4.5 4 letters were sent to traders between the 21<sup>st</sup> June and the 28<sup>th</sup> September. These letters set out the aims of the consultation, informed traders how they could respond and directed traders to the Westminster website where full information could be found on the proposed fees and charges and how they were calculated.



- 4.6 The Westminster website was updated with full information on proposed fees and charges, giving traders clear information on the costs associated with markets and how the proposed application fee and daily charge were calculated. Details of the information provided are set out in **Appendix C.**
- 4.7 During the consultation, licence holders were asked whether they supported the views on the proposed application fees and charges and the proposed concessions for charitable and community events, start-up businesses and Westminster residents.
- 4.8 4 options were provided for the daily charge. Licence holders were asked to select the options they preferred. An opportunity was also given for further comments and suggestions.
- 4.9 Drop in sessions were arranged for each market, attended by officers from Licensing and Economic Development. These sessions gave the opportunity for anyone who wished to attend to discuss matters around the market and opportunities for improvement. A separate section was available for traders to discuss fees and charges.
- 4.10 On street researchers attended each market to gather views and complete the survey together with traders.
- 4.11 A summary table showing all parts of the consultation is included in **Appendix D.**

## **5 Consultation Results – Fees and Charges overview**

- 5.1 In terms of a fee and charges review, the Act makes it clear that representations and responses received should relate to the proposed fees and charges put forward.
- 5.2 In total 73 responses were received from licensed traders. The breakdown of traders from each market is shown below:



Market	Trader surveys	Total traders licensed	Response percentage
Berwick Street	10	24	42%
Church Street	32	146	22%
Maida Hill	1	3	33%
Rupert Street	1	2	50%
Strutton Ground	15	23	65%
Tachbrook Street	14	20	70%
<b>Total</b>	<b>73</b>	<b>218</b>	<b>33%</b>

- 5.3 The questions asked in the consultation were structured, and the majority of traders only gave responses indicating whether they agreed or disagreed with the application fee and concessions, and which of the options for the daily charge they favoured.
- 5.4 There was an opportunity for a section to be completed on additional comments, and 34 additional comments were made here by traders. 12 of these suggested an alternative idea for the daily charge or additional concessions, 11 were a request to keep the fees the same or as low as possible, 7 were a comment on the methodology used to set the daily charge and the decision to increase fees at this time and 4 related to the service or facilities on the market. The breakdown of comments by market and separately a list of the comments made is shown in **Appendix E**.
- 5.5 The Act sets out that the council must give any person who makes representation by the due date an opportunity to make oral representation to the council and it may at its discretion give to other persons making representations a similar opportunity.
- 5.6 Traders making specific comment as a result of the consultation have been written to, inviting them to discuss their concerns in person with officers from the Licensing Service and/or attend the Full Licensing Committee, with a deadline for communication by the 13<sup>th</sup> November. No further comments have been received.



## **6 Application Fee - response**

- 6.1 The proposed application fees, shown in **Appendix A**, are calculated by assessing the time it takes for each step in the application process based on hourly rates.
- 6.2 For some applications, such as those where the applicant will be selling high-risk food, Environmental Health Officers will need to spend more time on the application to ensure that the trader adequately meets food safety requirements. The proposed fees were therefore different for applications to sell non-food, fresh produce or hot take away food.
- 6.3 No general comments were received from traders regarding the application fee. However, 51% of traders agreed that there should be a higher application fee to sell hot food.

## **7 Application Fee Concessions – response**

- 7.1 The following concessions were proposed on the application fee:
- 100% waiver of application fee for charitable or community organisations
  - 50% discount on application fee for applications from start-up businesses (business which has been registered at Companies House, HMRC or registered self-employed for less than 12 months before an application is made).
  - 20% discount on application fee for applications from Westminster residents.
- 7.2 All of the concessions above received favourable responses in the consultation.
- 51% agree charitable or community organisations should have the application fee waived.
  - 56% agree Start-up businesses trading for less than 12 months should receive a 50% discount on their application fee.
  - 44% agree Westminster residents should receive a 20% discount on their application fee.



## 8 Daily Charge - response

8.1 Section 22 of The Act provides that the council can recover costs associated with waste disposal, cleansing, administrative costs and enforcement.

These costs are set out in **Appendix F**

8.2 The options for the daily charge were calculated by taking these costs and identifying a charge that would meet them, given the number of pitches in markets across Westminster and an occupancy rate that identified how often these pitches are used.

8.3 Of the 4 options proposed in the consultation, the majority of traders were in favour of the tapered increase in charges (55%), Option 4. This option, set out a charge of £16 for Monday to Thursday in year one, increasing to £22 in year two. The charge for Friday and Saturday would not be tapered and will be £22.

8.4 The Council has no legal requirement to implement the option preferred by most traders, however it is recognised that Option 4 above allows for a transition period into the full charging model.

8.5 The responses of traders against each option are shown below:

Option 1	A standard charge of £22 per day across all markets and all days	20%
Option 2	A charge of £20 per day for non-food and fresh produce traders and a charge of £25 per day for hot food/ take away traders	29%
Option 3	An area based charge: £21 per day for Church Street and Maida Hill, £22 per day for Strutton Ground and Tachbrook Street, £24 per day for Berwick Street and Rupert Street	6%
Option 4	A charge of £16 for Monday to Thursday in year one, increasing to £22 for all days in year two. The charge for Friday and Saturday would not be tapered and will be £22.	55%

## 9. Financial Implications

9.1 Fees and charges are based on cost recovery as defined within section 22 of The Act. Under current fee and charging arrangements, the council's deficit over the last three years is in excess of £1million.



### **Application Fees**

- 9.2 Application fee concessions as noted in 7.1 recognise that markets provide an opportunity for local employment, and development of small business. A lack of specific data on numbers of small businesses, resident traders and community organisations making applications means that the impact of these concessions cannot be accurately predicted. Any future fee review will provide more detailed analysis of the impact of these concessions, so that can be given full consideration by the Licensing Committee.

### **Daily Charges**

- 9.3 **Appendix G** shows projected income/cost against each of the four charging options.

With current occupancy rates, the tapered Option 4 would result in a deficit of £234,585 in year one, that is in 2019/20. If this option was approved, this deficit would be funded through the council's general fund, and represents a £80k reduction in deficit compared to the previous year. This deficit would be borne by the council to ease pressure on traders as we move into full cost recovery.

Under Option 4 the charge of £22 per day in year two, based on current occupancy rates, will achieve cost recovery.

- 9.4 Fee and charges reviews, subsequent to year two, will be undertaken on an annual basis, considering any accumulated surplus or deficit on the street trading account. This allows for appropriate management of the account and a clearer system for traders.

## **10 Implementation of fee and charge proposals**

- 10.1 Following the decision of this Licensing Committee, as set out in the Act, the Council should, as soon as is reasonably practicable by notice in writing inform all licence holders affected by the council's decision as to the determination or variation of fees or charges.
- 10.2 The Act further states that the fees and charges as determined or varied by the council shall come into force on a date set by the council which



shall be not less than 14 days from the date on which the decision as to the determination or variation of fees or charges was made.

- 10.3 An implementation date of 1<sup>st</sup> April 2019 would provide an opportunity for existing traders to plan for the increase in fees and avoid the increase coming in during the winter months, which are traditionally slower for traders. It would also mean implementation at a time when the market strategy is further developed and other initiatives to support traders progressed.

## 11 Waivers

- 11.1 The Street Trading Policy 2013 sets out a number of waivers that can be applied to individual licence holders who are impacted by circumstances outside their control that affect their ability to trade from their licensed pitch. They include those traders who are a start-up business or part of an Enterprise scheme and those licensed traders who have had to change their pitch or location due to circumstances beyond their control and who have found this has had an adverse effect on their revenue.
- 11.2 Any trader may apply to the Licensing Service for a reduction in their daily charge, if they meet the criteria in the street trading policy. Each individual case will be assessed by the Service on its merits

## 12 Legal Implications

- 12.1 Whilst the legal implications are set out throughout the body of this report, for clarity, the relevant sections of the Act are set out in **Appendix H**
- 12.2 Street Trading is covered by the European Union Services Directive. Regulation 18 of the Provision of Services Regulations 2009 which implements the EU Services Directive into UK law requires that fees charged in relating to authorisations must be proportionate to the effective cost of the process. The proposed fees must recover the council's costs in relation to the licensing process and cannot be used as an economic deterrent or to raise funds. The fees as proposed should enable to Council to recover its reasonable costs.



### 13. Equalities

Equalities issues have been addressed through appropriate equality impact assessment.

**If you have any queries about this Report please contact:**

*Rosalind Hick, Team Manager Regulatory Standards at  
rhick@westminster.gov.uk*

### **Background papers**

Licensing Street Trading Policy 2013

City of Westminster Act 1999



## APPENDIX A – Proposed Application Fee

	Officer time (mins)			Proposed fees				Existing Fees
	Senior Licensing Officer	City Inspector	Env. Health	Fee	Start up business (50%)**	WCC Residents (20%)**	Charity or Community Stall	
New / Variation to sell hot take away food	30	30	120	£260	£130	£208	£0	From 93.73* to 169.95
New / Variation to sell fresh produce	30	30	30	£126	£63	£101	£0	
New / Variation to sell non food items	30	30	10	£96	£48	£77	£0	
Minor variation* to remove or add trading days or commodities within the same category	30	15	0	£60	£30	£48	£0	
Application to be on approved list of casual traders	30	15	0	£60	N/A	£48	N/A	48.93
Registration of Assistant for existing licence holders	15		0	£19	N/A		N/A	
Replacement Licence / Licence plate	15		0	£19	N/A		N/A	15.45 plus 2.06
Application for further temporary licence*	15		0	£19	N/A		N/A	
*one fee representing minimal officer time the other fee for more complex cases								
**Where more than one discount can be applied for, the higher discount will be used								

**Appendix B – Proposed Daily Charge Options for Consultation**

\*5% discount applies to all charges when paid by direct debit

<b>Option 1</b>	<b>Standard Charge</b>	
	Charge across all markets and days	£22.00

<b>Option 2</b>	Higher rate for Hot / take away food traders	
	(hot / take away food trader)	£25.00
	(non-food or fresh produce trader)	£20.00

<b>Option 3</b>	<b>Area based charge</b>	
	North (Church Street, Maida Hill)	£21.00
	Central (Berwick Street, Rupert Street)	£24.00
	South (Tachbrook Street, Strutton Ground)	£22.00

<b>Option 4</b>	Tapered Increase	
	* This charge is a two year proposal the taper will apply to Monday - Thursday fees only	
	Year 1 - Monday - Thursday	£16.00
	Year 1 - Friday - Saturday	£22.00
	Year 2 - All days and all markets	£22.00

	Charge if deficit were recovered (not being considered)	£31
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**APPENDIX C INFORMATION ON FEES AND CHARGES FROM WESTMINSTER WEBSITE**

<https://www.westminster.gov.uk/market-strategy>

Westminster is currently holding a consultation on a strategy for its markets.

We are asking residents, community groups and traders to give their views on a strategy to help the city's 6 street markets thrive. The council wants to help the markets become more environmentally and financially sustainable, offer a more diverse mix of products and invest in new IT and infrastructure.

The consultation includes proposals for a new set of street trading fees and daily charges. Fees and Charges are covered under section 22 of the City of Westminster Act 1999. This provides for the recovery of the reasonable costs associated with dealing with applications – the Application Fee.

It also provides for the Council to recover from licence holders the reasonable costs associated with cleansing (including waste collection) and those costs associated with the administration and the enforcement of the provisions of the Act – the Daily Charge.

The proposed [application fees](#) are calculated by assessing the time it takes for each step in the application process. The time has been assigned a cost based on hourly rates.

The options for the [proposed daily charge](#) are calculated by taking the number of pitches in markets across Westminster, with an occupancy rate that shows how often these pitches will be used, and identifying the charge that will meet the costs with cleansing (including waste collection) and with the administration and the enforcement of the provisions of the Act. ([Costs associated with daily charge](#))

Details of the proposals are contained within the [Licensing Committee Report dated 4 July 2018](#)

Traders, trade associations, residents and other stakeholders can comment and provide feedback.

Visit [Open Forum](#) to find out more.

**APPENDIX D – CONSULTATION TIMETABLE**

<b>Detail</b>	<b>Market</b>	<b>Date</b>
Letter to Licence holders notifying them of report to Licensing Committee	ALL	Thursday 21 <sup>st</sup> June
Licensing Committee hearing	ALL	Wednesday 4 <sup>th</sup> July
Letter & Email to Licence holders following Licensing Committee	ALL	Thursday 5 <sup>th</sup> July
Pre consultation drop in session	Strutton Gd & Tachbrook St	Monday 9 <sup>th</sup> July Friday 13 <sup>th</sup> July
Pre consultation drop in session	Berwick & Rupert Street	Wednesday 11 <sup>th</sup> July
Pre consultation drop in session	Church Street	Monday 16 <sup>th</sup> July
Pre consultation drop in session	Maida Hill	Wednesday 18 <sup>th</sup> July
Letter to traders to start formal consultation	ALL	Monday 6 <sup>th</sup> August
Launch of consultation website	ALL	Monday 6 <sup>th</sup> August
Publication of formal notice in Westminster Gazette	ALL	Friday 14 <sup>th</sup> September
Website update – additional information on fees and charges	ALL	Tuesday 18 <sup>th</sup> September
Drop in session	Strutton Ground	Wednesday 12 <sup>th</sup> September
Drop in session	Maida Hill Place	Wednesday 19 <sup>th</sup> September
Drop in session	Church Street	Tuesday 2 <sup>nd</sup> October
Drop in session	Tachbrook Street	Tuesday 9 <sup>th</sup> October
Drop in session	Berwick & Rupert Street	Tuesday 16 <sup>th</sup> October
On street researchers		
Reminder letter to traders about consultation end date	ALL	Friday 28 <sup>th</sup> September

## APPENDIX E– BREAKDOWN OF ADDITIONAL COMMENTS RECEIVED FROM LICENCE HOLDERS IN RELATION TO FEES AND CHARGES

### 1. Breakdown of comments by subject and market

	Alternative daily charge /concessions	Request not to raise fees	methodology / why change fees now	service / facilities
Berwick Street	1	1	2	2
Church Street	5	6	1	1
Maida Hill				
Rupert Street				
Strutton Ground	3	1	3	1
Tachbrook Street	3	3	1	
<b>Total</b>	<b>12</b>	<b>11</b>	<b>7</b>	<b>4</b>

### 2. Detail of comments

No.	Comment
	<b>Alternative Daily Charge / additional concessions</b>
1	IN MY FAIR OPINION. A FEE OF £16 PER DAY FOR NON FOOD AND FRESH PRODUCE TRADERS AND A FEE OF £20 PER DAY FOR HOT FOOD/TAKE AWAY TRADERS FOR MONDAY TO THURSDAY AND £22 FRIDAY-SATURDAY IN YEAR ONE.THEN A FEE A FEE OF £25 PER DAY IN YEAR TWO FOR FRIDAY AND SATURDAY ONLY BECAUSE CHURCH STREET MARKET NEED A LOT OF IMPROVEMENT
2	It should go on the size of the pitch how much electric is used, and water. And introduce free parking if the pitch fees are going up
3	The charges should be reduced for long time trade
4	Yes give traders six weeks free trading per year for holidays and no charge if they are ill and produce med cert also reinstate weekly payment so there is no arrears
5	Hot food stalls should pay a premium rent as opposed to fresh produce stalls and non food stalls.ie £35 per day
6	Hi right know business are quite even big business also struggling so if u increase 100 percent then no body can afford we know last 12 years u don't increase that's not our fault .so please increase bit by bit like 10 percent now and then give us some time.hope u understand our situation.thanks ur cooperation.
7	As Monday to Friday business are a bit quiet so it must be a cheaper price to trader so we can survive

8	I do not agree with the proposed increase as it is too high. A 10-15% increase sounds fair and it's more manageable for the business.
9	20 pound is OK
10	The charges should rise in line with inflation and not more than that.
11	There should be no charge for bank holidays and Christmas day, at least 1 week free for personal holiday.
12	As a new traders fee should be 50% off for 6 months. This is to ensure that they can get profit that are reliable . Don' t forget we need to take account of parking, fuel for vehicle and storage to keep the business going.and Human resources as well
<b>Comment / request to keep fees same or lower</b>	
13	The charges should remain the same.business have really gone down
14	Present charges is ok
15	Keep them as they are. I have two pitches in Church Street for five days. At present I'm paying £580 a month. Looking at the proposed fees I'm liable to be paying at least £800 a month. Quite how this will encourage new traders I can't imagine.
16	I suggest 15 pounds max
17	Good charges for now...but not happy with increment in charges
18	Hi please don't increase rent like 100 percent if u increase like 100 percent I can't afford.please think about my family.i have children I work then i make some money to feed my family.if I lose my business I can't feed my family hope u understand my situation please increase like 10 percent. Think about that's for your self if ur same situation then how u feed ur family.thanks
19	Don't raise the fees please
20	Keep them low
21	Suggest to live it at minimum ad it is.. 10pounds a day
22	Keep the fees as they are as it's council run market and not a privately run market. There are many markets that are not run by the council and are given to private companies to run who increase the pitch rent to make profit. Markets stalls should be a non profit making scheme for the council as they are already getting paid rent for the pitch being used.
23	Decrease the rent amount because there isn't enough sales happening which means that I am not getting enough profit.
<b>Comment on methodology and decision to implement new fees now</b>	
24	We believe that all these options and charges imply an excessive rate of increase that is beyond inflation or any reasonable and justify account. These proposed increases will seriously affect small and difficult business that provide a vital service to the community with a faulty consultation that only consult rate

	extreme high increases that are more that 30 times the rate of inflation without giving options for reasonable increase.
25	I am finding as a non hot food trader EXTREMELY DISPROPORTIONATE the prices in comparison of what hot food traders can earn in a single day it's nothing compare to what they pay.  Hopefully I will became one hot food trader very soon.
26	Charges only in accordance with the act (Westminster 1999) subject to transparency on all costs. No additional charges whatsoever. Reduction of 25% yearly for disruptions. Costs need to be reasonable.
27	None of the above options are preferred as this is approx a 90% increase of our current fees. As you have increased the hot food stalls over and above what we [as long term traders] were promised our income has substantially decreased. I, for one cannot afford such an increase. I understand there must be an increase but not 90%. The current inflation rate is 2.3% so an overall increase of 10% would be fair. This can be reviewed after 1 year. Quoting from your own website [section 22 [1] of the  City of Westminster act 1999 "the recovery of reasonable costs" 90% is not reasonable. We are gaining nothing new - no electricity, no water or reduced parking fees. As all of my packaging is bio degradable [this should be compulsory on all Westminster markets] it is in the council's interest to encourage the public to recycle with specialist bins - this should be mandatory.
28	As reasonable as possible
29	They shouldnt raise the fee until the building work is done
30	For me non of those suggestions aren't good.My opinion is ; Council have to find other way to make money for covering the market cost not to punishet those Market trader. Because council didn't do nothing for Market trader to make eazy live for us.
<b>Facilities / Service</b>	
31	At the moment we are paying for licensing, enforcement, waste and cleaning - unfortunately, the street is never clean!  Everything included in the licence we pay at the moment should be at work. On top of that, I would be able to pay if there was storage, facilities, kitchen.
32	The charges are too high.and parking facilities need provided
33	I don't agree with the high rent increase. We don't have water, toilets and electricity and we're not getting anything for the extra fee when other markets already have all those facilities. An increase of 10% would be more fairer.
34	That they are only implemented when a permanent and cost-effective parking solution is implemented for all traders. i.e reduced parking charges at nearby car parks without increases or allowed nearby parking on the street



## APPENDIX F - Costs Associated with Cleansing, Administration and Enforcement

COSTS				
Market	Administration	Enforcement	Cleansing	Total
<b>NORTH</b>	45,638.93	158,884.86	465,651.47	670,175.26
<b>CENTRAL</b>	107,045.71	116,108.17	79,919.78	303,073.66
<b>SOUTH</b>	69,171.44	131,385.56	68,227.40	268,784.40
<b>TOTAL</b>	221,856.08	406,378.60	613,798.65	<b>1,242,033.33</b>



## APPENDIX G – PROJECTED INCOME FOR DAILY CHARGE BY OPTION 1-4

	Expected Costs 2018/2019	Predicted Income	Deficit
Option 1	1,242,033.33	-1,218,360.00	23,673.33
Option 2	1,242,033.33	-1,204,350.00	37,683.33
Option 3	1,242,033.33	-1,212,328.00	29,705.33
Option 4 (year one)	1,242,033.33	-1,007,448.00	234,585.33



## APPENDIX H – Relevant parts of the City of Westminster Act 1999

- 22 (1) The council may charge for the grant or variation of street trading licences such fees as are sufficient in the aggregate, taking one year with another, to recover the reasonable costs of dealing with such applications
- 22 (2) The council may recover from licence holders such charges as may be sufficient on the aggregate, taking one year with another, to cover the reasonable costs of-
- a) the collection, removal and disposal of refuse or other services rendered by them to such licence holders: and
  - b) the cleansing of streets in which street trading takes place in so far as that cleansing is attributable to such trading: and
  - c) any reasonable administrative costs or other costs not otherwise recovered under the Act incurred in connection with the administration of the provisions of this Act; and
  - d) the cost of enforcing the provisions of this Act
- 22 (8) The council may determine that a fee be charged, on application, for the grant of a temporary licence under section 21 of the City of Westminster Act 1999. It may under the Act take into account the costs of dealing with applications, the cost of administration and enforcement.
- 22 (9) of the City of Westminster Act 1999
- The Council shall not determine or vary charges made under subsection (2) unless they have first given notice in writing to:-
- a) All licence holder affected by the proposal
  - b) Any body which appears to the council to represent such licence holders
- The notice shall
- a) Give details of proposed charges



b) State that representations may be made regarding the proposed charges by the date specified in the notice as the due date which date shall be not less than 28 days after the notice has been given.

c) Be accompanied by a statement showing how the proposed charges have been computed

22 (15) As soon as practicable the council shall by notice in writing inform all licence holders affected by the council's decision as to the determination or variation of fees or charges.

22 (16) The fees and charges as determined or varied by the council shall come into force on a date set by the council which shall be not less than 14 days from the date on which the decision as to the determination or variation of fees or charges was made