



2001 CHAPTER 8

Licensing of street traders

Fees and charges

15.—(1) A council may charge—

- (a) for the grant or renewal of a street trading licence;
- (b) for the grant of a temporary licence; or
- (c) for varying under section 11(1)(a) the conditions specified in a street trading licence,

such fees as the council may determine and as may be sufficient in the aggregate, taking one year with another, to cover any reasonable administrative or other costs (excluding the costs mentioned in subsection (2)(c)) in connection with its functions under this Act, not otherwise recoverable.

(2) A council may recover from holders of street trading licences or temporary licences such charges as may be sufficient in the aggregate, taking one year with another, to cover the reasonable costs, not otherwise recovered, of—

- (a) the collection, removal and disposal of refuse or other services rendered by the council to such licence holders;
- (b) the cleansing of streets in which street trading takes place in so far as that cleansing is attributable to such trading;
- (c) any reasonable administrative or other costs not otherwise recovered under this Act in connection with the services mentioned in paragraphs (a) and (b).

(3) Before determining or varying any fees or charges under subsection (1) or (2), the council shall—

- (a) give notice of the proposed fees or charges to licence holders affected by the proposal; and
 - (b) publish notice of the proposed fees or charges in 2 or more newspapers circulating in the district of the council.
- (4) The notice shall indicate—
- (a) that a statement has been prepared showing how the proposed fees or charges have been calculated; and
 - (b) the location at which the statement is available for inspection.
- (5) The notice shall specify a period, being not less than 28 days from the date of its first publication in accordance with subsection (3)(b), within which written representations concerning the proposed fees or charges may be made to the council.
- (6) The council shall, in reaching a decision regarding the determination or variation of any fees or charges, consider any representations made to it within the period specified under subsection (5).
- (7) Where the council has reached such a decision, it shall—
- (a) give notice of the decision to licence holders affected by the decision; and
 - (b) publish notice of the decision in 2 or more newspapers circulating in the district of the council.
- (8) The council may determine the time and manner in which fees or charges are to be paid.
- (9) Where a council refuses an application under section 5 or 14(2), it shall refund any fee paid less any costs necessarily incurred by the council in deciding the application.
- (10) Where a street trading licence is revoked under subsection (1)(a) or (b) of section 10, the council shall refund such part of any fee paid for the grant or renewal of the licence as appears to the council appropriate, having regard to—
- (a) the period for which the licence had been in force at the date of its revocation, and
 - (b) any costs necessarily incurred by the council in deciding the application to grant or renew the licence.
- (11) The council may refund, in such other circumstances as it considers appropriate, the whole or a part of any fee or charge.