



City of Westminster Act 1999

1999 CHAPTER i

22 Fees and charges

- (1) The council may charge to applicants 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.
- (2) The council may recover from licence holders such charges as may be sufficient in 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 this Act incurred in connection with the administration of the provisions of this Act; and
 - (d) the cost of enforcing the provisions of this Act.
- (3) The council may make a charge for the supply of an approved form of identity issued under subsection (9) of section 9 (Street trading licences) of this Act and for a plate identifying a street trading pitch; any such charge shall not exceed the council's reasonable costs of supplying those items.
- (4) The council may charge an annual fee for registration or renewal of registration in the register established under subsection (6) of section 21 (Temporary licences) of this Act, sufficient in the aggregate, taking one year with another, to cover the council's cost of administering the registration scheme.
- (5)
 - (a) The council may at the request of a majority of licence holders in a particular market or area provide other services to licence holders in that market or area;
 - (b) The cost of these services may be included in the charge referred to in subsection (2) above provided that those costs are only included in the charges made to the licence holders in that particular market or area;
 - (c) At any time a majority of licence holders in a particular market or area may request the council to cease to provide such services and the council shall,

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

subject to any contractual arrangements, accede to such a request within three months of the request.

- (6) Without prejudice to the generality of subsection (2) above it shall be lawful for the council to make a lower charge to licence holders who pay charges in full in advance or in full by means of standing order or direct debit.
- (7) The council may require that an application for a licence or for variation of a licence under this Act be accompanied by the whole or part of the fee determined under subsection (1) above.
- (8) The council may determine that a fee be charged on application for the grant of a temporary licence under section 21 (Temporary licences) of this Act, and in determining the amount of such fees they shall have regard to the matters specified in subsections (1), (2) and where appropriate (5) above and such fees shall be included in the computation for the purposes of determining the charges under subsections (1) and (2) above.
- (9) The council shall not determine or vary charges made under subsection (2) above unless they have first given notice in writing to—
 - (a) all licence holders who would be affected by the proposal; and
 - (b) any body which appears to the council to represent such licence holders.
- (10) 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.
- (11) Within 21 days of the giving of the notice any body representative of licence holders may ask the council for such further information or explanations with regard to the proposed charges as the body concerned may reasonably require to ascertain whether the proposed charges are reasonable and in accordance with the provisions of this section and as soon as reasonably practicable the council shall comply with the request.
- (12) Where a request under subsection (11) above is made the period within which representations may be made shall be extended by the number of days in the period beginning with the date on which the request is made and ending on the date that it is complied with.
- (13) As soon as practicable after the expiry of the period specified in subsection (10) above, with any extension under subsection (12) above, the council shall consider all representations received by that date and may at their discretion consider representations received after that date.
- (14) The council shall give to any person who may make representations by the due date an opportunity to make oral representations to the council and may at its discretion give to other persons making representations a similar opportunity.
- (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.

Status: *This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

- (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.