

LICENSING ACT 2003 – ANNUAL FEES

RECOMMENDATION

- 1.1 To consider the information contained in the report regarding the associated problems with annual fees.
- 1.2 To approve the proposal to forward a representation to the Department for Culture, Media and Sport (DCMS) and LACORS with regard to the annual fees payable under the Licensing Act 2003.

SUPPORTING INFORMATION

- 2.1 Under the Licensing Act 2003, each premises carrying out Licensable activities as defined by the Licensing Act 2003 must hold a Premises Licence for which there is an annual fee.
- 2.2 An annual fee is due on the anniversary of the Premises Licence being issued and the sum is dependant on the rateable value of the premises.
- 2.3 There are no provisions within the Licensing Act for the Premises Licence to become invalid if the fee is not paid. This is contrary to the requirements under the Gambling Act 2005 in that if the annual fee is not paid the licence is invalid.
- 2.4 This has resulted in many premises continuing to operate without paying their annual fee.
- 2.5 The amount owed to the Licensing Authority at the start of the financial year was £116,000. Following a great deal of work by officers from licensing and finance, over £80,000 has been recovered. Approximately £5,500 has been written off because licence holders have changed and are now untraceable. The current amount outstanding as at June 2010 is approximately £30,000.

- 2.6 Chasing the outstanding money from business proprietors involves a great deal of time and could be easily avoided if non-payment of the annual fee rendered a licence invalid. It is proposed to forward a representation to DCMS and LACORS about this matter and recommending a change in the legislation in line with the requirements of the Gambling Act 2005.

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Background papers:	None
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial

1. As set out in the report.

Legal

2. As set out in the report.

Personnel

3. None directly arising from this report.

Equalities Impact

4. None directly arising from this report.

Corporate objectives and priorities for change

5. The recommendation contained in this report contributes to the corporate objective of **giving excellent services and value for money**.