

TO: LICENSING AND SAFETY COMMITTEE
12 JUNE 2014

LICENSING ACT 2003 LOCALLY SET FEES
Chief Officer: Environment and Public Protection

1 INTRODUCTION

- 1.1 This report highlights a recent Home Office consultation in respect of fees charged for authorisations granted under the Licensing Act 2003.

2 SUPPORTING INFORMATION

- 2.1 The Licensing Act 2003 (the 2003 Act) regulates the sale of alcohol, the provision of late night refreshment and regulated entertainment. The fees charged for applications are intended to recover the costs that licensing authorities incur in carrying out the licensing functions, for example processing applications, dealing with enquiries and managing the register of licences issued under the 2003 Act.
- 2.2 The current national fee levels were set in 2005. They have not been adjusted since, other than for the introduction of new fees for new processes such as minor variation applications. The Police Reform and Social Responsibility Act 2011 amended the 2003 Act to introduce a power for the Home Secretary to prescribe in regulations that in future fee levels should be set by individual licensing authorities to enable them to recover their licensing costs.
- 2.3 The consultation sought views on matters such as whether and under what circumstances licensing authorities should be able to charge different amounts to different types of premises, the maximum amount that can be charged (i.e. caps) and mechanisms to reassure fee-payers that fees are being set transparently and at cost.
- 2.4 As an example, applicants for a new premises licence currently pay a fee dependent on the non-domestic rateable value of the property. In future, the fee may vary depending on whether the premises plans to operate to a late terminal hour, and/or if the premises will be used primarily for the sale of alcohol for consumption on the premises. It is emphasised within the consultation that the caps on the level of each fee are to reassure fee payers, and are not intended to be a guide to fee levels. As an example, the proposed cap for a fee for a temporary event notice is £100, and a premises licence is £2400.

3 EQUALITIES IMPACT ASSESSMENT

- 3.1 None.

4 STRATEGIC RISK MANAGEMENT ISSUES

- 4.1 None.

Background Papers

None

Contact for further information

Laura Driscoll, Licensing Team Leader - 01344 352517

laura.driscoll@bracknell-forest.gov.uk