
STATUTORY INSTRUMENTS

2005 No. 79

The Licensing Act 2003 (Fees) Regulations 2005

PART 2

PREMISES LICENCES

Annual fee for premises licence

5.—(1) Subject to regulation 10, the holder of a premises licence shall pay to the relevant licensing authority an annual fee, the amount of which shall be determined in accordance with the following provisions of this regulation.

(2) In the case of premises in Band D or Band E that are relevant premises, the amount of the annual fee shall be—

- (a) in the case of premises in Band D, two times the amount of the fee applicable for that Band appearing in column 1 of the table in Part 1 of Schedule 5 specified in column 2 of that table; and
- (b) in the case of premises in Band E, three times the amount of the fee applicable for that Band appearing in column 1 of the table in Part 1 of Schedule 5 specified in column 2 of that table.

(3) In all other cases, the amount of the fee shall be the fee applicable to the band appearing in column 1 of the table in Part 1 of Schedule 5 for the premises, determined in accordance with regulation 3, specified in column 2 of that table.

(4) Subject to paragraph (5), in the case of a premises licence authorising licensable activities to take place where the number of persons the holder of the licence may allow on the premises at the same time is 5,000 or more, the holder of the licence shall pay to the said authority an additional annual fee, the amount of which shall be the fee applicable to the range of number of persons within which falls the maximum number of persons the applicant so allows on the premises in column 1 of the table in Part 2 of Schedule 5 specified in column 2 of that table.

(5) Paragraph (4) does not apply where the premises in respect of which the premises licence has effect—

- (a) is a structure which is not a vehicle, vessel or moveable structure; and
- (b) has been constructed or structurally altered for the purpose, or for purposes which include the purpose, of enabling—
 - (i) the premises to be used for the licensable activities authorised by the licence,
 - (ii) the premises to be modified temporarily from time to time, if relevant, for the premises to be used for the licensable activities;
 - (iii) at least the number of persons the applicant proposes should, during the times when the licence authorises licensable activities to take place on the premises, be allowed on the premises, to be allowed on the premises at such times, and
 - (iv) the premises to be used in a manner which is not inconsistent with the licence.

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

(6) The fee determined under paragraphs (2), (3) or (4) shall become due and payable each year on the anniversary of the date of the grant of the premises licence.

(7) In this regulation “relevant premises” are premises which are exclusively or primarily used for the supply of alcohol for consumption on the premises.