
STATUTORY INSTRUMENTS

2005 No. 80

The Licensing Act 2003 (Transitional conversions fees) Order 2005

PART 2

PREMISES LICENCES

Fee to accompany application for conversion of existing licence

4.—(1) Subject to article 6, in respect of an application under paragraph 2 of Schedule 8 to the Act (application for conversion of existing licence), the fee to accompany the application shall be determined in accordance with the following provisions of this article.

(2) Subject to paragraph (4), in a case where the application under paragraph 2 of Schedule 8 to the Act relates to –

- (i) a premises in Band D or Band E; and
- (ii) the use of the premises exclusively or primarily for the carrying on on the premises of the supply of alcohol for consumption on the premises,

the amount of the fee shall be –

- (i) 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 Schedule 2 specified in column 2 of that table; and
- (ii) 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 Schedule 2 specified in column 2 of that table.

(3) Subject to paragraph (4), in all other cases, the fee to accompany the application shall be the fee applicable to the band appearing in column 1 of the table in Schedule 2 for the premises to which the application relates, determined in accordance with regulation 3, specified in column 2 of that table.

(4) Subject to paragraph (5), where the maximum number of persons the applicant, during the times when the existing licence authorises licensable activities to take place on the premises, may allow on the premises at the same time is 5,000 or more, an application under paragraph (1) must be accompanied by an additional fee, the amount of which shall be the fee corresponding to the range of number of persons within which falls the maximum number of persons so allowed in column 1 of the table in Schedule 3 specified in column 2 of that table.

(5) Paragraph (4) does not apply where the premises in respect of which the application has been made—

- (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 existing licensable activities the existing licence or licences authorises or authorise,

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- (ii) the premises to be modified temporarily from time to time, if relevant, for the premises to be used for the existing licensable activities referred to in the existing licence or licences;
- (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 existing licence or licences accompanying the application.