SCHEDULE 2

PART 2

Modification of Schedule 1 of the 1982 Act

Fees

15. For paragraph 15 (fees), substitute—

"**15.**—(1) A licensing authority may, subject to sub-paragraphs (2) and (3), charge such reasonable fees as they may determine in respect of—

    (a) applications made to them under this schedule,

    (b) the issue of certified duplicate licences under paragraph 5(7),

    (c) their consideration of a material change of circumstances or in premises under paragraph 9 and their disposal of the matter,

    (d) the issue under paragraph 14 of certified true copies,

    (e) an inspection of premises following—

        (i) a failure to comply with a licence condition, or

        (ii) a complaint relating to the premises (unless the complaint is frivolous or vexatious).

(2) In determining the amount of the different fees under sub-paragraph (1), the licensing authority—

    (a) must seek to ensure that the total amount of fees receivable by the authority is sufficient to meet the expenses of the authority in exercising their functions under Parts I and II of this Act and this schedule,

    (b) may determine different fees for different purposes,

    (c) may take into account the following criteria—

        (i) the size of the premises,

        (ii) the number of bedrooms at the premises,

        (iii) the number of guests who can reside at the premises,

        (iv) the type of short-term let,

        (v) the duration of the period for which the premises are made available for use as a short-term let, and

        (vi) the extent to which the licence holder has complied with the conditions of the licence.

(3) A licensing authority may provide for annual or other recurring fees.

(4) Where a local authority charges a fee in respect of an inspection, the licensing authority must—

    (a) produce a report of its finding to the licence holder within 28 days of the inspection, or

    (b) where a report is not provided within 28 days of the inspection, refund the fee charged to the licence holder.".