

**The Highland Licensing Board**

**Meeting - 14 May 2013**

Agenda Item	13.1
Report No	HLB/065/13

**The Gambling Act 2005**

**Hearing - Non Payment of Annual Licensing Fees**

**Report by the Clerk of the Licensing Board**

**Summary**

**Premises:** Nessies Amusement Centre, 9-21 Castle Street, Inverness

**Licence Holder:** John Codona's Holiday Inn Ltd, 36 Beaconsfield Place, Aberdeen, AB15 4AA.

Review proposal for non payment of Annual Licensing Fees

1. In terms of Section 193 of the Gambling Act 2005 the Licensing Board shall revoke a licence where the annual fee has not been paid, unless that failure to pay is attributable to an administrative error.
2. The annual fee in respect of the Adult Gaming Machine Licence for Nessies Amusement Centre, 9-21 Castle Street, Inverness was due on 11 December 2012.
3. The Licensing Board has issued both an invoice and reminder letter issued on 10 January 2013.
4. The Licence Holder has received a reminder and has been advised of the possible consequences of failure to pay. The licensee has subsequently gone into liquidation within the meaning of Section 247(2) of the Insolvency Act 1986. The Gambling Commission, HMRC and the Chief Constable have been advised.
5. In terms of Section 193 of the Gambling 2005 Act if the holder of a premises licence fails to pay the annual fee then the Board shall revoke the licence. At their meeting on 5 February the Board agreed to hold a hearing to review the licence. The Licence Holder has been invited to attend the Hearing. If the Board is satisfied that the grounds for a review are established, then the Board may revoke the licence.

**7. Recommendation:**

The Board is invited to consider a review of the licence for non-payment of the annual licensing fee.

Designation: Clerk of the Licensing Board

Date: 15 April 2013