



Home Office

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Councillor Mehboob Khan & Councillor Nilgun Canver
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20 DEC 2012

CTS Reference: M18787/12

Mr Khan and Mr Canver

Thank you for your letter dated 4 December 2012 regarding the Provision of Services Regulations 2009. You set out your concerns about the outcome of a recent case (Hemming and others v Westminster City Council) and its implications for the fees regime under the Licensing Act 2003, particularly in respect of costs of enforcement action against unlicensed operators.

The Department for Business, Innovation and Skills (BIS) leads on the implementation of the Provision of Services Directive by the Provision of Services Regulations 2009, and subsequent compliance with this legislation. I understand that you have copied this correspondence to Michael Fallon at BIS.

The Home Office is carefully considering the implications of the case for the fees regime of the Licensing Act 2003, working with other Government Departments, including BIS. We will also take the case into account in our forthcoming consultation on locally set fees, which we intend to launch in the new year.

Yours sincerely,

Jeremy Browne MP
Minister of State

