

LICENSING COMMITTEE: 6 January 2008

Report of the Chief Strategic Planning and Environment Officer

GAMBLING ACT – REVIEW OF LICENCE FEES AND CHARGES 2009.

1. Background.

- 1.1 The Gambling Act 2005 was into effect from March 2006 to September 2007. Licensing authorities are now responsible for issuing Premises Licences and Gambling Permits in respect of betting, gaming and lotteries.
- 1.2 The Licensing Committee has been delegated authority to determine the level of fees and charges authorised by the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.
- 1.3 This report is to provide information following a review of gambling fees and charges and to request an increase in the level of fees and charges to have effect from 1 April 2009.

2. Background.

- 2.1 The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 provide for the following types of fees to be determined by licensing authorities:

- licence application fee (regulations 4 and 5),
- first annual fee (regulations 6 and 9),
- annual fee (regulations 8 and 9),
- notification of a change of circumstance fee (regulation 10),
- application to vary a licence fee (regulation 11),
- application to transfer a licence fee (regulation 12),
- fee for a copy of a licence (regulation 13),
- application for reinstatement of a licence fee (regulation 14), and
- provisional statement application fee (regulation 15).

In each case, the fee determined by a licensing authority must not exceed a maximum fee specified in the Regulation or in the table of maximum fees in the Schedule of the Regulations.

- 2.2 Prior to the implementation of the Act a fee costing exercise was carried out to establish the likely costs of performing the functions required at current expenditure cost level and this exercise provided the basis for the current fees. The initial fees proved to be adequate to cover the cost of providing the service

since the implementation of the Gambling Act. However the Consumer Prices Index rose during the year to October by 4.5% while the Retail Price Index rose to 4.2%. The pay settlement for Council Officers in the current financial year is likely to be agreed at 2.45% and for 2009/10 may be in the region of 3%. In order to provide the licensing service and maintain the existing level of activity, it is recommended that the Gambling Act fees and charges should be increased by 3% to commence from 1 April 2009.

2.3 The maximum fee, current fee and proposed fee are detailed in the following table.

	Maximum Fee (£)	Current Fee (£)	Proposed Fee (£)
Application Fee			
Bingo Premises Licence	3500.00	2100.00	2163.00
Adult Gaming Centre Premises Licence	2000.00	1200.00	1236.00
Betting Premises (Track) Licence	2500.00	1500.00	1545.00
Family Entertainment Centre Premises Licence	2000.00	1200.00	1236.00
Betting Premises (Other) Licence	3000.00	1800.00	1854.00
Provisional Statement Application Fee			
Bingo Premises Licence	3500.00	1050.00	1082.00
Adult Gaming Centre Premises Licence	2000.00	600.00	618.00
Betting Premises (Track) Licence	2500.00	750.00	773.00
Family Entertainment Centre Premises Licence	2000.00	600.00	618.00
Betting Premises (Other) Licence	3000.00	900.00	927.00
Application Fee for Premises with a Provisional Statement			
Bingo Premises Licence	1200.00	720.00	742.00
Adult Gaming Centre Premises Licence	1200.00	720.00	742.00.00
Betting Premises (Track) Licence	950.00	570.00	588.00
Family Entertainment Centre Premises Licence	950.00	570.00	588.00
Betting Premises (Other) Licence	1200.00	720.00	742.00
Annual Fee			
Converted Casino Premises Licence	3000.00	900.00	927.00
Bingo Premises Licence	1000.00	300.00	309.00
Adult Gaming Centre Premises Licence	1000.00	300.00	309.00
Betting Premises (Track) Licence	1000.00	300.00	309.00
Family Entertainment Centre Premises Licence	750.00	225.00	232.00
Betting Premises (Other) Licence	600.00	180.00	186.00
Transfer Application Fee			
Converted Casino Premises Licence	1350.00	405.00	418.00
Bingo Premises Licence	1200.00	360.00	371.00
Adult Gaming Centre Premises Licence	1200.00	360.00	371.00
Betting Premises (Track) Licence	950.00	285.00	294.00

Family Entertainment Centre Premises Licence	950.00	285.00	294.00
Betting Premises (Other) Licence	1200.00	360.00	371.00
Variation Application Fee			
Converted Casino Premises Licence	2000.00	600.00	618.00
Bingo Premises Licence	1750.00	525.00	541.00
Adult Gaming Centre Premises Licence	1000.00	300.00	309.00
Betting Premises (Track) Licence	1250.00	375.00	387.00
Family Entertainment Centre Premises Licence	1000.00	300.00	309.00
Betting Premises (Other) Licence	1500.00	450.00	464.00
Application for Reinstatement Fee			
Converted Casino Premises Licence	1350.00	405.00	418.00
Bingo Premises Licence	1200.00	360.00	371.00
Adult Gaming Centre Premises Licence	1200.00	360.00	371.00
Betting Premises (Track) Licence	950.00	285.00	294.00
Family Entertainment Centre Premises Licence	950.00	285.00	294.00
Betting Premises (Other) Licence	1200.00	360.00	371.00
Change of Circumstances Fee	50.00	25.00	26.00
Duplicate Licence Fee	25.00	12.50	13.00

- 2.4 Regulation 9 enables the authority to determine the annual fee at a lesser amount in cases where premises wish to operate on a seasonal basis only. It is not anticipated that such applications will be received and no reduced fee has been set. Should such applications be made then the fee could be determined by committee on the individual merits of the application.

3. Legal Implications

- 3.1 All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

4. Financial Implications

The fees proposed in the report have been established to cover the cost of providing the licensing service functions required by the Gambling Act so that the service is provided at no cost to the authority.

5. Recommendation

It is recommended that the proposed fees and charges in respect of the Gambling Act 2005 detailed in Section 2.3 of the report be approved as from 1 April 2009.

Sean Hannaby
Chief Strategic Planning and Environment Officer

30 December 2008

This report has been prepared in accordance with procedures approved by Corporate Directors.

Background Papers:

1. Licensing Committee Report of 10 January 2006 entitled “Gambling Act – Committee Delegation and Authorisation.”
2. Licensing Committee Report of 1 May 2007 entitled “Gambling Act – Licence Fees and Charges”.