

## Report of the Assistant Director Corporate Services to the meeting of the Licensing Committee to be held on 30<sup>th</sup> March 2010.

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### Subject:

Annual Review of Premises Licence fees under the Gambling Act 2005

### Summary statement:

This report seeks approval of the Licensing Committee to maintain the current scale of premises licence fees, charged by the Department of Legal and Democratic Services, for the 2010/11 financial year.

The Assistant Director Corporate Services submits this report for the consideration of Members.

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(City Solicitor)

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**Portfolio:**

**Corporate**

**Improvement Area:**

**Corporate Improvement Committee  
Safer and Stronger Communities**



2006-2007  
Improving Rural Services  
Empowering Communities



BRADFORD  
METROPOLITAN DISTRICT COUNCIL

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



BRADFORD  
METROPOLITAN DISTRICT COUNCIL

**1. Summary**

- 1.1 This report seeks approval of Members to maintain the current level of fees for premises licences issued by the Council under the Gambling Act 2005, for the financial year 2010/11, which is the responsibility of this Committee
- 1.2 The current scale of fees is attached at Appendix 1 to this report.

**2. Background**

- 2.1 Under the Gambling Act 2005 the Council has responsibility for dealing with applications for gambling premises licences, gambling permits, lottery registrations and other miscellaneous permissions.
- 2.2 The Secretary of State has prescribed a series of bands for gambling premises licences, with a maximum fee payable for each band. Licensing Authorities must determine their own fees within these bands. Fees for permits and small lotteries are set by the Secretary of State.

The maximum bands prescribed by the Secretary of State for Premises Licences are included in Appendix 1.

- 2.3 Fees must be set upon the basis of full cost recovery (including the cost of administrating the licence system, processing applications, and seeking compliance); which must be reviewed annually.
- 2.4 Following the implementation of the Act in September 2007, reliable information on current licence numbers and expected applications is now available, which has enabled an accurate costings exercise to be undertaken. Calculations of costs consist of a full proportional share of overheads including, accommodation, telephone, IT, printing, stationary and postage; staff costs include salary, pension, travel and subsistence and legal and central support costs have also been included.
- 2.5 Maintenance of the current fee levels will ensure that the Licensing service continues to recover its reasonable costs of processing applications and the carrying out of necessary compliance checks, maintenance of public registers and enforcement.

**3. Options**

- 3.1 Members are asked to consider the following options and decide which to approve:
  - (a) maintain the current fee scale, as set out in Appendix 1 to this report; or
  - (b) the charges be increased in line with inflation, which is currently 2%.

**4. Financial and resource appraisal**

Maintenance of the current scale of fees would ensure that the licensing service recovers its reasonable costs in administering and enforcing the gambling licensing system.

5. **Legal Appraisal**

The Council's powers and duties with regard to setting appropriate fees for premises under the Gambling Act 2005 are set out in The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.

6. **Equal Rights**

There are no apparent equal rights implications

7. **Sustainability implications**

There are no apparent sustainability implications.

8. **Community safety implications**

Local Authorities will take the lead on enforcement of Gambling Premises Licences and investigating and prosecuting less serious offences. Provision for enforcement is included.

9. **Human Rights Act**

The recovery of reasonable and proper fees by the Council in connection with its general licensing activities, where these are allowed by statute, is not an infringement of Convention rights

10. **Trade Union**

There are no apparent trade union implications in respect of this report.

11. **Not for publication documents**

None

12. **Recommendation**

That the applicable scale of fees for 2010/11 be maintained at their current levels; as set out in Appendix1 to this report.

13. **Appendices**

1. Scale of current fees and the maximum fees prescribed by Secretary of State

14. **Background documents**

Gambling Act 2005

Gambling Act Fees Regulations 2007

**Appendix 1****Gambling Premises Licences Fees – Current and Statutory Maximum****Current fee***(Maximum fee set by Secretary of State)*

<b>Application Type</b>	<b>Existing Casino</b>	<b>Bingo Club</b>	<b>Betting Premises</b>	<b>Tracks</b>	<b>*FEC's</b>	<b>Adult Gaming Centres</b>
<b>New Premises Licence</b>	-	<b>£2625</b> <i>(£3500)</i>	<b>£2250</b> <i>(£3000)</i>	<b>£1875</b> <i>(£2500)</i>	<b>£1500</b> <i>(£2000)</i>	<b>£1500</b> <i>(£2000)</i>
<b>Variation</b>	<b>£1500</b> <i>(£2000)</i>	<b>£1312</b> <i>(£1750)</i>	<b>£1125</b> <i>(£1500)</i>	<b>£937</b> <i>(£1250)</i>	<b>£750</b> <i>(£1000)</i>	<b>£750</b> <i>(£1000)</i>
<b>Transfer</b>	<b>£1012</b> <i>(£1350)</i>	<b>£900</b> <i>(£1200)</i>	<b>£900</b> <i>(£1200)</i>	<b>£712</b> <i>(£950)</i>	<b>£712</b> <i>(£950)</i>	<b>£900</b> <i>(£1200)</i>
<b>Re-instatement -</b>	<b>£1012</b> <i>(£1350)</i>	<b>£900</b> <i>(£1200)</i>	<b>£900</b> <i>(£1200)</i>	<b>£712</b> <i>(£950)</i>	<b>£712</b> <i>(£950)</i>	<b>£900</b> <i>(£1200)</i>
<b>Provisional Statement Application</b>	-	<b>£2625</b> <i>(£3500)</i>	<b>£2250</b> <i>(£3000)</i>	<b>£1875</b> <i>(£2500)</i>	<b>£1500</b> <i>(£2000)</i>	<b>£1500</b> <i>(£2000)</i>
<b>Provisional Statement – Premises Application</b>	-	<b>£900</b> <i>(£1200)</i>	<b>£900</b> <i>(£1200)</i>	<b>£712</b> <i>(£950)</i>	<b>£712</b> <i>(£950)</i>	<b>£900</b> <i>(£1200)</i>
<b>Annual Fee</b>	<b>£2250</b> <i>(£3000)</i>	<b>£750</b> <i>(£1000)</i>	<b>£525</b> <i>(£600)</i>	<b>£750</b> <i>(£1000)</i>	<b>£562</b> <i>(£750)</i>	<b>£750</b> <i>(£1000)</i>

FEC – Family Entertainment Centre