

Report of the Assistant Director Environmental & Regulatory Services to the meeting of Licensing Committee to be held on 21 July 2014

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Subject:

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 gambling premises licence fees, charged by the Licensing Service.

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Portfolio:

Environment, Sport & Sustainability

Overview & Scrutiny Area:

Environment & Waste Management



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 2014/15, which is the responsibility of this Committee

The current scale of fees is attached at Appendix 1.

- 1.2 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.

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 administering the licence system, processing applications, and seeking compliance); which should be reviewed annually.
- 2.4 A costing exercise has been undertaken for premises licence applications, which takes into account the full cost of administering and processing applications from receipt to issue of a licence, and ongoing enforcement costs. 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.

3. OVERVIEW AND SCRUTINY COMMITTEE CONSIDERATION

Not applicable.

4. OTHER CONSIDERATIONS

None

5. OPTIONS

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 current licence fees be changed to such other levels, on the basis of cost recovery only, which Members decide.

6. FINANCIAL & 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.

7. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no apparent risk management or governance issues.

8. 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.

9. OTHER IMPLICATIONS

9.1 EQUALITY & DIVERSITY

There are no apparent equality and diversity implications.

9.2 SUSTAINABILITY IMPLICATIONS

There are no apparent sustainability implications.

9.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no apparent greenhouse gas emissions impacts.

9.4 COMMUNITY SAFETY IMPLICATIONS

Local Authorities lead on enforcement of gambling premises licences. The current scale of fees cover the cost of ensuring compliance with licence conditions and restrictions.

9.5 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

9.6 TRADE UNION

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

9.7 WARD IMPLICATIONS

None

10. NOT FOR PUBLICATION DOCUMENTS

None

11. RECOMMENDATION

That the current scale of fees be maintained for 2014/15, as set out in Appendix 1 to this report.

12. APPENDICES

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

13. BACKGROUND DOCUMENTS

Gambling Act 2005
Gambling Act Fees Regulations 2007

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

Application Type	Existing Casino	Bingo Club	Betting Premises	Tracks	*FECs	Adult Gaming Centres
New Premises Licence	-	£2691 <i>(£3500)</i>	£2306 <i>(£3000)</i>	£1922 <i>(£2500)</i>	£1538 <i>(£2000)</i>	£1538 <i>(£2000)</i>
Variation	£1538 <i>(£2000)</i>	£1345 <i>(£1750)</i>	£1153 <i>(£1500)</i>	£960 <i>(£1250)</i>	£769 <i>(£1000)</i>	£769 <i>(£1000)</i>
Transfer	£1037 <i>(£1350)</i>	£923 <i>(£1200)</i>	£923 <i>(£1200)</i>	£730 <i>(£950)</i>	£730 <i>(£950)</i>	£923 <i>(£1200)</i>
Re-instatement	£1037 <i>(£1350)</i>	£923 <i>(£1200)</i>	£923 <i>(£1200)</i>	£730 <i>(£950)</i>	£730 <i>(£950)</i>	£923 <i>(£1200)</i>
Provisional Statement Application	-	£2691 <i>(£3500)</i>	£2306 <i>(£3000)</i>	£1922 <i>(£2500)</i>	£1538 <i>(£2000)</i>	£1538 <i>(£2000)</i>
Provisional Statement – Premises Application	-	£923 <i>(£1200)</i>	£923 <i>(£1200)</i>	£730 <i>(£950)</i>	£730 <i>(£950)</i>	£923 <i>(£1200)</i>
Annual Fee	£2306 <i>(£3000)</i>	£769 <i>(£1000)</i>	£538 <i>(£600)</i>	£769 <i>(£1000)</i>	£576 <i>(£750)</i>	£769 <i>(£1000)</i>

FEC – Family Entertainment Centre

Copy Licence - £15.00

Notification of Change of Circumstance - £25.00