

## Agenda for a meeting of the Licensing Committee to be held on Thursday, 9 June 2016 at 4.00 pm in Committee Room 3 - City Hall, Bradford

### Members of the Committee – Councillors

CONSERVATIVE	LABOUR	THE INDEPENDENTS	UKIP
Ellis BM Smith	M Slater Swallow Engel Arshad Hussain Jamil	Hawkesworth	Morris

### Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

**From:** City Solicitor  
**To:** Agenda Contact: Claire Tomenson  
 Phone: 01274 432457  
 E-Mail: [claire.tomenson@bradford.gov.uk](mailto:claire.tomenson@bradford.gov.uk)



## A. PROCEDURAL ITEMS

### 1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*Notes:*

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

### 2. MINUTES

**Recommended –**

- (1) **That the minutes of the Committee meeting held on 23 November 2015 be signed as a correct record (previously circulated).**
- (2) **That the minutes of the Bradford District Licensing Panel held on the following dates be signed as a correct record (previously circulated):**



**23 November 2015**  
**2 February 2016**  
**29 February 2016**  
**22 March 2016**

(Claire Tomenson – 01274 432457)

### **3. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Claire Tomenson - 01274 432457)

## **B. BUSINESS ITEMS**

### **4. APPOINTMENT OF SUB COMMITTEE**

Previous Reference: Council Minute 63 (2004/05) and Minute 10 (2013/14)

At the meeting of Council on 19 October 2004 the membership and terms of reference for the Licensing Committee were approved and subsequently amended at the Annual General Meeting of Council on 21 May 2013. The Licensing Committee is formally required to appoint its sub committee as set out in the terms of reference for the 2016/17 Municipal Year

#### **Recommended –**

- (1) That the Bradford District Licensing Panel (sub-committee) be appointed, with the functions as indicated in the terms of reference approved by Council on 9 October 2004 and amended on 21 May 2013.**
- (2) That the Licensing Panel shall comprise three members.**



- (3) That the Bradford District Licensing Panel shall include the Chair of the Licensing Committee (or Deputy Chair when the Chair is unavailable) who shall chair the Panel and two other members of the Licensing Committee drawn on a rota basis.
- (4) That the quorum of the Bradford District Licensing Panel shall be three members.

(Claire Tomenson – 01274 432457)

5. **REVIEW OF PREMISES LICENCE FEES UNDER THE GAMBLING ACT 2005 (Document "A")** 1 - 6

The Assistant Director, Environmental and Regulatory Services will present a report (**Document "A"**) that seeks approval of an increase to the current gambling premises licence application fees by 1%, with changes to come into effect on 10 June 2016.

**Recommended –**

**That the current application fees be increased by 1% and annual fees be maintained for 2016/17, as set out in Appendix 1 to Document "A".**

(Tracy McLuckie - 01274 432240)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER



## **Report of the Assistant Director Environmental & Regulatory Services to the meeting of Licensing Committee to be held on 9 June 2016.**

**A**

---

### **Subject:**

**Review of Premises Licence fees charged by the Licensing Service under the Gambling Act 2005.**

### **Summary statement:**

**This report seeks approval of the Licensing Committee to increase the current gambling premises licence application fees by 1%, with changes to come into effect on 10 June 2016.**

---

John Major  
Assistant Director  
Environmental & Regulatory Services

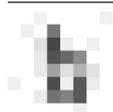
### **Portfolio:**

**Neighbourhoods and Community Safety**

Report Contact: Tracy McLuckie  
Licensing & Land Charges Manager  
Phone: 01274 432240  
E-mail: [licensing.team@bradford.gov.uk](mailto:licensing.team@bradford.gov.uk)

### **Overview & Scrutiny Area:**

**Corporate**



## **1. SUMMARY**

- 1.1 This report seeks approval of Members to increase the current level of fees by 1% for gambling premises licence applications processed by the Council under the Gambling Act 2005, for the financial year 2016/17.

The proposed scale of fees is attached at Appendix 1.

The current scale of fees is attached at Appendix 2.

- 1.2 The proposed increase in application fees will ensure that the Licensing Service continues to recover its reasonable costs of processing applications and carrying out necessary compliance checks and maintenance of public registers.
- 1.3 There is no proposal to increase the annual ('renewal') fee payable by licensed premises, as the current fee levels cover service costs associated with licensed premises, such as on-going enforcement costs.

## **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 2.

- 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**

5.1 Members are asked to consider the following options and decide which to approve:

- a) increase gambling premises licence application fees by 1% and maintain annual fees, to cover all related service costs, as set out in Appendix 1 to this report;
- b) change the current gambling premises licence fees to such other levels, on the basis of cost recovery only, which Members decide; or
- c) maintain the current scale of fees for 2016/17.

5.2 Any revised scale of fees to take effect on 10 June 2016.

## **6. FINANCIAL & RESOURCE APPRAISAL**

An increase in the current application fees would ensure that the licensing service recovers its reasonable costs in administering and enforcing the gambling licensing regime.

## **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.

Consideration has also been given to the Local Government Association guidance on locally set fees, issued in December 2015.

## **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 annual 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 application fees be increased by 1% and annual fees be maintained for 2016/17, as set out in Appendix 1 to this report.

## **12. APPENDICES**

1. Proposed scale of fees.
2. 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 Licence Fees****Proposed Fee Scale 2016/17**

*1% increase in application fees and annual (renewal) fee maintained.*

<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>£2718</b>	<b>£2329</b>	<b>£1941</b>	<b>£1553</b>	<b>£1553</b>
<b>Variation</b>	<b>£1553</b>	<b>£1358</b>	<b>£1165</b>	<b>£970</b>	<b>£777</b>	<b>£777</b>
<b>Transfer</b>	<b>£1047</b>	<b>£932</b>	<b>£932</b>	<b>£737</b>	<b>£737</b>	<b>£932</b>
<b>Re-instatement</b>	<b>£1047</b>	<b>£932</b>	<b>£932</b>	<b>£737</b>	<b>£737</b>	<b>£932</b>
<b>Provisional Statement Application</b>	-	<b>£2718</b>	<b>£2329</b>	<b>£1941</b>	<b>£1553</b>	<b>£1553</b>
<b>Provisional Statement – Premises Application</b>	-	<b>£932</b>	<b>£932</b>	<b>£737</b>	<b>£737</b>	<b>£932</b>
<b>Annual Fee</b>	<b>£2306</b>	<b>£769</b>	<b>£538</b>	<b>£769</b>	<b>£576</b>	<b>£769</b>

FEC – Family Entertainment Centre

**Temporary Use Notice - £380**

Copy Licence - £15.00

Notification of Change of Circumstance - £26.00

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

<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>£2691</b> <i>(£3500)</i>	<b>£2306</b> <i>(£3000)</i>	<b>£1922</b> <i>(£2500)</i>	<b>£1538</b> <i>(£2000)</i>	<b>£1538</b> <i>(£2000)</i>
<b>Variation</b>	<b>£1538</b> <i>(£2000)</i>	<b>£1345</b> <i>(£1750)</i>	<b>£1153</b> <i>(£1500)</i>	<b>£960</b> <i>(£1250)</i>	<b>£769</b> <i>(£1000)</i>	<b>£769</b> <i>(£1000)</i>
<b>Transfer</b>	<b>£1037</b> <i>(£1350)</i>	<b>£923</b> <i>(£1200)</i>	<b>£923</b> <i>(£1200)</i>	<b>£730</b> <i>(£950)</i>	<b>£730</b> <i>(£950)</i>	<b>£923</b> <i>(£1200)</i>
<b>Re-instatement</b>	<b>£1037</b> <i>(£1350)</i>	<b>£923</b> <i>(£1200)</i>	<b>£923</b> <i>(£1200)</i>	<b>£730</b> <i>(£950)</i>	<b>£730</b> <i>(£950)</i>	<b>£923</b> <i>(£1200)</i>
<b>Provisional Statement Application</b>	-	<b>£2691</b> <i>(£3500)</i>	<b>£2306</b> <i>(£3000)</i>	<b>£1922</b> <i>(£2500)</i>	<b>£1538</b> <i>(£2000)</i>	<b>£1538</b> <i>(£2000)</i>
<b>Provisional Statement – Premises Application</b>	-	<b>£923</b> <i>(£1200)</i>	<b>£923</b> <i>(£1200)</i>	<b>£730</b> <i>(£950)</i>	<b>£730</b> <i>(£950)</i>	<b>£923</b> <i>(£1200)</i>
<b>Annual Fee</b>	<b>£2306</b> <i>(£3000)</i>	<b>£769</b> <i>(£1000)</i>	<b>£538</b> <i>(£600)</i>	<b>£769</b> <i>(£1000)</i>	<b>£576</b> <i>(£750)</i>	<b>£769</b> <i>(£1000)</i>

FEC – Family Entertainment Centre

**Temporary Use Notice - £380**

Copy Licence - £15.00

Notification of Change of Circumstance - £25.00