



## Agenda for a meeting of the Licensing Committee to be held on Tuesday, 25 June 2019 at 10.00 am in Committee Room 3 - City Hall, Bradford

### Members of the Committee – Councillors

LABOUR	CONSERVATIVE	THE INDEPENDENTS
M Slater Godwin Akhtar Azam Dodds S Khan Shaheen	Ellis Sullivan Winnard	Hawkesworth

### Notes:

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- 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:

Parveen Akhtar

City Solicitor

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### To:

## 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 21 November 2018 be signed as a correct record (previously circulated).**
- (2) That the minutes of the Bradford District Licensing Panels held on the following dates be signed as correct records (previously circulated):**

**5 October 2018**  
**30 October 2018**  
**6 November 2018**  
**21 November 2018**  
**29 November 2018**  
**10 December 2018 (1)**  
**10 December 2018 (2)**  
**16 January 2019 (1)**  
**16 January 2019 (2)**  
**24 January 2019 (1)**  
**24 January 2019 (2)**  
**29 January 2019**  
**12 February 2019**  
**6 March 2019**  
**20 March 2019**  
**10 April 2019**  
**9 May 2019**  
**15 May 2019 (1)**  
**15 May 2019 (2)**

(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 2019/20 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 Bradford District 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 CHARGED BY THE LICENSING SERVICE UNDER THE GAMBLING ACT 2005**

1 - 6

The Assistant Director, Waste, Fleet and Transport Services will present a report (**Document “A”**) that seeks approval to increase the current scale of gambling premises licence fees charged by the licensing service by 2% in line with inflation, for the financial year 2019/20.

**Recommended -**

**That the current scale of fees be increased by 2% in line with inflation for 2019/20, as set out in Appendix 1 to Document “A”.**

(Tracy McLuckie – 01274 432240)



## **Report of the Assistant Director Waste, Fleet & Transport Services to the meeting of Licensing Committee to be held on 25 June 2019**

# A

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### **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 scale of gambling premises licence fees charged by the licensing service by 2% in line with inflation, for the financial year 2019/20.**

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John Major  
Assistant Director  
Waste, Fleet & Transport Services

Report Contact: Tracy McLuckie  
Licensing & Land Charges Manager  
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### **Portfolio:**

**Neighbourhoods and Community Safety**

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

**Corporate**

## **1. SUMMARY**

- 1.1 This report seeks approval of Members to increase the current level of fees by 2% in line with inflation, for gambling premises licences processed and issued by the Council under the Gambling Act 2005, for the financial year 2019/20.

The proposed scale of fees is attached at Appendix 1.

The existing scale of fees is attached at Appendix 2.

- 1.2 Increasing the current fee levels in line with inflation will ensure that the licensing service continues to recover its reasonable costs of processing applications, on-going compliance checks and maintenance of statutory public registers.

## **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. Fees 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 on-going enforcement costs.

Calculation of costs consists of a full proportional share of overheads including accommodation, telephone, ICT, printing, stationary and postage. Staff costs include salary, pension, travel and proportional senior management costs. Legal and central support costs have also been included.

## **3. OTHER CONSIDERATIONS**

None

## **4. FINANCIAL & RESOURCE APPRAISAL**

Increasing the current scale of fees in line with inflation would ensure that the licensing service recovers its reasonable costs in administering and enforcing the gambling licensing regime.

## **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

There are no apparent risk management or governance issues.

## **6. 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.

## **7. OTHER IMPLICATIONS**

### **7.1 EQUALITY & DIVERSITY**

There are no apparent equality and diversity implications.

### **7.2 SUSTAINABILITY IMPLICATIONS**

There are no apparent sustainability implications.

### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

There are no apparent greenhouse gas emissions impacts.

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

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

### **7.5 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

### **7.6 TRADE UNION**

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

### **7.7 WARD IMPLICATIONS**

None

### **7.8 IMPLICATIONS FOR CORPORATE PARENTING**

There are no apparent implications for corporate parenting.

**7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

Not applicable

**8. NOT FOR PUBLICATION DOCUMENTS**

None

**9. OPTIONS**

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

- a) increase the current fee scale by 2% in line with inflation, as set out in Appendix 1 to this report; or
- b) maintain the current fee scale, as set out in Appendix 2 to this report; or
- c) change the current gambling premises licence fees to such other levels, on the basis of cost recovery only, which Members decide.

9.2 The scale of fees to take effect on 1 July 2019.

**10. RECOMMENDATION**

That the current scale of fees be increased by 2% in line with inflation for 2019/20, as set out in Appendix 1 to this report.

**11. APPENDICES**

- 1. Proposed scale of premises licence fees for 2019/20 and the maximum fees prescribed by the Secretary of State
- 2. Current scale of fees

**12. BACKGROUND DOCUMENTS**

Gambling Act 2005  
Gambling Act Fees Regulations 2007

**Gambling Premises Licences Fees – Proposed and Statutory Maximum****Proposed fees 2019/20***(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>£2854</b> <i>(£3500)</i>	<b>£2445</b> <i>(£3000)</i>	<b>£2038</b> <i>(£2500)</i>	<b>£1630</b> <i>(£2000)</i>	<b>£1630</b> <i>(£2000)</i>
<b>Variation</b>	<b>£1630</b> <i>(£2000)</i>	<b>£1425</b> <i>(£1750)</i>	<b>£1222</b> <i>(£1500)</i>	<b>£1018</b> <i>(£1250)</i>	<b>£816</b> <i>(£1000)</i>	<b>£816</b> <i>(£1000)</i>
<b>Transfer</b>	<b>£1099</b> <i>(£1350)</i>	<b>£978</b> <i>(£1200)</i>	<b>£978</b> <i>(£1200)</i>	<b>£774</b> <i>(£950)</i>	<b>£774</b> <i>(£950)</i>	<b>£978</b> <i>(£1200)</i>
<b>Re-instatement</b>	<b>£1099</b> <i>(£1350)</i>	<b>£978</b> <i>(£1200)</i>	<b>£978</b> <i>(£1200)</i>	<b>£774</b> <i>(£950)</i>	<b>£774</b> <i>(£950)</i>	<b>£978</b> <i>(£1200)</i>
<b>Provisional Statement Application</b>	-	<b>£2854</b> <i>(£3500)</i>	<b>£2445</b> <i>(£3000)</i>	<b>£2038</b> <i>(£2500)</i>	<b>£1630</b> <i>(£2000)</i>	<b>£1630</b> <i>(£2000)</i>
<b>Provisional Statement – Premises Application</b>	-	<b>£978</b> <i>(£1200)</i>	<b>£975</b> <i>(£1200)</i>	<b>£774</b> <i>(£950)</i>	<b>£774</b> <i>(£950)</i>	<b>£975</b> <i>(£1200)</i>
<b>Annual Fee</b>	<b>£2422</b> <i>(£3000)</i>	<b>£807</b> <i>(£1000)</i>	<b>£565</b> <i>(£600)</i>	<b>£807</b> <i>(£1000)</i>	<b>£604</b> <i>(£750)</i>	<b>£807</b> <i>(£1000)</i>

\* FEC – Family Entertainment Centre

**Temporary Use Notice - £380**

Copy Licence - £15.00

Notification of Change of Circumstance - £26.00

**Gambling Premises Licences Fees – Current (2018/19)**

<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>	-	£2799	£2398	£1999	£1599	£1599
<b>Variation</b>	£1599	£1398	£1199	£999	£800	£800
<b>Transfer</b>	£1078	£959	£959	£759	£759	£959
<b>Re-instatement</b>	£1078	£959	£959	£759	£759	£959
<b>Provisional Statement Application</b>	-	£2799	£2398	£1999	£1599	£1599
<b>Provisional Statement – Premises Application</b>	-	£959	£959	£759	£759	£959
<b>Annual Fee</b>	£2375	£792	£554	£792	£593	£792

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