

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO LICENSING COMMITTEE

FRIDAY 11TH MAY 2007

REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

GAMBLING ACT 2005

PROPOSALS FOR THE SETTING OF DISCRETIONARY FEES FOR PREMISES LICENCES

1.0 Purpose of Report.

1.1 To propose the fee scale for discretionary fees for Premises licences to allow the effective implementation and operation of the Gambling Act 2005 ("the Act").

2.0 Connection to Corporate Improvement Plan / Other Corporate Priority.

2.1 The duties of the Council under the Act are regulatory in nature and the Act sets out the licensing objectives which must be taken on board as part of any decision making process. The licensing objectives however support many of the overarching aims of the Corporate Improvement Plan and the Council's Corporate Priorities.

3.0 Background

3.1 The Act will come into force during 2007. It provides for the regulation of gambling, and under the provisions of the Act the Council will be responsible for issuing and regulating a variety of Premises Licences and gaming permits.

4.0 Current situation / proposal.

4.1 Under the provisions of the Act, and Regulations made thereunder, the licensing authority is responsible for setting fees in respect of applications made relating to premises licences. At its meeting on 25 April 2007 Council delegated the power to set such fees to the Licensing Committee.

4.2 Under the Act the Authority is also responsible for granting the following permits;

- Family entertainment centre gaming machine permits,
- Club gaming permits,
- Club machine permits,
- Prize gaming permits, and
- Licensed premise gaming machine permits.

4.3 However, the Secretary of State intends that fees for such permits should be set by central government and apply nationally, and therefore no action is required in respect of these permits Appendix A shows the fees which have been or which will be set by statute.

- 4.4 The Authority is therefore only required to set fees for the following premises licences;
- Casinos premises,
 - Bingo premises,
 - Betting premises,
 - Adult gaming centres, and
 - Family entertainment centres.
- 4.4 When determining the maximum fee payable, the Secretary of State has indicated that consideration must be given to both ensuring that licensing authorities are able to achieve full cost recovery and ensuring fairness and value for money for the gambling industry. Those premises which require a Licence rather than a permit will typically be offering higher stake gaming and the application and compliance process is therefore more complex. The differing fees for permits and premises licences reflect this difference.
- 4.5 Appendix B sets out the proposed fees for the financial year 2007/2008. The proposed fee is shown in bold against each category of application, with the maximum fee permitted by statute shown in brackets. No proposals are made in respect of fees for casinos at this stage as there are no existing casinos and no proposals to allocate a new casino to this area.
- 4.6 In drawing up the proposals for the setting of discretionary Premises Licence fees, regard has been given to Section 212(2)(d) of the Gambling Act 2005, together with guidance published by the Secretary of State and LACORS (Local Authorities Coordinators of Regulatory Services).
- 4.7 Fees have been calculated on a time basis using an hourly rate. They include administration as well as the cost of enforcement and compliance and also a proportional share of overhead costs.
- 4.8 It is recognised that for this first fees setting exercise, costs calculations are based upon information available at the time and before the service is fully operational.
- 4.9 The proposed fees (with the exception of miscellaneous fees for copying and notification) are less than the maximum permitted by statute but it is anticipated that the proposed fees will enable the authority to recover the cost of the service in 2007/2008. However, it is difficult for licensing authorities to be precise about the number and types of applications that will be received and this will be subject to a review at the end of this financial year.
- 4.10 The Department for Culture, Media and Sport has also indicated that it will keep the new fee regime under review.

5.0 Effect upon Policy Framework & Procedure Rules.

- 5.1 The report content has no direct effect upon the Policy Framework and Procedure Rules but is required to effectively implement the Authority's new regulatory functions in relation to gambling.

6.0 Legal Implications.

6.1 The proposals recommended within the report are necessary for the effective implementation of the Gambling Act 2005.

7.0 Financial Implications.

7.1 It is anticipated that the proposed fees will cover the cost of the service in 2007/2008 but will be subject to a review at the end of the financial year.

8.0 Recommendation.

It is recommended:

- (i) That the fees for premises licences for the year 2007/2008 be approved as set out in Table 1 below;

Table 1

Application type	Fee £
Bingo Club Transitional Fast Track	250
Bingo Club Transitional Non-Fast Track	995
Bingo Club New application	1760
Bingo Club Annual Fee	520
Bingo Club Application to vary	995
Bingo Club Application to transfer	700
Bingo Club Application for re-instatement	700
Bingo Club Application for provisional statement	1760
Bingo Club Licence application for provisional statement holders	700
Betting premises (excluding Tracks) Transitional Fast Track	250
Betting premises (excluding Tracks) Transitional Non-Fast Track	840
Betting premises (excluding Tracks) New application	1550
Betting premises (excluding Tracks) Annual Fee	400
Betting premises (excluding Tracks) Application to Vary	840
Betting premises (excluding Tracks) Application to Transfer	700
Betting premises (excluding Tracks) Application for re-instatement	700
Betting premises (excluding Tracks) Application for provisional statement	1550
Betting premises (excluding Tracks) Licence application for provisional statement holders	700
Tracks Transitional Fast Track	250
Tracks Transitional Non-Fast Track	730
Tracks New application	1330
Tracks Annual Fee	420
Tracks Application to vary	730
Tracks Application to transfer	550

Tracks Application for re-instatement	550
Tracks Application for provisional statement	1330
Tracks Licence application for provisional statement holders	550
Family Entertainment Centres Transitional Fast Track	250
Family Entertainment Centres Transitional Non-Fast Track	590
Family Entertainment Centres New application	1050
Family Entertainment Centres Annual Fee	415
Family Entertainment Centres Application to vary	590
Family Entertainment Centres Application to transfer	550
Family Entertainment Centres Application for re-instatement	550
Family Entertainment Centres Application for provisional statement	1050
Family Entertainment Centres Licence application for provisional statement holders	550
Adult Gaming Centres Transitional Fast Track	250
Adult Gaming Centres Transitional Non-Fast Track	590
Adult Gaming Centres New application	1050
Adult Gaming Centres Annual Fee	420
Adult Gaming Centres Application to vary	590
Adult Gaming Centres Application to transfer	700
Adult Gaming Centres Application for re-instatement	700
Adult Gaming Centres Application for provisional statement	1050
Adult Gaming Centres Licence application for provisional statement holders	700
Copy Licence for all the above categories	25
Notification of Change for all the above categories	50

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Background documents

Gambling Act 2005

Guidance on fees setting - LACORS premises licence fees toolkit
The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007
SI2007/479 and Explanatory Memorandum

STATUTORY FEES FOR PERMITS AND REGISTRATIONS

Permit Type	Application Fee	Annual Fee	Renewal Fee	Transitional Application Fee
	£	£	£	£
FEC Gaming Machine	300	N/A	300	100
Prize Gaming	300	N/A	300	100
Alcohol Licences Premises – Notification of 2 or less machines	Draft = £50	Await draft regulations	Await draft regulations	Await draft regulations
Alcohol Licences Premises – More than 2 machines	Draft = 150	Draft = 50	N/A	Draft = 100
Club Gaming Permit	Draft = 200	Draft = 50	Draft = 200	Draft = 100
Club Gaming Machine Permit	Draft = 200	Draft = 50	Draft = 200	Draft = 100
Club Fast-track for Gaming Permit or Gaming Machine Permit	Draft = 100	Draft = 50	Draft = 200	N/A
Small Society Lottery Registration	Await draft regulations	Await draft regulations	Await draft regulations	Await draft regulations

STATUTORY MISCELLANEOUS FEES

Permit Type	Change of Name	Copy of Permit	Variation	Transfer
	£	£	£	£
FEC Permits	25	15	N/A	N/A
Prize Gaming Permits	25	15	N/A	N/A
Alcohol Licences Premises – Notification of 2 or less machines	Await draft regulations	Await draft regulations	Await draft regulations	Await draft regulations
Alcohol Licences Premises – More than 2 machines	Draft = 25	Draft = 15	Draft = 100	Draft = 25
Club Gaming Permit	N/A	Draft = 15	Draft = 100	N/A
Club Gaming Machine Permit	N/A	Draft = 15	Draft = 100	N/A
Small Society Lottery Registration	Await draft regulations	Await draft regulations	Await draft regulations	Await draft regulations

APPENDIX B

DISCRETIONARY PREMISES FEES				
Premises Type	Transitional Fast-Track Application	Transitional Non-Fast Track Application	New Application	Annual Fee
	£	£	£	£
Existing Casinos	n/a	n/a	n/a	n/a
New Small Casino	n/a	n/a	n/a	n/a
New Large Casino	n/a	n/a	n/a	n/a
Regional Casino	n/a	n/a	n/a	n/a
Bingo Club	250 (300)	995 (1750)	1760 (3500)	520 (1000)
Betting Premises (excluding Tracks)	250 (300)	840 (1500)	1550 (3000)	400 (600)
Tracks	250 (300)	730 (1250)	1330 (2500)	420 (1000)
Family Entertainment Centres	250 (300)	590 (1000)	1050 (2000)	415 (750)
Adult Gaming Centre	250 (300)	590 (1000)	1050 (2000)	420 (1000)

Bold type indicates proposals. Maximum fee permitted in brackets.

APPENDIX B (CONTINUED)

DISCRETIONARY PREMISES FEES	Application to Vary	Application to Transfer	Application for Re- Instatement	Application for Provisional Statement	Licence Application (provisional Statement holders)
	£	£	£	£	£
Existing Casinos	n/a	n/a	n/a	n/a	n/a
New Small Casino	n/a	n/a	n/a	n/a	n/a
New large Casino	n/a	n/a	n/a	n/a	n/a
Regional Casino	n/a	n/a	n/a	n/a	n/a
Bingo Club	995 (1750)	700 (1200)	700 (1200)	1760 (3500)	700 (1200)
Betting Premises (excluding Tracks)	840 (1500)	700 (1200)	700 (1200)	1550 (3000)	700 (1200)
Tracks	730 (1250)	550 (950)	550 (950)	1330 (2500)	550 (950)
Family Entertainment Centres	590 (1000)	550 (950)	550 (950)	1050 (2000)	550 (950)
Adult Gaming Centres	590 (1000)	700 (1200)	700 (1200)	1050 (2000)	700 (1200)
All categories Copy Licence	25 (25)				
All categories Notification of Change	50 (50)				

Bold type indicates proposals. Maximum fee permitted in brackets.