

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Gambling Act 2005 – Premises Licence Fees

DIRECTORATE: Social Care, Safeguarding and Health

MEETING: Licensing & Regulatory Committee

Date to be considered: 25th April 2023

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

1.1 To agree the fees to set for this Authority in relation to Premises Licences under the Gambling Act 2005 for 21st May 2023 – 20th May 2024.

2. RECOMMENDATION(S):

2.1 It is recommended that:-

- (i) the fees and charges detailed in Appendix A of the report be approved and have effect from 21st May 2023; and
- (ii) The fees are subsequently reviewed annually.

3. KEY ISSUES

3.1 This Authority has a statutory duty under the Gambling Act 2005 to set fees for Premises Licences in accordance with the Gambling (Premises Licence)(England and Wales) Regulations 2007. The fees for these licences are to be reviewed and set annually on the 21st May each year. Premises Licences will include Betting Shops, Tracks, Adult Gaming Centres, Family Entertainment Centres and Bingo Premises. A fee assessment has not been carried out for Casinos as the Authority carried a resolution not to allow Casinos within its County at Full Council on 4th November 2021.

3.2 The general functions of the licensing authority in dealing with Gambling Premises Licences has been delegated to the Licensing and Regulatory Committee. This was agreed in the Gambling Act 2005 Statement of Licensing Policy approved at Full Council on 4th November 2021.

3.3 Licensing Authorities do not have the power to set fees for Permits which will be set by Central Government.

3.4 The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 provided for the following types of fees to be determined by licensing authorities:

- Licence application fee
- First annual fee
- Annual fee
- Notification of change of circumstances fee
- Application to vary a licence fee
- Application to transfer a licence fee
- Fee for a copy of a licence
- Application for re-instatement of a licence fee
- Provisional statement application fee.

The Authority currently licence thirteen premises under the Gambling Act 2005 consisting of six betting premises, one track betting and six adult gaming centres all of whom will be required to pay an annual fee.

- 3.6 The European Services Directive, along with other regulations, statutory guidance and case law underline that fees must be set on a “reasonable” cost recovery basis only and cannot be set in such a manner as to generate a profit or act as an economic deterrent to traders. In determining reasonable costs the Authority may take account of costs averaged over a reasonable period (up to three years). However, The Regulations referred to in 3.5 above has stipulated a maximum figure a local authority is permitted to charge for the licensing of premises under the Gambling Act 2005.
- 3.7 An assessment of the cost and the proposed fees commencing the 21st May 2023 is attached to this report in Appendix A. There is a reduction in fees for new, variation and provisional applications. However, the annual fees for existing licences remains the same as it reaches the maximum threshold. A breakdown of the change in fees and the maximum fee that can be charged referred to in 3.6 above is attached in Appendix B

3 REASONS:

- 4.1 The Authority has a duty to set fees and the charges set out represent a cost recovery within the Government’s maximum levels.

5. RESOURCE IMPLICATIONS:

- 5.1 The fees in Appendix A are set out to ensure the recovery of reasonable costs.

6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS:

An evaluation has been provided in Appendix C to consider the effect of the schedule of Fees proposed for Gambling Premises Licence Fees for 2022-23.

7. CONSULTEES:

None

8. BACKGROUND PAPERS:

[Gambling Act 2005](#)

[The Gambling Act 2005 \(Licensing Authority Policy Statement\) \(England and Wales\) Regulations 2006](#)

[The Gambling \(Premises Licence Fees\) \(England and Wales\) Regulations 2007](#)

9. AUTHOR:

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APPENDIX A

Gambling Act 2005 – Premises Licence Fees 21st May 2023 - 20th May 2024

Application Fee		
	Bingo Premises Licence	£1648
	Adult Gaming Centre Premises Licence	£1238
	Betting Premises (Track) Licence	£1898
	Family Entertainment Centre Premises Licence	£1501
	Betting Premises (Other) Licence	£1272
Application Fee for Premises with a Provisional Statement		
	Bingo Premises Licence	£1200
	Adult Gaming Centre Premises Licence	£1200
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£1200
Annual Fee		
	Bingo Premises Licence	£1000
	Adult Gaming Centre Premises Licence	£1000
	Betting Premises (Track) Licence	£1000
	Family Entertainment Centre Premises Licence	£ 750
	Betting Premises (Other) Licence	£ 600
Transfer Application Fee		
	Bingo Premises Licence	£1200
	Adult Gaming Centre Premises Licence	£1041
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£ 999
Variation Application Fee		
	Bingo Premises Licence	£1606
	Adult Gaming Centre Premises Licence	£1000
	Betting Premises (Track) Licence	£1250
	Family Entertainment Centre Premises Licence	£1000
	Betting Premises (Other) Licence	£1231
Provisional Statement Application Fee		
	Bingo Premises Licence	£1644
	Adult Gaming Centre Premises Licence	£1234
	Betting Premises (Track) Licence	£1895
	Family Entertainment Centre Premises Licence	£1498
	Betting Premises (Other) Licence	£1268
Application for Reinstatement Fee		
	Bingo Premises Licence	£1200
	Adult Gaming Centre Premises Licence	£1132
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£1109
	Change of Circumstances Fee	£ 50
	Duplicate Licence Fee	£ 25

APPENDIX B

	MAXIMUM PERMITTED FEES ALLOWED	MON C.C. EXISTING FEES ENDING 20TH MAY 2023	MON C.C. FEE CALCULATION	MON C.C. PROPOSED FEE FROM 21ST MAY 2023
Application Fee				
Bingo Premises Licence	£3,500	£1,669	£1,648	£1,648
Adult Gaming Centre Premises Licence	£2,000	£1,239	£1,238	£1,238
Betting Premises (Track) Licence	£2,500	£2,154	£1,898	£1,898
Family Ent Centre Premise Licence	£2,000	£1,514	£1,501	£1,501
Betting Premises (Other) Licence	£3,000	£1,937	£1,272	£1,272
Application Fee where Provisional Statement Previously Issued				
Bingo Premises Licence	£1,200	£1,200	£1,540	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,200	£1,130	£1,200
Betting Premises (Track) Licence	£950	£950	£1,828	£950
Family Ent Centre Premise Licence	£950	£950	£1,393	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,164	£1,200
Annual Fee				
Bingo Premises Licence	£1,000	£1,000	£1,414	£1,000
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,004	£1,000
Betting Premises (Track) Licence	£1,000	£1,000	£1,702	£1,000
Family Ent Centre Premise Licence	£750	£750	£1,268	£750
Betting Premises (Other) Licence	£600	£600	£1,039	£600
Transfer Application Fee				
Bingo Premises Licence	£1,200	£1,200	£1,384	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,047	£1,041	£1,041
Betting Premises (Track) Licence	£950	£950	£1,672	£950

Family Ent Centre Premise Licence	£950	£950	£1,304	£950
Betting Premises (Other) Licence	£1,200	£1,200	£999	£999
Variation Application Fee				
Bingo Premises Licence	£1,750	£1,629	£1,606	£1,606
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,196	£1,000
Betting Premises (Track) Licence	£1,250	£1,250	£1,895	£1,250
Family Ent Centre Premise Licence	£1,000	£1,000	£1,460	£1,000
Betting Premises (Other) Licence	£1,500	£1,500	£1,231	£1,231
Provisional Statement Application Fee				
Bingo Premises Licence	£3,500	£1,666	£1,644	£1,644
Adult Gaming Centre Premises Licence	£2,000	£1,235	£1,234	£1,234
Betting Premises (Track) Licence	£2,500	£2,151	£1,895	£1,895
Family Ent Centre Premise Licence	£2,000	£1,511	£1,498	£1,498
Betting Premises (Other) Licence	£3,000	£1,933	£1,268	£1,268
Application for Reinstatement Fee				
Bingo Premises Licence	£1,200	£1,200	£1,484	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,136	£1,132	£1,132
Betting Premises (Track) Licence	£950	£950	£1,772	£950
Family Ent Centre Premise Licence	£950	£950	£1,405	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,109	£1,109
Change of Circumstances Fee	£50	£50	£129	£50
Duplicate Licence Fee	£25	£25	£35	£25