

**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: 19<sup>th</sup> February 2019**

**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 21<sup>st</sup> May 2019 – 20<sup>th</sup> May 2020.

**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 21<sup>st</sup> May 2019; 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 21<sup>st</sup> 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 25<sup>th</sup> October 2018.

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 25<sup>th</sup> October 2018.

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 fourteen premises under the Gambling Act 2005 consisting of eight betting premises, one track betting and five adult gaming centres all of whom will be required to pay an annual fee.

- 3.5 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 3.4 above has stipulated a maximum figure a local authority is permitted to charge for the licensing of premises under the Gambling Act 2005.
- 3.6 An assessment of the cost and the maximum amount a local authority can charge for premises licences has been undertaken and this is shown in Appendix B attached to this report. As a result of this assessment this report proposes that the fees commencing the 21<sup>st</sup> May 2019 be set as stipulated in Appendix A.

#### **4. 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 2019-20.

#### **7. CONSULTEES:**

None

#### **8. BACKGROUND PAPERS:**

Gambling Act 2005.

Gambling Commission Guidance issued under Section 349 of the Gambling Act 2005.

#### **9. AUTHOR:**

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## APPENDIX A

### Gambling Act 2005 – Premises Licence Fees 21<sup>st</sup> May 2019 - 20<sup>th</sup> May 2020

<b>Application Fee</b>		
	Bingo Premises Licence	£1655
	Adult Gaming Centre Premises Licence	£1343
	Betting Premises (Track) Licence	£2190
	Family Entertainment Centre Premises Licence	£1532
	Betting Premises (Other) Licence	£1715
<b>Application Fee for Premises with a Provisional Statement</b>		
	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
<b>Annual Fee</b>		
	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
<b>Transfer Application Fee</b>		
	Bingo Premises Licence	£1200
	Adult Gaming Centre Premises Licence	£1161
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£1200
<b>Variation Application Fee</b>		
	Bingo Premises Licence	£1617
	Adult Gaming Centre Premises Licence	£1000
	Betting Premises (Track) Licence	£1250
	Family Entertainment Centre Premises Licence	£1000
	Betting Premises (Other) Licence	£1500
<b>Provisional Statement Application Fee</b>		
	Bingo Premises Licence	£1652
	Adult Gaming Centre Premises Licence	£1339
	Betting Premises (Track) Licence	£2187
	Family Entertainment Centre Premises Licence	£1529
	Betting Premises (Other) Licence	£1711
<b>Application for Reinstatement Fee</b>		
	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
<b>Change of Circumstances Fee</b>		£ 50
<b>Duplicate Licence Fee</b>		£ 25

## APPENDIX B

	<b>MAXIMUM PERMITTED FEES ALLOWED</b>	<b>MON C.C. EXISTING FEES ENDING 20<sup>TH</sup> MAY 2019</b>	<b>MON C.C. FEE CALCULATION</b>	<b>MON C.C. PROPOSED FEE FROM 21<sup>ST</sup> MAY 2019</b>
<b>Application Fee</b>				
Bingo Premises Licence	£3,500	£1,353	£1,655	£1,655
Adult Gaming Centre Premises Licence	£2,000	£1,300	£1,343	£1,343
Betting Premises (Track) Licence	£2,500	£1,890	£2,190	£2,190
Family Ent Centre Premise Licence	£2,000	£1,230	£1,532	£1,532
Betting Premises (Other) Licence	£3,000	£1,530	£1,715	£1,715
<b>Application Fee where Provisional Statement Previously Issued</b>				
Bingo Premises Licence	£1,200	£1,200	£1,556	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,200	£1,243	£1,200
Betting Premises (Track) Licence	£950	£950	£2,125	£950
Family Ent Centre Premise Licence	£950	£950	£1,433	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,615	£1,200
<b>Annual Fee</b>				
Bingo Premises Licence	£1,000	£1,000	£1,440	£1,000
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,127	£1,000
Betting Premises (Track) Licence	£1,000	£1,000	£2,009	£1,000
Family Ent Centre Premise Licence	£750	£750	£1,317	£750
Betting Premises (Other) Licence	£600	£600	£1,499	£600
<b>Transfer Application Fee</b>				
Bingo Premises Licence	£1,200	£1,110	£1,412	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,119	£1,161	£1,161
Betting Premises (Track) Licence	£950	£950	£1,981	£950

Family Ent Centre Premise Licence	£950	£950	£1,351	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,464	£1,200
<b>Variation Application Fee</b>				
Bingo Premises Licence	£1,750	£1,315	£1,617	£1,617
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,305	£1,000
Betting Premises (Track) Licence	£1,250	£1,250	£2,187	£1,250
Family Ent Centre Premise Licence	£1,000	£1,000	£1,494	£1,000
Betting Premises (Other) Licence	£1,500	£1,493	£1,677	£1,500
<b>Provisional Statement Application Fee</b>				
Bingo Premises Licence	£3,500	£1,349	£1,652	£1,652
Adult Gaming Centre Premises Licence	£2,000	£1,297	£1,339	£1,339
Betting Premises (Track) Licence	£2,500	£1,887	£2,187	£2,187
Family Ent Centre Premise Licence	£2,000	£1,226	£1,529	£1,529
Betting Premises (Other) Licence	£3,000	£1,527	£1,711	£1,711
<b>Application for Reinstatement Fee</b>				
Bingo Premises Licence	£1,200	£1,200	£1,505	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,200	£1,246	£1,200
Betting Premises (Track) Licence	£950	£950	£2,073	£950
Family Ent Centre Premise Licence	£950	£950	£1,443	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,564	£1,200
<b>Change of Circumstances Fee</b>	£50	£50	£119	£50
<b>Duplicate Licence Fee</b>	£25	£25	£32	£25