

**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: 23rd June 2020

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 retrospectively for 21st May 2020 – 20th May 2021.

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 retrospectively from 21st May 2020; 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 25th October 2018.

3.2 Due to Covid-19 restrictions the fee setting was unable to take place prior to 21st May 2020 and has been brought before the Licensing and Regulatory Committee at the earliest convenience, namely 23rd June 2020. The proposed change of fees would increase new, variation and provisional statements and none have been received since 21st May 2020 and as such are not affected by the delay in fee setting.

3.3 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 25th October 2018.

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

3.5 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 seven betting premises, one track betting and five 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 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 21st May 2020 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 2020-21.

7. CONSULTEES:

None

8. BACKGROUND PAPERS:

Gambling Act 2005.

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

9. AUTHOR:

Linda O’Gorman

Principal Licensing Officer

CONTACT DETAILS:

Tel: 01633 644214

Email: lindaogorman@monmouthshire.gov.uk

APPENDIX A

Gambling Act 2005 – Premises Licence Fees 21st May 2020 - 20th May 2021

Application Fee		
	Bingo Premises Licence	£1722
	Adult Gaming Centre Premises Licence	£1381
	Betting Premises (Track) Licence	£2269
	Family Entertainment Centre Premises Licence	£1596
	Betting Premises (Other) Licence	£1958
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	£1195
	Betting Premises (Track) Licence	£ 950
	Family Entertainment Centre Premises Licence	£ 950
	Betting Premises (Other) Licence	£1200
Variation Application Fee		
	Bingo Premises Licence	£1683
	Adult Gaming Centre Premises Licence	£1000
	Betting Premises (Track) Licence	£1250
	Family Entertainment Centre Premises Licence	£1000
	Betting Premises (Other) Licence	£1500
Provisional Statement Application Fee		
	Bingo Premises Licence	£1718
	Adult Gaming Centre Premises Licence	£1378
	Betting Premises (Track) Licence	£2266
	Family Entertainment Centre Premises Licence	£1592
	Betting Premises (Other) Licence	£1955
Application for Reinstatement Fee		
	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
Change of Circumstances Fee		£ 50
Duplicate Licence Fee		£ 25

APPENDIX B

	MAXIMUM PERMITTED FEES ALLOWED	MON C.C. EXISTING FEES ENDING 20TH MAY 2020	MON C.C. FEE CALCULATION	MON C.C. PROPOSED FEE FROM 21ST MAY 2020
Application Fee				
Bingo Premises Licence	£3,500	£1,655	£1,722	£1,722
Adult Gaming Centre Premises Licence	£2,000	£1,343	£1,381	£1,381
Betting Premises (Track) Licence	£2,500	£2,190	£2,269	£2,269
Family Ent Centre Premise Licence	£2,000	£1,532	£1,596	£1,596
Betting Premises (Other) Licence	£3,000	£1,715	£1,958	£1,958
Application Fee where Provisional Statement Previously Issued				
Bingo Premises Licence	£1,200	£1,200	£1,620	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,200	£1,279	£1,200
Betting Premises (Track) Licence	£950	£950	£2,203	£950
Family Ent Centre Premise Licence	£950	£950	£1,494	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,856	£1,200
Annual Fee				
Bingo Premises Licence	£1,000	£1,000	£1,501	£1,000
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,160	£1,000
Betting Premises (Track) Licence	£1,000	£1,000	£2,084	£1,000
Family Ent Centre Premise Licence	£750	£750	£1,375	£750
Betting Premises (Other) Licence	£600	£600	£1,738	£600
Transfer Application Fee				
Bingo Premises Licence	£1,200	£1,200	£1,473	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,161	£1,195	£1,195
Betting Premises (Track) Licence	£950	£950	£2,056	£950

Family Ent Centre Premise Licence	£950	£950	£1,410	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,701	£1,200
Variation Application Fee				
Bingo Premises Licence	£1,750	£1,617	£1,683	£1,683
Adult Gaming Centre Premises Licence	£1,000	£1,000	£1,342	£1,000
Betting Premises (Track) Licence	£1,250	£1,250	£2,266	£1,250
Family Ent Centre Premise Licence	£1,000	£1,000	£1,557	£1,000
Betting Premises (Other) Licence	£1,500	£1,500	£1,920	£1,500
Provisional Statement Application Fee				
Bingo Premises Licence	£3,500	£1,652	£1,718	£1,718
Adult Gaming Centre Premises Licence	£2,000	£1,339	£1,378	£1,378
Betting Premises (Track) Licence	£2,500	£2,187	£2,266	£2,266
Family Ent Centre Premise Licence	£2,000	£1,529	£1,592	£1,592
Betting Premises (Other) Licence	£3,000	£1,711	£1,955	£1,955
Application for Reinstatement Fee				
Bingo Premises Licence	£1,200	£1,200	£1,567	£1,200
Adult Gaming Centre Premises Licence	£1,200	£1,200	£1,281	£1,200
Betting Premises (Track) Licence	£950	£950	£2,151	£950
Family Ent Centre Premise Licence	£950	£950	£1,504	£950
Betting Premises (Other) Licence	£1,200	£1,200	£1,804	£1,200
Change of Circumstances Fee	£50	£50	£122	£50
Duplicate Licence Fee	£25	£25	£33	£25