

**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: 8th March 2022

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 2022 – 20th May 2023.

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 2022; 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 2022 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](#)

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APPENDIX A

Gambling Act 2005 – Premises Licence Fees 21st May 2022 - 20th May 2023

| Application Fee | | |
|--|--|-------|
| | Bingo Premises Licence | £1669 |
| | Adult Gaming Centre Premises Licence | £1239 |
| | Betting Premises (Track) Licence | £2154 |
| | Family Entertainment Centre Premises Licence | £1514 |
| | Betting Premises (Other) Licence | £1937 |
| 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 | £1047 |
| | Betting Premises (Track) Licence | £ 950 |
| | Family Entertainment Centre Premises Licence | £ 950 |
| | Betting Premises (Other) Licence | £1200 |
| Variation Application Fee | | |
| | Bingo Premises Licence | £1629 |
| | 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 | £1666 |
| | Adult Gaming Centre Premises Licence | £1235 |
| | Betting Premises (Track) Licence | £2151 |
| | Family Entertainment Centre Premises Licence | £1511 |
| | Betting Premises (Other) Licence | £1933 |
| Application for Reinstatement Fee | | |
| | Bingo Premises Licence | £1200 |
| | Adult Gaming Centre Premises Licence | £1136 |
| | 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 2022 | MON C.C. FEE CALCULATION | MON C.C. PROPOSED FEE FROM 21ST MAY 2022 |
|--|---------------------------------------|---|---------------------------------|--|
| Application Fee | | | | |
| Bingo Premises Licence | £3,500 | £1,722 | £1,669 | £1,669 |
| Adult Gaming Centre Premises Licence | £2,000 | £1,381 | £1,239 | £1,239 |
| Betting Premises (Track) Licence | £2,500 | £2,269 | £2,154 | £2,154 |
| Family Ent Centre Premise Licence | £2,000 | £1,596 | £1,514 | £1,514 |
| Betting Premises (Other) Licence | £3,000 | £1,958 | £1,937 | £1,937 |
| Application Fee where Provisional Statement Previously Issued | | | | |
| Bingo Premises Licence | £1,200 | £1,200 | £1,564 | £1,200 |
| Adult Gaming Centre Premises Licence | £1,200 | £1,200 | £1,132 | £1,200 |
| Betting Premises (Track) Licence | £950 | £950 | £2,086 | £950 |
| Family Ent Centre Premise Licence | £950 | £950 | £1,409 | £950 |
| Betting Premises (Other) Licence | £1,200 | £1,200 | £1,832 | £1,200 |
| Annual Fee | | | | |
| Bingo Premises Licence | £1,000 | £1,000 | £1,442 | £1,000 |
| Adult Gaming Centre Premises Licence | £1,000 | £1,000 | £1,012 | £1,000 |
| Betting Premises (Track) Licence | £1,000 | £1,000 | £1,963 | £1,000 |
| Family Ent Centre Premise Licence | £750 | £750 | £1,287 | £750 |
| Betting Premises (Other) Licence | £600 | £600 | £1,710 | £600 |
| Transfer Application Fee | | | | |
| Bingo Premises Licence | £1,200 | £1,200 | £1,413 | £1,200 |
| Adult Gaming Centre Premises Licence | £1,200 | £1,161 | £1,047 | £1,047 |
| Betting Premises (Track) Licence | £950 | £950 | £1,934 | £950 |

| | | | | |
|--|--------|--------|--------|--------|
| Family Ent Centre Premise Licence | £950 | £950 | £1,323 | £950 |
| Betting Premises (Other) Licence | £1,200 | £1,200 | £1,671 | £1,200 |
| Variation Application Fee | | | | |
| Bingo Premises Licence | £1,750 | £1,683 | £1,629 | £1,629 |
| Adult Gaming Centre Premises Licence | £1,000 | £1,000 | £1,199 | £1,000 |
| Betting Premises (Track) Licence | £1,250 | £1,250 | £2,151 | £1,250 |
| Family Ent Centre Premise Licence | £1,000 | £1,000 | £1,474 | £1,000 |
| Betting Premises (Other) Licence | £1,500 | £1,500 | £1,897 | £1,500 |
| Provisional Statement Application Fee | | | | |
| Bingo Premises Licence | £3,500 | £1,718 | £1,666 | £1,666 |
| Adult Gaming Centre Premises Licence | £2,000 | £1,378 | £1,235 | £1,235 |
| Betting Premises (Track) Licence | £2,500 | £2,266 | £2,151 | £2,151 |
| Family Ent Centre Premise Licence | £2,000 | £1,592 | £1,511 | £1,511 |
| Betting Premises (Other) Licence | £3,000 | £1,955 | £1,933 | £1,933 |
| Application for Reinstatement Fee | | | | |
| Bingo Premises Licence | £1,200 | £1,200 | £1,510 | £1,200 |
| Adult Gaming Centre Premises Licence | £1,200 | £1,200 | £1,136 | £1,136 |
| Betting Premises (Track) Licence | £950 | £950 | £2,031 | £950 |
| Family Ent Centre Premise Licence | £950 | £950 | £1,420 | £950 |
| Betting Premises (Other) Licence | £1,200 | £1,200 | £1,778 | £1,200 |
| Change of Circumstances Fee | £50 | £50 | £126 | £50 |
| Duplicate Licence Fee | £25 | £25 | £34 | £25 |