

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**  
**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE**  
**LICENSING COMMITTEE**

23<sup>rd</sup> October 2014

**FEES TO BE CHARGED IN RELATION TO THE GAMBLING ACT 2005**

**Submitted by:** Democratic Services Manager

**Portfolio:** Finance and Resources

**Ward(s) affected:** ALL

**Purpose of the Report**

For Members to consider and agree the fees to be charged in relation to the Gambling Act 2005.

**Recommendations**

That the Committee agree the fees to be charged in relation to the Gambling Act 2005.

1. **Background**

Licensing authorities are responsible for setting the fees for gambling premises licences. These must be calculated on a cost recovery basis. Fees must not exceed the maximums set out in the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007. At the moment all of the fees current charges by Newcastle under Lyme Borough Council are at the maximum level and the recommendation is that this continues to be the case.

Licensing authorities have a duty to set these fees on a cost recovery basis. The Act states S212 (2) (d)) that licensing authorities "shall aim to ensure that income from fees as nearly as possible equates to the cost of providing the service to which the fee relates including a reasonable share of expenditure which is referable only partly or only indirectly linked to the provision of the service". Licensing authorities must be transparent about the assumptions they have made in setting their fees. The annual fee will cover the costs of compliance and enforcement work, including the cost of dealing with illegal gambling in a licensing authority's area.

Fees for premises licences should include an element for overheads and for dealing with illegal gambling in the area. This Council has delegated responsibility for setting Gambling fees to the licensing committee.

Fees cannot be set on the basis of size, rateable value or any other basis. Licensing authorities must be transparent about the assumptions they have made in setting their fees. Fees should be published and reviewed on an annual basis initially.

## Detail

<b>Gambling Act 2005</b>	<b>Current</b>	<b>Proposed</b>	<b>Increase/Decrease</b>	<b>Upper Limit</b>
Lotteries - application fee	40	40	Statutory	N/A
Lotteries - annual fee	20	20	Statutory	N/A
Bingo - application fee	3,500.00	3,500.00	No Change	3,500
Bingo - annual fee	1,000.00	1,000.00	No Change	1,000
Bingo - application to vary	1,750.00	1,750.00	No Change	1,750
Track betting - application fee	2,500.00	2,500.00	No Change	2,500
Track betting - annual fee	1,000.00	1,000.00	No Change	1,000
Track betting - application to vary	1,250.00	1,250.00	No Change	1,250
Track betting - application to transfer	950	950	No Change	950
Club machine permit - application fee	200	200	Statutory	N/A
Club machine permit - renewal fee	200	200	Statutory	N/A
Club machine permit - annual fee	50	50	Statutory	N/A
Betting premises - application fee	3,000.00	3,000.00	No Change	3,000
Betting premises - annual fee	600	600	No Change	600
Betting premises - application to vary	1,500.00	1,500.00	No Change	1,500
Betting premises - application to transfer	1,200.00	1,200.00	No Change	1,200
Family entertainment centre - application fee	2,000.00	2,000.00	No Change	2,000
Family entertainment centre - annual fee	750	750	No Change	750
Family entertainment centre - application to vary	1,000.00	1,000.00	No Change	1,000
Family entertainment centre - application to transfer	950	950	No Change	950
Adult gaming centre - application fee	2,000.00	2,000.00	No Change	2,000
Adult gaming centre - annual fee	1,000.00	1,000.00	No Change	1,000
Adult gaming centre - application to vary	1,000.00	1,000.00	No Change	1,000
Adult gaming centre - application to transfer	1,200.00	1,200.00	No Change	1,200

2. **Issues**

None identified

3. **Options Considered**

That the fees listed in the table above be agreed by the Licensing Committee for the financial year 2015/2016.

4. **Reasons for Preferred Solution**

No change is recommended in relation to the fees relating to the Gambling Act 2005.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- crime and disorder
- regeneration
- quality of life
- environment
- health improvement implications

7. **Legal and Statutory Implications**

Licensing authorities have a duty to set these fees on a cost recovery basis. The Act states S212 (2) (d) that licensing authorities “shall aim to ensure that income from fees as nearly as possible equates to the cost of providing the service to which the fee relates including a reasonable share of expenditure which is referable only partly or only indirectly linked to the provision of the service”. Licensing authorities must be transparent about the assumptions they have made in setting their fees.

8. **Equality Impact Assessment**

No adverse impact has been identified.

9. **Financial and Resource Implications**

As no reduction in the fees is recommendation there should be no detrimental financial implications for the Council. No increase in fee is possible as all fees currently charged are at the maximum permitted.

10. **Major Risks**

11. **Key Decision Information**

Not applicable

13. **Recommendations**

That the Committee agree the fees to be charged in relation to the Gambling Act 2005.

14. **List of Appendices**

Overview of the Types of Licence

15. **Background Papers**

The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007