

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

19TH FEBRUARY 2007

Gambling Act 2005 – Premises Licence Fees

OPEN	
RESPONSIBLE OFFICER:	Head of Planning, Health and Environment
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APPENDICES	None

1. PURPOSE OF REPORT

- 1.1 To approve a Delegation of authority to set Premises Licences Fees granted under the provisions of the Gambling Act 2005.

2. RECOMMENDATION

The Committee is asked to RECOMMEND to Cabinet

to RECOMMEND to Council:

- 2.1 **Authority be delegated to the Head of Financial Services and the Head of Planning, Health and Environment to set fees in relation to the Gambling Act 2005 according to government guidelines.**

- 2.2 **The Council's Constitution be amended accordingly.**

3. BACKGROUND

- 3.1 The Gambling Act 2005 (the Act) gives responsibility for the licensing and regulation of gambling premises to licensing authorities. The costs of these new responsibilities will be met by gambling operators through a one off application fee and annual fees for gambling premises licences.

- 3.2 The Act allows the Secretary of State to devolve to licensing authorities in England and Wales the freedom to set fees for premises licence applications, subject to any constraints which may be prescribed.
- 3.3 When determining the fees they will charge, each licensing authority will be limited to recovery of costs of carrying out their functions under the Act. This will include the cost of hearings, inspection and enforcement.

Transitional Arrangements

- 3.4 A scale of fees must be set by each Local Authority by 30th April 2007, to commence a transitional period leading to the full operational date of the Act on 1st September 2007.

New Licensing Regime

- 3.5 Under the Act, each of the following type of gambling premises will require a licence:
- existing casinos, (originally licensed under the 1968 Gambling Act)
 - new small casinos
 - new large casinos
 - bingo clubs
 - betting Offices (i.e. Betting premises excluding tracks)
 - race tracks
 - adult gaming centres
 - family entertainment centres

4. KEY ISSUES

- 4.1 The Department of Culture, Media, and Sport (DCMS) is currently consulting with all local authorities to assess fee bands which will enable full cost recovery of the licensing function.
- 4.2 The Regulations, subsequent to the consultation, are not yet published by Government but should be in place by the 30th April 2007 to enable the transition to take place. These will detail some specified permit fees, but will leave others to be set locally.
- 4.3 The Licensing and Environmental Committee is not due to meet in the month of March 2007, and gambling fees cannot be considered by Council before 30th April 2007.
- 4.4 Gambling fees will become part of the Income Service Option relating to fees in future financial years.

5. LEGAL AND POLICY IMPLICATIONS

5.1 The recovery of fees is in accordance with the Gambling Act 2005.

6. FINANCIAL IMPLICATIONS

6.1 The total estimated income for Gambling Fees is likely to be in the region of £3,000.

6.2 The Council should ensure that this function is cost neutral.

7. CONCLUSION

7.1 Gambling fees cannot be set until Government has published Regulations.

7.2 A delegation to officers to set fees will enable the licensing transition to take place according to the Government's timescale, and to ensure that all costs are recovered.

8. CONSULTEES

8.1 Head of Legal and Democratic Services.

9. BACKGROUND PAPERS

9.1 Gambling Act 2005.

9.2 Gambling Act 2005 Premises Licenses Regulations Consultation.

6th February 2007