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Report of: Environmental Health Business Manager

To: Licensing and Gambling Acts Committee

Date: 10 May 2007

Item No: 8

Title of Report : Gambling Act 2005: 2007/2008 Fee levels

Summary and Recommendations

Purpose of report:

To determine the fees to be charged for licence applications under the Gambling Act 2005

Key decision: No

Portfolio Holder: Not applicable

Scrutiny Responsibility: Not applicable

Ward(s) affected: All

Report Approved by:

Environmental Health Business Manager

Legal and Democratic Services Business Manager (Daniel Smith)

Finance and Asset Management Business Manager (Andy Collett)

Policy Framework: Statement of Gambling Licensing Policy

Recommendation(s): The Committee is recommended to approve the scale of fees proposed for the financial year 2007/ 2008

Introduction

1. Council has delegated to this Committee the function of determining fees for the various applications in connection with premises licences under the Gambling Act 2005 (the "2005 Act") which will supersede current betting, gaming and lotteries legislation on 1 September 2007.
2. A 'transition period' will start on 21 May 2007. By that date, the licensing authority must set and publish fees to enable holders of current licences to apply to transfer their permissions to the new regime.
3. The licensing authority will be responsible for processing those applications. Officers expect as few as 26 applications for premises licences as shown in the Appendix.
4. The Council already registers small society lotteries and administers gaming-machine permits under current legislation. These functions will be brought under the 2005 Act with minor changes.

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Fee structure

5. Regulations under the 2005 Act require that Licensing Authorities set fees to just recover the cost of operating the licensing regime, subject to statutory limits.
6. In the Appendix: Table 1 shows the current statutory limits; Table 2 the estimated costs (including all support services); Table 3 the fees proposed; and Table 4 the expected numbers of applications and estimated fee income.
7. Applicants for premises licences pay a fee on application and, within a set period, an annual fee for the coming year. Annual fees apply thereafter. Officers assume that each applicant will opt for the "fast-track" route (straightforward conversion) rather than proposing changes that could attract representations and result in a hearing.
8. As Council has adopted a "no casino" resolution, casino application fees have been omitted from the calculations.
9. Regulations have fixed the fees for other matters under the 2005 Act, such as Gaming Permits, Gaming Machine Permits and registration of Small Society Lotteries. The fee levels are similar to those under existing legislation.

Financial implications

10. The fees set by the licensing authority need to be calculated on a cost recovery basis. Due to the low numbers of estimated licence applications there is little prospect of reducing fees through efficiency savings. However, the legislation will not place a significant burden on the authority, no additional resources will be required and the expected income is relatively low.
11. Government expects licensing authorities to review fees annually. This can be done as part of the annual budget setting process. However, Government proposes to review all fees set by licensing authorities under the 2005 Act and may use regulations to change the statutory limits.
12. Officers expect little change in the current fee income from Gaming Permits, Gaming Machine Permits and registrations of Small Society Lotteries when the 2005 Act supersedes current legislation.
13. The estimated additional income under the 2005 Act is £19,800 for 2007/08 and (subject to annual reviews) £13,900 annually thereafter. No additional staff resources will be required to undertake the Council's functions under the 2005 Act.

Recommendations

14. Committee is recommended to approve the scale of fees proposed for the financial year 2007/ 2008.

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Background papers: None

Appendix – Gambling Act 2005: Proposed fees 2007/2008

Table 1: MAXIMUM PERMITTED FEES

Application / fee type	Premises type				
	Bingo	AGC	Track	FEC	Betting
New	£ 3,500	£ 2,000	£ 2,500	£ 2,000	£ 3,000
New (with Prov Statement)	£ 1,200	£ 1,200	£ 950	£ 950	£ 1,200
Transition (Fast-track)	£ 300	£ 300	£ 300	£ 300	£ 300
Transition (Non fast-track)	£ 1,750	£ 1,000	£ 1,250	£ 1,000	£ 1,500
Vary	£ 1,750	£ 1,000	£ 1,250	£ 1,000	£ 1,500
Transfer	£ 1,200	£ 1,200	£ 950	£ 950	£ 1,200
Reinstatement	£ 1,200	£ 1,200	£ 950	£ 950	£ 1,200
Provisional Statement	£ 3,500	£ 2,000	£ 2,500	£ 2,000	£ 3,000
Copy of licence	£ 25	£ 25	£ 25	£ 25	£ 25
Notification of change	£ 50	£ 50	£ 50	£ 50	£ 50
First annual (may differ from Annual)	£ 1,000	£ 1,000	£ 1,000	£ 750	£ 600
Annual	£ 1,000	£ 1,000	£ 1,000	£ 750	£ 600

(AGC = Adult Gaming Centre)
(FEC = Family Entertainment Centre)

Table 2: ESTIMATED COSTS

Application / fee type	Premises type				
	Bingo	AGC	Track	FEC	Betting
New	£ 755	£ 610	£ 720	£ 610	£ 680
New (with Prov Statement)	£ 755	£ 610	£ 720	£ 610	£ 680
Transition (Fast-track)	£ 230	£ 230	£ 230	£ 230	£ 230
Transition (Non fast-track)	£ 1,140	£ 890	£ 1,205	£ 890	£ 990
Vary	£ 1,085	£ 845	£ 1,130	£ 845	£ 940
Transfer	£ 350	£ 320	£ 345	£ 320	£ 335
Reinstatement	£ 450	£ 390	£ 425	£ 390	£ 415
Provisional Statement	£ 655	£ 535	£ 595	£ 535	£ 585
Copy of licence	£ 25	£ 25	£ 25	£ 25	£ 25
Notification of change	£ 40	£ 40	£ 40	£ 40	£ 40
First annual (may differ from Annual)	£ 495	£ 550	£ 655	£ 550	£ 520
Annual	£ 495	£ 550	£ 655	£ 550	£ 520

Table 3: PROPOSED FEES for 2007/2008

Application / fee type	Premises type				
	Bingo	AGC	Track	FEC	Betting
New	£ 755	£ 610	£ 720	£ 610	£ 680
New (with Prov Statement)	£ 755	£ 610	£ 720	£ 610	£ 680
Transition (Fast-track)	£ 230	£ 230	£ 230	£ 230	£ 230
Transition (Non fast-track)	£ 1,140	£ 890	£ 1,205	£ 890	£ 990
Vary	£ 1,085	£ 845	£ 1,130	£ 845	£ 940
Transfer	£ 350	£ 320	£ 345	£ 320	£ 335
Reinstatement	£ 450	£ 390	£ 425	£ 390	£ 415
Provisional Statement	£ 655	£ 535	£ 595	£ 535	£ 585
Copy of licence	£ 25	£ 25	£ 25	£ 25	£ 25
Notification of change	£ 40	£ 40	£ 40	£ 40	£ 40
First annual (may differ from Annual)	£ 495	£ 550	£ 655	£ 550	£ 520
Annual	£ 495	£ 550	£ 655	£ 550	£ 520

Greyed cells show where proposed fees equal the maximum permitted

Table 4: EXPECTED APPLICATIONS & ESTIMATED FEE INCOME for 2007/2008

Application / fee type	Bingo	AGC	Track	FEC	Betting
Transition (Fast-track)	1	3	2	-	20
First annual (may differ from Annual)	1	3	2	-	20
Expected total fee numbers:	26 Fast track applications			26 Annual fees	
Transition (Fast-track)	£ 230	£ 690	£ 460	-	£ 4,600
First annual (may differ from Annual)	£ 495	£ 1,650	£ 1,310	-	£ 10,400
Sub-totals	£ 725	£ 2,340	£ 1,770	-	£ 15,000
Estimated fee income 2007/2008 (Transition plus annual fees) £ 19,800					
Estimated fee income (subsequent years) (Annual fees only) £ 13,900					

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