

PREMISES LICENCE FEES UNDER THE GAMBLING ACT 2005

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to ask Members to consider and recommend to Council for approval, the proposed Premises Licence Fees under the Gambling Act 2005 that are set out in this report.

2.0 BACKGROUND

2.1 Under the Gambling Act 2005 a new regime for regulating gambling and betting will come into effect from 1 September 2007.

2.2 Wirral Borough Council will become the Licensing Authority responsible for granting Premises Licence in the Borough of Wirral in respect of:

- Betting Premises, including tracks
- Bingo Premises
- Family Entertainment Centres
- Adult Gaming Centres
- Casino Premises

2.3 The Council will also be responsible for issuing the following permits:

- Alcohol Licensed Premises Gaming Machine Permits
- Unlicensed Family Entertainment Centre Gaming Machine Permits
- Club Gaming Permits
- Prize Gaming Permits

2.4 Whilst the exact fee that can be applied to permits will be set out in Regulations under the Gambling Act 2005, the Council does have discretion to set the fees for Premises Licences up to the maximum levels set out in Regulations made under the Gambling Act 2005.

2.5 The maximum Premises Licence fee levels are set out in the table shown in Annexe 1.

2.6 Fees must be set for all types of Premises Licence:

- Casinos
- Bingo
- Betting (off-course)
- Tracks (on-course betting)
- Adult Gaming Centres
- Family Entertainment Centres

- 2.7 The cost of the following activities can be included in the calculations of costs for local authorities:
- Dealing with applications
 - Dealing with representations
 - Mediation
 - Holding Committee Hearings
 - Involvement in Appeals
 - Carrying out Reviews
 - Inspection
 - Compliance
 - Enforcement
 - Information exchange with the Gambling Commission
 - Maintaining Registers
 - Future reviews of 'Statement of Principles'
- 2.8 All costs of providing the service must be included in the fee so that there is no subsidisation by general tax payers. This will therefore include all direct and indirect costs, including a full proportional share of overhead costs, insurance, depreciation and cost of capital charge. However, start up costs must not be included in the calculations for setting Premises Licence Fees.
- 2.9 The Gambling Act 2005 specifically states that local authorities shall:
- '.....aim to ensure that the income from fees as nearly as possible equates to the cost of providing the service to which the fees relates.'
- 2.10 It is understood that full recovery includes the costs for compliance and enforcement work relating to illegal gambling. However, the costs of enforcement in respect of Gambling Permits are recovered in the permit fees not the premises licence fees.
- 2.11 Should parts of the industry believe that the authority's fees are set at a level that is greater than the costs of the statutory functions then it would be open to them to undertake judicial review proceedings.
- 2.12 It is difficult at this time to provide precise details of the cost of exercising the new responsibilities under the Gambling Act 2005. Members are therefore asked to determine the fees based on estimated costs subject to a review of costs being undertaken in 12 months time.
- 2.13 Projections of the costs on the implementation of the Gambling Act 2005 have been calculated and it is estimated that there will be a cost to the Licensing Section of £40,137.
- 2.14 In order to raise the income to cover these costs it is proposed that the fees set out in the table shown in Annexe 2 be applied. The fees are set at 20% below the maximum fees that can be applied.
- 2.15 A table comparing the proposed fees in neighbouring local authorities is attached at Annexe 3.

3.0 FINANCIAL AND STAFFING IMPLICATIONS

3.1 It is estimated that there will be a cost to the Licensing Section of £40,137 in exercising its functions under the Gambling Act 2005.

4.0 EQUAL OPPORTUNITIES IMPLICATIONS

4.1 There are none arising from this report.

5.0 LOCAL AGENDA 21 IMPLICATIONS

5.1 There are none arising directly from this report.

6.0 LOCAL MEMBER SUPPORT IMPLICATIONS

6.1 The whole borough is affected by this report.

7.0 HUMAN RIGHTS IMPLICATIONS

7.1 There are none arising from this report.

8.0 COMMUNITY SAFETY IMPLICATIONS

8.1 There are none arising from this report.

9.0 PLANNING IMPLICATIONS

9.1 There are no planning implications.

10.0 BACKGROUND PAPERS

10.1 There are none arising from this report.

11.0 RECOMMENDATIONS

11.1 The Licensing Act 2003 Committee are asked to consider and recommend to Council for approval, the proposed Premises Licence Fees under the Gambling Act 2005 set out in the report.

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<i>Premises Type</i>	<i>Transitional Fast-Track Application</i>	<i>Transitional Non-Fast Track Application</i>	<i>New Application</i>	<i>Annual Fee</i>
Existing Casinos	£300	£2,000	n/a	£3,000
New Small Casino	n/a	n/a	£8,000	£5,000
New Large Casino	n/a	n/a	£10,000	£10,000
Regional Casino	n/a	n/a	£15,000	£15,000
Bingo Club	£300	£1,750	£3,500	£1,000
Betting Premises (Excluding Tracks)	£300	£1,500	£3,000	£600
Tracks	£300	£1,250	£2,500	£1,000
Family Entertainment Centres	£300	£1,000	£2,000	£750
Adult Gaming Centre	£300	£1,000	£2,000	£1,000

	Application to Vary	Application to Transfer	Application for Re-Instalment	Application for a Provisional Statement	Licence Application (Provisional Statement Holders)	Copy Licence	Notification of Change
Existing Casinos	£2,000	£1,350	£1,350	n/a	n/a	£25	£50
New Small Casino	£4,000	£1,800	£1,800	£8,000	£3,000	£25	£50
New Large Casino	£5,000	£2,150	£2,150	£10,000	£5,000	£25	£50
Regional Casino	£7,500	£6,500	£6,500	£15,000	£8,000	£25	£50
Bingo Club	£1,750	£1,200	£1,200	£3,500	£1,200	£25	£50
Betting Premises (Excluding Tracks)	£1,500	£1,200	£1,200	£3,000	£1,200	£25	50
Tracks	£1,250	£950	£950	£2,500	£950	£25	£50
Family Entertainment Centres	£1,000	£950	£950	£2,000	£950	£25	£50
Adult Gaming Centre	£1,000	£1,200	£1,200	£2,000	£1,200	£25	£50

<i>Premises Type</i>	<i>Transitional Fast-Track Application</i>	<i>Transitional Non-Fast Track Application</i>	<i>New Application</i>	<i>Annual Fee</i>
Existing Casinos	£240	£1,600	n/a	£2,400
New Small Casino	n/a	n/a	£6,400	£4,000
New Large Casino	n/a	n/a	£8,000	£8,000
Regional Casino	n/a	n/a	£12,000	£12,000
Bingo Club	£240	£1,400	£2,800	£800
Betting Premises (Excluding Tracks)	£240	£1,200	£2,400	£480
Tracks	£240	£1,000	£2,000	£800
Family Entertainment Centres	£240	£800	£1,600	£600
Adult Gaming Centre	£240	£800	£1,600	£800

	Application to Vary	Application to Transfer	Application for Re-Instalment	Application for a Provisional Statement	Licence Application (Provisional Statement Holders)	Copy Licence	Notification of Change
Existing Casinos	£1,600	£1,080	£1,080	n/a	n/a	£20	£40
New Small Casino	£3,200	£1,440	£1,440	£6,400	£2,400	£20	£40
New Large Casino	£4,000	£1,720	£1,720	£8,000	£4,000	£20	£40
Regional Casino	£6,000	£5,200	£5,200	£12,000	£6,400	£20	£40
Bingo Club	£1,400	£960	£960	£2,800	£960	£20	£40
Betting Premises (Excluding Tracks)	£1,200	£960	£960	£2,400	£960	£20	£40
Tracks	£1,000	£760	£760	£2,000	£760	£20	£40
Family Entertainment Centres	£800	£760	£760	£1,600	£760	£20	£40
Adult Gaming Centre	£800	£960	£960	£1,600	£960	£20	£40

Premises Licence fees proposed by neighbouring authorities in respect of the maximum fees set out in annex 1

Liverpool	75%
Knowlsey	75%
Sefton	65%
St Helens	Maximum
Wirral	80%