

**REPORT OF CORPORATE DIRECTOR CITY DEVELOPMENT
GAMBLING ACT 2005 - APPLICATION FEES**

1.0 SUMMARY

The statutory fee regime allows licensing authorities to set application fees relating to premises licences within prescribed bands. The fees proposed for Nottingham are shown in this report.

2.0 RECOMMENDATIONS

- 2.1 IT IS RECOMMENDED that Committee approves the fees shown in appendix 1 to this report and that the Corporate Director of City Development be authorised to publish the fees.

3.0 BACKGROUND

- 3.1 The delivery of the gambling regime by local authorities is intended to be self-financing. The Act allows licensing authorities to set their own fees for various matters relating to premises licences within prescribed bands. Fees for other types of applications and notifications are prescribed by statute.
- 3.2 Together with a small number of other authorities, the Licensing Service on behalf of the City Council, has worked with the Government to provide information to enable the fee structure to be established. Due to the low number of responses to the Government's fee questionnaires, bands have been estimated to be sufficient to cover the costs of all authorities. Once set the Government will monitor fees levels across the country to ensure they are set at a cost recovery level and will review fees at the end of the current financial year to ensure they are sufficient to enable the regime to be delivered by authorities.

4.0 PROPOSALS

- 4.1 It is not possible at this time to say with certainty what the final cost to deliver the regime will be to the City Council. Officers understand that this is the same for many other authorities including those local to Nottingham. The fees recommended are considered to be sufficient to recover costs incurred in providing the relevant service and are shown at appendix 1.

5.0 FINANCIAL IMPLICATIONS

- 5.1 The fees proposed in this report have been calculated in accordance with the provisions of the Gambling Act 2005 which require that the fees shall as nearly as possible equate to the costs of providing the service to which the fee relates. Fees have been set at a level designed to be cost neutral to the City Council and have been based on estimates of resources required to carry out specific tasks. These estimates will be monitored and reviewed on an annual basis.

6.0 LEGAL IMPLICATIONS

Section 212 of the Act requires that the Authority shall aim to ensure that the income from fees of the specific types shall as nearly as possible equate to the costs of providing the service to which the fee relates (including a reasonable share of expenditure which is referable only partly or only indirectly to the provision of that service). Were fees to be set which did not comply with this requirement they would be challengeable by way of Judicial Review.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

None.

8.0 STRATEGIC AIMS

The gambling regime is an opportunity for new businesses to be established in the City bringing in new job opportunities and investment. The risks posed to vulnerable people who may be tempted to gamble beyond their means are taken into account within industry and Gambling Commission Codes of Practice that gambling operators must adhere to. Compliance will be ensured by regular inspections of gambling premises and by responding to complaints.

9.0 BEST VALUE

The fees must be set at a cost recovery level. The Government will monitor fee levels across authorities.

10.0 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None

11.0 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

Gambling Act (Premises Licence Fees) Regulations 2007

12.0 COPYRIGHT ACKNOWLEDGEMENT

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GAMBLING ACT 2005 – FEES TABLE (£)

	EXISTING CASINO	BINGO	ADULT GAMING CENTRE / FAMILY ENTERTAINMENT CENTRE	BETTING PREMISES (track)	BETTING PREMISES (other)
CONVERSION (fast track)	80	80	80	130	75
CONVERSION (non fast track)	1365	1365	1000	1250	1120
NON CONVERSION OF PROVISIONAL STATEMENT PREMISES	n/a	1200	1130/950	950	1120
PROVISIONAL STATEMENT	n/a	1365	1130	1385	1120
OTHER PREMISES APPLICATIONS (non conversion)	n/a	1365	1130	1385	1120
ANNUAL FEE	1665	700	700	700	515
VARIATION OF A LICENCE	1365	1365	1000	1250	1120
TRANSFER OF A LICENCE	935	935	780	950	770
REINSTATEMENT OF A LICENCE	935	935	770	950	780
CHANGE OF CIRCUMSTANCES (s 186)	24	24	24	24	24
COPY LICENCE (s190)	18	18	18	18	18

REGIONAL/LARGE/SMALL CASINOS	NOT APPLICABLE DUE TO 'NO CASINO RESOLUTION'
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