

Minutes of the Licensing Committee

11th May, 2007 at 2.30 pm
at the Sandwell Council House, Oldbury

Present: Councillor Silvester (Chair);
Councillor Rouf (Vice-Chair);
Councillors Dr Crumpton, Mrs Edis, Mrs A Hughes,
R Horton, McHard, Tagger, G Turton and A Underhill.

Observer: Councillor Rowley (Cabinet Member for Community
Safety and Partnerships).

6/07 **Minutes**

Resolved that the minutes of the meeting held on 23rd March, 2007 be confirmed as a correct record.

7/07 **Gambling Act 2005 - Fees**

Further to Minute No 5/07, the Committee was reminded that the Council at its meeting on 6th March, 2007, had decided to delegate the responsibility for setting fees and charges under the Gambling Act 2005 (the 2005 Act) to the Licensing Committee, subject to consultation with the appropriate Cabinet Member on the budgetary implications.

Section 212 of the 2005 Act provided for the setting of fees. The Government had decided that the premises licence fees would be set via a series of bands with a prescribed maximum. Licensing authorities would be able to select precise fees from within the bands. In determining the fees, licensing authorities had to aim to ensure that the income from the fees as nearly as possible equated to the cost of providing the service to which the fee related but could not exceed the maximum prescribed fee. The Government would be monitoring the level of fees set by licensing authorities to enforce this principle. Licensing authorities were also required to review their fees annually to ensure that the income from premises licences fees in any financial year did not exceed the full costs incurred by the authority in carrying out their prescribed functions.

The new fees would come into force on 21st May, 2007 for licences due

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to take effect from 1st September, 2007.

The additional costs incurred in implementing the provisions of the 2005 Act in Sandwell were largely legal and administrative, plus the cost of any inspection and enforcement costs undertaken by the Licensing Team. These additional costs were estimated to be £45,000 per annum. The proposed fees had been set at a level to offset these costs, generating income of approximately £43,000. It would be necessary to bring a further report in due course if the enforcement element was greater than anticipated.

Proposed fees and charges to be levied in the Borough in connection with the 2005 Act were submitted for consideration.

The Cabinet Member for Community Safety and Partnerships indicated that he had no objection on budgetary grounds to the proposed fee structure.

The Government would also in due course be setting fees for permits payable to licensing authorities in connection with the 2005 Act

Resolved:

- (1) that the proposed premises licences fees relating to the Gambling Act 2005, as set out in the attached Appendix, be approved for the first year of operation 2007/08; and
- (2) that the fees be reviewed at the end of a full year of operation in accordance with Government guidelines.

(The meeting ended at 2.45 pm)

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TABLE OF PROPOSED FEES TO BE SET UNDER THE GAMBLING ACT 2005

APPENDIX

Type of application	Number of premises	Conversion application fee for fast track application	Conversion application fee for non-fast track application	Non-conversion application fee in respect of other premises	Non-conversion application fee in respect of provisional statement premises	First annual fee	Fee for application to vary licence	Fee for application to transfer a licence	Fee for application for reinstatement of a licence	Fee for application for provisional statement	Copy licence	Notification of change
Converted casino premises licence	2	£250 (£300)	£1,000 (£2,000)			£1,000 (£3,000)	£750 (£2,000)	£500 (£1,350)	£500 (£1,350)		£15 (£25)	£25 (£50)
Bingo premises licence	4	£250 (£300)	£900 (£1,750)	£1,500 (£3,500)	£600 (£1,200)	£400 (£1,000)	£650 (£1,750)	£450 (£1,200)	£450 (£1,200)	£1,500 (£3,500)	£15 (£25)	£25 (£50)
Betting premises (track) licence	1	£250 (£300)	£500 (£1,250)	£1,000 (£2,500)	£400 (£950)	£400 (£1,000)	£500 (£1,250)	£400 (£950)	£400 (£950)	£1,000 (£2,500)	£15 (£25)	£25 (£50)
Betting premises (other) licence	57	£250 (£300)	£500 (£1,500)	£1,000 (£3,000)	£400 (£1,200)	£250 (£600)	£500 (£1,500)	£400 (£1,200)	£400 (£1,200)	£1,000 (£3,000)	£15 (£25)	£25 (£50)
Family entertainment centre premises licence	17	£250 (£300)	£400 (£1,000)	£600 (£2,000)	£350 (£950)	£300 (£750)	£400 (£1,000)	£350 (£950)	£350 (£950)	£600 (£2,000)	£15 (£25)	£25 (£50)
Adult gaming centre premises licence	0	£250 (£300)	£400 (£1,000)	£750 (£2,000)	£450 (£1,200)	£400 (£1,000)	£400 (£1,000)	£450 (£1,200)	£450 (£1,200)	£750 (£2,000)	£15 (£25)	£25 (£50)

*Fees in brackets are the maximum permitted by Regulations

