

Sandwell Metropolitan Borough Council**Report to the Licensing Committee****17th March 2009****Review of Fees and Charges for 2009/10 in relation to Services provided by Communities and Regulatory Services (Gambling Licensing Fees)****1. Summary Statement**

- 1.1 This report sets out the proposed fees and charges for the year 2009/10 for Services provided by Communities and Regulatory Services (Gambling Licensing Fees). The setting of fees is provided for by Section 212 of the Gambling Act 2005, Premises licences fees are to be set via a series of bands, with a prescribed maximum. Licensing Authorities must set fees from within the bands, limited to the cost of recovery.
- 1.2 The Council's Financial Regulation 4.30 sets a requirement for service area fees and charges to be reviewed on an annual basis.
- 1.3 A corporate policy on fees and charges and an approval form designed to ensure consistency across the Council when setting or reviewing all fees and charges were approved by Cabinet on 10th December 2008. The completed approval forms are attached at Appendix 2.
- 1.4 In setting the budget proposals for 2009/10 the fees and charges, as set out in Appendix 1, have been taken into account.
- 1.5 In accordance with the Council's decision on 6th March 2007 to delegate responsibility for setting fees and charges under the Gambling Act 2005 to the Licensing Committee, subject to consultation with the appropriate Cabinet Member on budgetary implications, the Cabinet Member for Safer Communities will be asked on 16th March, 2009 to recommend those fees and charges contained in this report under the Gambling Act to the Licensing Committee for approval.

Further details are attached for your information

2. **Recommendations**

- 2.1 That Members approve those fees and charges contained in this report under the Gambling Act 2005, as set out in Appendix 1.

Paul Wright
Head of Communities and
Regulatory Services

Stuart Kellas
Interim Director of Finance
and Corporate Services

Contact Officers

Peter Willetts
Safety and Licensing Manager
0121 569 6505

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3. Strategic Resource Implications

3.1 In setting the budget proposals for 2009/10 the attached fees and charges have been taken into account.

4. Legal and Statutory Implications

- 4.1 The fees proposed are in line with the Council's policy to maximise income generation. The Council's Financial Regulation 4.30 requires fees and charges to be reviewed at least annually.
- 4.2 Section 2 of the Gambling Act 2005 provides that the Council is a Licensing Authority. The 2005 Act places a duty on local authorities to undertake the licensing functions specified in the Act. The setting of fees is provided for by Section 212 of the 2005 Act.
- 4.3 Section 212(1) of the Act states that regulations prescribing a fee may provide for the amount of the fee to be determined by a licensing authority, and may, if they make provision, specify constraints on a licensing authority's power to determine the amount of the fee.

5. Implications for the Council's Corporate Priorities

5.1 The fees and charges levied are in respect of services delivered with the objective of securing compliance with legal requirements and in order to promote a safer, cleaner, stronger community for all citizens of Sandwell.

6 Background Details

6.1 The services are required to review their fees and charges on an annual basis and the recommended fees are detailed on the attached schedules.

Source Documents

- A Gambling Act 2005
- B Guidance to Licensing Authorities April 2006 (Gambling Commission)
- C The (Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.
- D Explanatory Memorandum to The (Gambling (Premises Licence Fees) (England and Wales) Regulations 2007

Appendix 1

Communities and Regulatory Services
Safety and Licensing
License and Registration Fees and Charges for 2009/2010

Gambling Act 2005

Gambling License Fees (uprated by 4%)	Proposed Fee £
Converted casino premises licence	
Conversion application fee for fast track application	260
Conversion application fee for non-fast track application	1040
First annual fee	1040
Fee for application to vary licence	780
Fee for application to transfer a licence	520
Fee for application for reinstatement of a licence	520
Copy licence	16
Notification of change	26
Bingo premises licence	
Conversion application fee for fast track application	260
Non-conversion application fee in respect of other premise	1560
First annual fee	416
Fee for application to transfer a licence	468
Fee for application for reinstatement of a licence	468
Fee for application for provisional statement	1560
Copy licence	16
Notification of change	26
Betting premises (track) licence	
Conversion application fee for fast track application	260
Conversion application fee for non-fast track application	520

Non-conversion application fee in respect of other premise	1040
Non-conversion application fee in respect of provisional statement premises	416
First annual fee	416
Fee for application to vary licence	520
Fee for application to transfer a licence	520
Fee for application for reinstatement of a licence	416
Fee for application for provisional statement	1040
Copy licence	16
Notification of change	26
Betting premises (other) licence	
Conversion application fee for fast track application	260
Conversion application fee for non-fast track application	520
Non-conversion application fee in respect of other premise	1040
Non-conversion application fee in respect of provisional statement premises	416
First annual fee	260
Fee for application to vary licence	520
Fee for application to transfer a licence	520
Fee for application for reinstatement of a licence	416
Fee for application for provisional statement	1040
Copy licence	16
Notification of change	26
Family entertainment centre premises licence	
Conversion application fee for fast track application	260
Conversion application fee for non-fast track application	416
Non-conversion application fee in respect of other premise	624
Non-conversion application fee in respect of provisional statement premises	364
First annual fee	416
Fee for application to vary licence	416
Fee for application to transfer a licence	364
Fee for application for reinstatement of a licence	364
Fee for application for provisional	624

statement	
Copy licence	16
Notification of change	26
Adult gaming centre premises	
Conversion application fee for fast track application	260
Conversion application fee for non-fast track application	416
First annual fee	416
Fee for application to vary licence	416
Fee for application to transfer a licence	468
Fee for application for reinstatement of a licence	468
Fee for application for provisional statement	780
Copy licence	16
Notification of change	26