

GENERAL PURPOSES AND LICENSING COMMITTEE – 12 JANUARY 2007

GAMBLING ACT 2005 – FEE SETTING

1. INTRODUCTION

- 1.1 This report proposes that the General Purposes and Licensing Committee be delegated powers to set fees under the Gambling Act 2005.

2. PROVISIONS WITHIN THE ACT

- 2.1 It is understood that the Government is likely to decide premises licence fees will be set via a series of bands, with a prescribed maximum. Licensing Authorities will be able to select precise fees from within these bands, limited to cost recovery.

In addition, it is anticipated that those Authorities rated excellent by the CPA will be able to set premises licence fees outside the bands, however only limited to cost recovery.

The fee bands have yet to be set by DCMS, LGA and LACORS however, they have started consultation about the calculation of the bands to ensure cost recovery.

- 2.2 Section 212 sets out the provision for Licensing Authorities to set their own fees subject to regulations which are expected to be as described in 2.1 above.
- 2.3 Section 154 of the Gambling Act 2005 enables the Council to delegate the function of setting the fees to the Licensing Committee.
- 2.4 Due to the relatively short timescales between the publishing of Government Guidance on the setting of fees and the implementation of the Act, it is proposed that the Council be requested to delegate the function of fee setting to the General Purposes and Licensing Committee for expedience of time.

3. ENVIRONMENTAL IMPLICATIONS

- 3.1 There are no environmental implications arising from this report.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report.

5. CRIME AND DISORDER IMPLICATIONS

- 5.1 There are no crime and disorder implications arising from this report.

6. RECOMMENDATION

- 6.1 That in accordance with the provisions of Section 212 of the Gambling Act 2005, the Council delegate powers to the General Purposes and Licensing Committee to set gambling fees for 2007.

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