

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Assistant Director of Commissioning

**To:** Committee of the Licensing Authority

**(Author:** Fiona Inston – Licensing and Business Support Manager)

**Subject:** Amendment of a gambling fee

**Purpose:** To obtain authority to amend a gambling fee

### **Recommendation:**

- (a) The authorisation is given to amend the fee to £540 for betting premises and family entertainment centres.

## **1.0 BACKGROUND**

- 1.1 Under the Gambling Act 2005 the Local Authority can set local fees for gambling activities.
- 1.2 The maximum fees are detailed in The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.

## **2.0 ISSUES**

- 2.1 The annual fee for betting premises and family entertainment centres in the budget is currently set at £610 for 2013/14, due to an error at budget setting. The legal maximum fee is £600 for this category of premises. We are proposing to revert the fee back to the fee for 12/13 which is currently set at £540.

## **3.0 OPTIONS**

- 3.1 There are two options available.
- 3.2 Option One: The option to the committee is to approve the proposed fee of £540.
- 3.3 Option Two: To make no amendments to the fee and face the risk of legal challenge

## **4.0 REASONS FOR RECOMMENDATION**

- 4.1 It is key that the council do not charge more than the legal maximum fee of £600 and therefore this report supports the change to the fees to be in line with the legislation.

## **5.0 EXPECTED BENEFITS**

- 5.1 The benefit is to ensure compliance with the legislation.

## **6.0 IMPLICATIONS**

## 6.1 Legal

6.1.1 A decision to amend the fee to the proposed figure will ensure that the council are not charging more than the maximum fee set in the legislation.

## 6.2 Risks

6.2.1 If no action is taken there is risk of legal challenge.

## 6.3 Financial

6.3.1 The error on the budget line has been identified after the budget setting process and no businesses have been charged the additional fee. The number of premises in this category is seven, so any change will have minimal impact on the budget for the expected income for 13/14 and onwards.

## 6.4 Timescales

6.4.1 It is recommended that the fee is corrected immediately.

## 6.5 Equality and Diversity

6.6.1 None

## 6.6 Stakeholders/Consultation

6.6.1 None

## 6.7 Contracts

6.7.1 None

## 6.8 Section 17, Crime & Disorder Act 1998

6.8.1 None

## 6.9 Other

6.9.1 None

## 7.0 Wards/Communities Affected

7.1 All

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Background papers:-

The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007  
<http://www.legislation.gov.uk/ukxi/2007/479/contents/made>

Table of maximum fees from The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007: <http://www.legislation.gov.uk/ukxi/2007/479/schedule/made>

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**Appendices attached to this report:**

None