



## **Report to Council**

**Date: 12 December 2007**

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**Subject: Gambling Act 2005- Fee Setting.**

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### **Purpose of this Report**

To obtain the approval of Full Council to delegate its Gambling Act fee setting powers to the Licensing Act Committee.

### **Information**

Section 154 of the Gambling Act 2005 delegates all the Council's gambling functions to the Licensing Act Committee established under the Licensing Act except:

- (1) the power to resolve not to issue a casino premises licence;
- (2) the power to approve the Gambling Act Statement of Principles; and
- (3) the power to set the fees under the Act.

The Act makes it clear that the power to resolve not to issue a casino premises licence and the power to approve the Gambling Act Statement of Principles are matters which cannot be delegated and therefore can only be exercised by Full Council.

The Act does however allow the power to set the fees to be delegated by Full Council.

Since the introduction of the Local Authorities (Functions and Responsibilities)(England)(Amendment) Order 2007 in May 2007, this decision is not to be the responsibility of the authority's executive. Therefore annual fee setting under the Gambling Act is a function which can be delegated to a Committee of the Council to perform.

### **Recommendation**

Council is requested to delegate the power to set fees under Section 212 of the Gambling Act 2005 to the Licensing Act Committee.