



**REPORT OF: Director of Environment and Leisure/  
Executive Member for Environment**

**TO: Council Forum**

**ON: 28<sup>th</sup> January 2016**

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**SUBJECT Gambling Policy Statement 2016**

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**1. PURPOSE OF THE REPORT**

To inform the Council of the outcome of the consultation undertaken for the 2016 revision of the Gambling Act 2005 Statement of Policy.

**2. OPTIONS**

For Council to approve the Gambling Policy Statement 2016.

**3. RECOMMENDATIONS**

That The Council considers the proposed changes and approves the revised Statement of Licensing Policy.

**4. BACKGROUND**

The Licensing Authority on behalf of the Council has consulted on a revised Policy Statement for the Gambling Act 2005. A new policy has been written taking in to account the comments made during the consultation exercise.

A number of changes have been made to the Operator's Licence Conditions and Codes of Practice by the Gambling Commission. These have been reflected in this review. The main change for operators is that each gambling premises must conduct risk assessments on their sites to ensure there are adequate procedures in place to comply with the licensing objectives. Officers from public protection will continue to inspect all the premises and from time to time undertake test purchasing operations. A recent operation has resulted in a betting office failing a test purchase operation by allowing an under 18 year old to use a fixed odds betting machine. Consideration is currently being given to the most appropriate course of action to be taken.

The public protection service consulted on a national and local level with businesses and organisations affected by the policy. The residents of the borough have been consulted via the Council's website and through Resident Associations. The draft policy was advertised on the Council's website.

The consultation period ran from 1<sup>st</sup> September to 17<sup>th</sup> November 2015.

The responses received were considered by the Licensing Committee for inclusion or changes to the document where it was considered appropriate.

## **5. RATIONALE**

The Council is required to publish a Statement of Licensing Policy under the Act, which is a statement of principles that the Licensing Authority must consider when determining a Premises Licence application. This policy must be reviewed every three years.

The Policy sets out the approach that will be taken when dealing with permissions it grants and enforces thereafter.

It also identifies how the Authority will seek to promote the licensing objectives under the Act, namely:-

- **Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime.**
- **Ensuring gambling is conducted in a fair and open way.**
- **Protecting children and other vulnerable people from being harmed or exploited by gambling.**

Partnerships are important; we work closely with the Gambling Commission, the Police and the other responsible authorities named within the Act. We also provide guidance and support to the trade, residents and businesses.

All decisions that are made in relation to gambling will be made having taken into account the three objectives and each application will be dealt with on its merits.

## **6. POLICY IMPLICATIONS**

Approval of the policy is deemed a key decision.

## **7. FINANCIAL IMPLICATIONS**

The financial costs incurred by the consultation and the publication of the revised document will be borne by the fees levied for gambling premises.

## **8. LEGAL IMPLICATIONS**

Theoretical risk of legal challenge if recommendations are not followed.

## **9. RESOURCE IMPLICATIONS**

Existing staff in the public protection service will undertake the associated work in implementing the Statement of Gambling Policy.

## 10. EQUALITY IMPLICATIONS

An equality impact assessment has been completed, and there are no detrimental issues with this report.

## 11. CONSULTATIONS

As detailed, in the Background of this report. Responses were received from Ladbrokes, Coral and Gosschalks Solicitors acting on behalf of the Association of British Bookmakers. The responses were considered and the Licensing Committee amended the document as deemed appropriate.

**Chief Officer/Member**      **Martin Eden/ James Smith**

Contact Officer:              Donna Riding

Date:                              4<sup>th</sup> January 2016

Background Papers:

*Gambling Policy 2016*

*Form Reference Standard Committee Report Template May 2012 1.0*