

DEPARTMENT: ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO: LICENSING COMMITTEE

17:11:15

TITLE : CONSULTATION OF GAMBLING ACT 2005 – REVISION OF STATEMENT OF POLICY

1. PURPOSE

To inform members of the outcome of the consultation being undertaken of the revision of the Gambling Act 2005 Statement of Policy.

2. RECOMMENDATIONS

That members note the report and put forward any recommendations that they may have for inclusion in the revised policy prior to its adoption by the Council.

3. KEY ISSUES

The Licensing Authority on behalf of the Council has consulted on a revised Policy Statement for the Gambling Act 2005. (appendix 1).

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. Attached is a letter which provides a summary of the proposed changes. Appendix 2.

The public protection service has consulted on a national and local level to businesses and organisations affected by this document. The residents of the borough have been consulted via the Council's website and through Resident Associations. The draft policy including the full proposed changes are on the Council's website.

The consultation period is 1st September to 17th November 2015.

The responses received will be considered by the Licensing Committee for inclusion in the document where it is considered appropriate. One response was received from the consultation exercise this was from Ladbrokes, this is detailed in appendix 3.

4. 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 Premise 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, where possible, 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.

5. POLICY IMPLICATIONS

Approval of the policy is deemed a key decision.

6. 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.

7. LEGAL IMPLICATIONS

Theoretical risk of legal challenge if recommendations are not followed.

8. RESOURCE IMPLICATIONS

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

9. CONSULTATIONS

As detailed in Key Issues.

10 . CONTACT OFFICER

Donna Riding – Principal Officer - Licensing
Telephone 01254 585004