

Report to Licensing Committee

Agenda
Item:

A.4

Meeting Date: 27 May 2015
Portfolio: Finance, Governance and Resources
Key Decision: Not Applicable:
Within Policy and
Budget Framework NO
Public / Private Public

Title: GAMBLING ACT 2005 –STATEMENT OF GAMBLING POLICY –
FORMATION OF WORKING GROUP
Report of: Director of Governance
Report Number: GD 33/15

Purpose / Summary

The main thrust of the Gambling Act 2005 was that the Gambling Commission would be responsible for issuing operating and personal licences and local authorities would issue premises licences. One of the duties of the local authority is for each three year period, to consult and publish a statement of its Gambling Policy. The first policy was published on 3 January 2007. The next version must be published by 3 January 2016. A county based Officer Working Group has prepared a draft policy statement in anticipation of the consultation..

Recommendations:

Form a working group consisting of Members and Officers, to agree a draft Gambling Policy for consultation and recommendation to the Licensing Committee and eventual approval of the City Council.

Tracking

Executive:	n/a
Overview and Scrutiny:	n/a
Council:	n/a

To the Chairman & Members of the Licensing Committee on 27th May 2015

Background

1. One of the major requirements for local authorities following the publication of the Gambling Act 2005 was the formulation and consultation on its “Statement of Gambling Policy”.
2. Section 349 of the Act reads:
 - (1) A licensing authority shall before each successive period of three years -
 - a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and
 - b) publish the statement
 - (2) A licensing authority shall -
 - a) review their statement under this section from time to time,
 - b) if they think it necessary in the light of a review, revise the statement, and
 - c) publish any revision before giving it effect
 - (3) In preparing a statement or revision under this section a licensing authority shall consult -
 - a) the chief officer of police for the licensing authority’s area
 - b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area, and
 - c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under this Act.
3. It is coming up to three years since the third policy was published and this must be reviewed and a new policy published by 3rd January 2016, to take effect on 31st January 2016.
4. For the previous policies, the Licensing Committee of this Council resolved to form a Gambling Policy Working Group to consider the responses to the consultation and make recommendations to the Licensing Committee and subsequently Full Council. This group consisted of the Chairman and two representatives from the Licensing Committee. In addition the Solicitor and Licensing Manager were appointed to give assistance and guidance. The group submitted their recommendations to the Licensing Committee which was forwarded to Full Council for adoption.

Current Review

5. The Licensing Managers Group met on 8th April 2015 to prepare a draft policy for consultation. This draft will be circulated for consultation to all Responsible Authorities and persons and organisations that were consulted in the original consultation. A letter will be sent to all Members of the City Council, placed on the Council web site and a press release will be made in a local newspaper

6. With this in mind, it is recommended that a small local working group consisting of Members and Officers similar to that outlined in para. 4 above is formed. This group will consider the draft Licensing Policy Statement, taking into account any recommendations from the county group following consultation and prepare a report for the Licensing Committee and ultimate adoption of the Gambling Policy by the City Council.

RECOMMENDATION

7. Form a working group consisting of Members and Officers, to prepare a draft Gambling Policy for eventual approval of the City Council.

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Appendices None
attached to report:

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Gambling Act 2005

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's –None

Community Engagement – None

Economic Development – None

Governance – None

Local Environment – None

Resources –None