

CARLISLE CITY COUNCIL

Report to:- **The Chairman and Members of the Licensing Committee**

Date of Meeting:- **12th September 2007**

Agenda Item No:-

Public

Operational

Delegated Yes

Accompanying Comments and Statements

Cumbria Fire Service
Cumbria Constabulary
Environmental Services
Planning Services

Required

Included

No No
No No
No No
No No

Title:-

**GAMBLING ACT 2005
APPLICATION UPDATE**

Report of:-

LEGAL & DEMOCRATIC SERVICES

Report reference:-

LDS 77/07

Summary:-

Local Authorities took over responsibility for issuing premises licences under the Gambling Act 2005 on 1st September 2007. This report gives an update on the current position regarding applications made under this legislation.

Recommendation:-

Members are requested to note the information.

J A Messenger
Licensing Manager
Legal & Democratic Services

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:- Records of Licence applications

To the Chairman and Members of the Licensing Committee on 12th September 2007

This report is presented to give an update on the current position under the Gambling Act 2005.

BACKGROUND

- 1.1 The Gambling Act 2005 received Royal Assent in April 2005. The main thrust of the new legislation was that Local Authorities took over the responsibility for licensing gambling premises from the Licensing Justices. In addition, the Gambling Commission was formed from the old Gaming Board of Great Britain and has responsibility for licensing operators and personal licence holders.
- 1.2 Over the last two years Officers have been building up their knowledge of the new legislation and Members have received training in their new responsibilities in respect of hearings.
- 1.3 This committee considered a report in February 2007 in connection with the fee structure and delegated authority under the legislation. The City Council subsequently agreed the proposals that the setting of fees and other functions under the Gambling Act 2005 be delegated to the Licensing Committee.
- 1.4 A number of dates were published for existing licence holders to make application to their local authorities during the transitional period:
 - Applications received between 21st May and 30 July 2007 were granted continuation rights and could continue to operate.
 - Applications received between 1st and 30th August 2007 were granted grandfather rights, but could not operate until their licences were issued.
 - The date for the changeover was 1st September 2007.
- 1.5 With the exception of one premise (where a variation application is pending) all gambling premises within this local authority area had made their applications by 27th July 2007. The licences have not yet been issued due to the late publication of relevant regulations. Once our computer software company has amended the programme the licences will be issued. As the applications were received before 30th July they have continuation rights to operate as normal.

APPLICATION FIGURES – as at 3rd September 2007

2.1 Adult Gaming Centres

Current Application – 3

2.2 Betting Premises (other than track)

Current Applications – 15

2.3 **Betting Premises (Track)**

Current Applications – 1

2.4 **Bingo Premises**

Current Applications – 2

CURRENT LICENCES

3.1 In addition to the new premises licences under the Gambling Act 2005, the council already has responsibility for a number of other gambling permits:

3.2 **Gaming Machine Permits**

These are granted to alcohol licensed premises and local authorities have been responsible for their issue since November 2005. The permit lasts for three years but became a Licensed Premises Gaming Machine Permit under the new Act with effect 1st September 2007.

Current Permits - 119

Small Lottery Licences

These permits have been the responsibility of local authorities for many years and come under the new legislation with effect 1st September 2007. They are usually issued to charities or clubs where there is no personal gain. Their annual fee becomes due on 1st January each year.

Current Permits - 433

CURRENT ISSUES

4.1 Once the licensing software is updated the new licences will be issued.

4.2 Officers are currently going out to meet local licence holders to build up rapport and answer any queries under the new legislation.

OPTIONS

Members are asked to note the current position.

Prepared by:

J A Messenger

Licensing Manager