

COUNCIL

**GAMBLING ACT 2005
STATEMENT OF GAMBLING LICENSING POLICY
2016– 2019**

16th December 2015

Report of the Chief Officer (Governance)

PURPOSE OF REPORT

To seek Council's approval of the Council's Statement of Gambling Licensing Policy for 2016-19.

This report is public.

RECOMMENDATIONS

(1) Council is requested to approve the draft Statement of Gambling Licensing Policy 2016-2019 appended to this report for publication in accordance with the requirements of the Gambling Act 2005.

1.0 Report

1.1 Section 349 of the Gambling Act 2005 provides that each licensing authority shall before each successive period of three years, prepare a statement of the principles that they propose to apply in exercising their functions under the Act during that period, and, publish that statement. The function of approving the statement of policy is a function of full Council and cannot be delegated.

1.2 The statement of policy was last updated in January 2013 and is therefore due to be updated in January 2016

1.3 The Act provides that before determining the policy a Licensing Authority must consult with:-

- The Chief Officer of Police for the area
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- 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 the Gambling 2005

1.4 Consultation on a revised draft Statement of Gambling Licensing Policy was held from 1st August 2015 until 24 October 2015. In addition to the statutory requirements regarding consultation as outlined above, the following steps were taken to ensure the consultation was as effective as possible:-

- A press release was issued regarding the consultation process
- The revised draft Statement of Gambling Licensing Policy was made available on the council's website
- Copies of the above document were made available at the council's offices

2.0 Proposal Details

2.1 Two responses were received to the consultation. The responses are attached at Appendix 1 to this report. After consideration of the responses, further amendments were made to the draft Statement of Gambling Licensing Policy. The further amendments are outlined in Appendix 2 to this report and the proposed Statement of Gambling Licensing Policy with the amendments included is attached at Appendix 3.

2.2 These documents were considered by the Licensing Act Committee at its meeting on the 3rd December 2015. The Committee recommended the draft Statement of Policy for approval by Council.

3.0 Details of Consultation

3.1 The statutory consultation process has been undertaken as indicated above, and the proposed draft has been considered by the Licensing Act Committee.

4.0 Options and Options Analysis (including risk assessment)

4.1 The options open to Council are to approve the policy appended to this report as drafted, or to approve it subject to amendments. The Policy has been drafted in accordance with legal constraints and Gambling Commission guidance, and has been considered by the Licensing Act Committee. Not to approve a policy is not an option, as it is a statutory requirement that a policy be in place in January for the next three years.

5.0 Conclusion

5.1 Council is requested to consider the draft Statement of Licensing Policy, and to approve the publication of the new policy to take effect in January 2016, in accordance with the statutory timescales.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support to crime is one of the statutory licensing objectives, and this is reflected in the draft Policy, as is the requirement that all cases should be considered on their individual merits.

FINANCIAL IMPLICATIONS

The publication of the Statement of Licensing Policy is statutory requirement and has no direct financial implications for the Council.

LEGAL IMPLICATIONS

The report has been prepared on behalf of the Chief Officer (Governance), and the Council's statutory obligations as Licensing Authority are reflected in the report.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring officer, as the Chief Officer responsible for Licensing, has been consulted in the preparation of the statement of policy.

BACKGROUND PAPERS

None.

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