

Report of the Head of Licensing and Registration

Report to Licensing Committee

Date: 26th June 2012

Subject: Gambling Act 2005 Statement of Licensing Policy

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Every three years the Council is required by the Gambling Act 2005 to review the Gambling Act 2005 Statement of Licensing Policy, and to consult upon any changes.
2. The three yearly review is taking place this year however as the council approved an amendment to the current policy to include information on the large casino licence last year, it was not proposed to make revisions to the current policy at this review, unless the public consultation reveals the need for a further change.
3. The public consultation has now taken place and the council received two responses.

Recommendations

4. That Licensing Committee notes the contents of this report.

1.0 Purpose of this report

- 1.1 To advise Licensing Committee of the results of the public consultation for the triennial review of the Gambling Act 2005 Statement of Licensing Policy.

2.0 Background information

- 2.1 Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.
- 2.2 The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

3.0 Main issues

- 3.1 The council approved a revised Gambling Act 2005 Statement of Licensing Policy 2010 to 2012 in January 2012. The revisions included the insertion of a comprehensive section relating to the large casino but officers took the opportunity to revise other parts of the policy in light of recent legislation changes.
- 3.2 Officers, under the authorisation of a delegated decision notice, considered that further revisions were not necessary and took the current policy through a public consultation between 12th March to 31st June 2012.
- 3.2 The council received two written responses to the public consultation.
- 3.2 The Association of British Bookmakers responded on 26th April to advise that it was pleased that the Council was not intending to make any changes to the current policy and to request that we advise them if we do make any amendments.
- 3.3 The Racecourse Association Limited responded on the 30th May 2012 (Appendix 1). Three comments relate principally to the section on premises licences and how they relate to racecourses. Two of the comments relate to the section on Tracks. Officers have considered the comments but do not consider that any further changes are required to the policy.
- 3.4 The council did not receive any responses via the online questionnaire.
- 3.5 The approval of the policy is a matter for full Council. The approval process follows the Budgetary and Policy Framework. The suggested timescale for approval is as follows:

Executive Board	July 2012
Scrutiny Board	September 2012
Executive Board	October 2012
Council	November 2012

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 This report concerns the public consultation undertaken on the Gambling Act 2005 Statement of Licensing Policy. The consultation was undertaken over a 12 week period and included a written mailing in line with the requirement of the Gambling Act 2005.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 As this is an advisory report there are no issues relating to equality, diversity, cohesion and integration.

4.3 Council Policies and City Priorities

4.3.1 This report concerns the result of the public consultation undertaken on the Gambling Act 2005 Statement of Licensing Policy.

4.4 Resources and Value for Money

4.4.1 There are no implications on resources or value for money.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications for this report.

4.6 Risk Management

4.6.1 There are no issues relating to risk management.

5 Conclusions

5.1 The council has undertaken a 12 week public consultation on the Gambling Act 2005 Statement of Licensing Policy as required by the Gambling Act. This review and consultation is required every three years.

5.2 The council had not planned to make any changes to the policy, as a revised policy was approved by Council in January this year. As such the council only received two written responses to the consultation and does not intend to make any further revision in light of these responses.

5.3 The policy approval is a matter for Council following the Budgetary and Policy Framework. It is intended that the policy follows this framework with final approval expected by Council in November 2012.

6 Recommendations

- 6.1 That Licensing Committee considers the contents of the report which includes the results of the public consultation.

7 Appendices

- 7.1 Letter from The Racecourse Association Limited
- 7.2 Proposed Gambling Act 2005 Statement of Licensing Policy 2013 - 2015

Background Papers

Gambling Act 2005