

Report of Chief Officer Democratic and Central Services

Report to Council

Date: 14th November 2012

**Subject: Recommendations of Executive Board regarding the 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. The public consultation has now taken place and the council received two responses.

Recommendations

That Council approve the Gambling Act 2005 Statement of Licensing Policy 2010-2012 as the new policy to have effect from 31st January 2013.

1 Purpose of this report

- 1.1 To present for consideration of Council recommendations of the Executive Board regarding the Gambling Act 2005 Statement of Licensing Policy.

2 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 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 and 1st June 2012.
- 3.3 The council received two written responses to the public consultation.
- 3.4 The Association of British Bookmakers responded on 26th April 2012 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.
- 3.5 The Racecourse Association Limited responded on the 30th May 2012. 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.
- 3.6 The council did not receive any responses via the online questionnaire.
- 3.7 The approval of the policy is a matter for full Council. The approval process follows the Budgetary and Policy Framework. The policy has now been to Executive Board and was referred to Scrutiny Board (Resources and Council Services) for consideration at their September meeting. Although Scrutiny Board had a number of questions relating to gambling, there was no comment to be made to Executive Board.

3.8 The policy was presented to Executive Board on 17th October. In the absence of any comment from Scrutiny Board (Resources and Council Services), Executive Board recommend that the Council approves the policy.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 As per the attached report to the Executive Board

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 As per the attached report to the Executive Board

4.3 Council policies and City Priorities

4.3.1 As per the attached report to the Executive Board

4.4 Resources and value for money

4.4.1 As per the attached report to the Executive Board

4.5 Legal Implications, Access to Information and Call In

4.5.1 As per the attached report to the Executive Board

4.6 Risk Management

4.6.1 As per the attached report to the Executive Board

5 Conclusions

5.1 As per the attached report to the Executive Board

6 Recommendations

6.1 That Council approve the Gambling Act 2005 Statement of Licensing Policy 2010-2012 as the new policy to have effect from 31st January 2013.

Background documents¹

7.1 There are no unpublished background documents that relate to this matter.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.