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# Gambling Act 2005 - Summary Report

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	10 December 2015
<b>Lead Member:</b>	Councillor Jeff Beck, Chairman of Licensing
<b>Date Portfolio Member agreed report:</b>	18 November 2015
<b>Report Author:</b>	Julia O'Brien (Principal Licensing Officer)
<b>Forward Plan Ref:</b>	C3050

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## 1. Purpose of the Report

- 1.1 To determine a Statement of Licensing Policy on Gambling.

## 2. Recommendation

- 2.1 To approve the revised version of the policy, as amended, following recent statutory consultation

## 3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** The Gambling Act 2005 requires the Council to formulate, consult and publish a statement of principles every three years
- 3.3 **Personnel:** None
- 3.4 **Legal:** It is a legal requirement for the council to publish and have regard to a licensing policy
- 3.5 **Risk Management:** None
- 3.6 **Property** None
- 3.7 **Other:**

## 4. Other options considered

- 4.1 None

## **5. Executive Summary**

- 5.1 The Gambling Act 2004 requires the Council to publish a statement of policy on Gambling every three years. Prior to publication the draft policy must be consulted upon widely.
- 5.2 The current policy is required to be re published on or before the 31<sup>st</sup> January 2016 and be in force until 31 January 2019 unless amendments are required during that period through changes in legislation or local policy. A wide ranging consultation has been carried out on the existing policy statement.
- 5.3 The only material changes made to the existing policy are those where guidance issued by the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP) and the Local Government Association has been updated. These cover Local Area Profiles (LAP) and Risk Assessment by Operators. A small number of typographical and grammatical changes have also been made.

## **6. Local Area Profiles**

- 6.1 There is no mandatory requirement for the Council to develop a local area profile. Based upon local knowledge and taking into account information held by the Council and after speaking to partners, the Council has found no evidence to suggest that a LAP is needed at this time. However a section has been published in the Policy outlining the requirements of a LAP should the Council decided to adopt a LAP in the future.

## **7. Risk Assessments by Operators**

- 7.1 The Policy includes a new section on the Council's expectations for local risk assessments to be undertaken by applicants for Gambling Premises Licenses or variations of such.
- 7.2 Changes to the draft policy are highlighted in the document attached at Appendix A.

## **8. Proposals**

- 8.1 Members are requested to agree the content of the draft Statement of Policy on Gambling as presented in the Appendix to this report and to recommend its adoption by the Council.

## **9. Equalities Impact Assessment Outcomes**

- 9.1 An Equalities Impact Assessment has been completed and is attached at Appendix B.

## **10. Conclusion**

- 10.1 There is a mandatory duty on the Council to publish a Gambling Policy.
- 10.2 The draft Gambling Policy attached will be edited to remove all tracked changes highlighted, prior to being presented to Full Council.

## 11. Appendices

- 11.1 Appendix A – Supporting Information
- 11.2 Appendix B - Draft Gambling Policy (Statement of Principles)
- 11.3 Appendix C – Equalities Impact Assessment
- 11.4 Appendix D – Letter to Consultees
  - Appendix Di – Consultees List
  - Appendix Dii – TVP Response
  - Appendix Diii – Newbury Town Council Response
  - Appendix Div – Environmental Health Response
  - Appendix Dv – Cllr Bridgman Response