

REVIEW OF GAMBLING ACT 2005 POLICY – OUTCOME OF CONSULTATION PROCESS

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Wards Affected: All

PROPOSED DECISION

That the Committee comment on the draft Statement of Licensing Policy as set out at Appendix A and recommend it to Cabinet for approval.

Reason for Decision

To comply with the requirements of the Gambling Act 2005.

Corporate Implications

1. Publication of the revised Statement is required by law but it is not envisaged that this will incur any financial implications given that the statutory means of publication is by publishing the Statement on the Council's website.
2. Under Section 349 of the Gambling Act 2005, a Licensing Policy statement must be produced and published every three years. It must be reviewed from time to time over the three year period and may be revised during the period taking into account any relevant changes brought by guidance issued by the government. The Licensing authority is required to consult various specified authorities in revising a Licensing Policy Statement. The bodies and persons who must be consulted are set out in subsection (3) of Section 349 of the Act.
3. The review and publication of the Policy must be carried out in order to comply with the Gambling Act 2005. Non-compliance may lead to possible legal and financial implications in that future applications determined under the Act may be challenged.

Executive Summary

4. Members will recall that the Council originally approved the Statement of Licensing Policy under the Gambling Act 2005 in December 2006. In accordance with s.349 of the Gambling Act 2005, the Council is required to review, prepare and publish this policy at least every 3 years, following full consultation. The consultation process has now taken place and Members are requested to consider the draft revised Policy.

Sustainable Community Strategy/Council Priorities - Implications

5. The revision of the Gambling Act 2005 policy contributes to the Sustainable Community Strategy themes of Thriving Economy, Sustainable Environment and Safe Communities and to the Council's Corporate Plan priorities of People and Place.

Background and Issues

6. The Statement of Licensing Policy must be reviewed, undergo a consultation process and be approved by Council in December this year, as required by the Gambling Act 2005.
7. The consultation process took place between 25 June and 25 September. Approximately 150 letters were sent to organisations and individuals including responsible authorities, trade organisations, representatives of the licensed trade, representatives of residents, Parish Councils and Members. The consultation process was also advertised on the Council's website.
8. One response was received, which did not suggest any amendments to the Statement of Licensing Policy.
9. Spare copies of the Statement will be available for Members at the Committee meeting.
10. The Committee is requested to consider the Statement and make any comments for further amendment prior to its approval by Cabinet and then submission to full Council for adoption in December.

Options

11. Then Committee can consider recommending changes to the Statement of Licensing Policy should it be considered necessary to do so.

Next Steps

12. Subject to the views of the Committee, the Statement of Licensing Policy will be referred to Cabinet at its meeting on 3 December prior to being considered by full Council at its meeting on the 17 December 2012.

Background Papers

None