

## 1. Gambling Act 2005 Policy Review

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Wards affected: All

### PROPOSED DECISION OR RECOMMENDATION TO COUNCIL

That the draft review of the Gambling Act 2005 Policy at Appendix () be approved for a consultation exercise as required by the Act.

### Reason for Decision

The Licensing Authority is required by section 349 of the Gambling Act 2005 to review and publish its statement of licensing principles at least every three years. Failure to comply with this requirement may result in legal challenge, leading to costs and reputational damage.

### Corporate Implications

- 1.1 The proposed consultation exercise and subsequent 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

- 1.2 Members may recall that the Council originally approved the Gambling Act 2005 policy in December 2006. In accordance with s.349 of the Act, the Council is required to review, prepare and publish this policy at least every 3 years following a full consultation process with those persons specified within the Act and any others deemed relevant by the Council. The government recommends that the consultation process should take 3 months to enable sufficient time for those consulted to respond. The Policy was last reviewed and re-published in 2012. It is now necessary to review the policy and carry out a further consultation exercise.

### Sustainable Community Strategy/Council Priorities – Implications

- 1.3 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

The Gambling Act 2005 policy must be reviewed, undergo a consultation process and be approved by Council by December this year.

Minimal changes are proposed to be made to the current policy and those changes are marked on the draft revised copy at Appendix (). The majority of the changes

have been made for clarification purposes or further to updated government guidance.

The consultation process is recommended by the government to last 3 months.

It is proposed that an updated version of the consultation list previously used in 2012 will be utilised for this purpose.

It is proposed that the revised amended policy undergoes the consultation process from June to August this year, in order for the consultation responses to be considered by the Licensing Committee at the meeting on 8th October 2015.

### **Next Steps**

Should the draft policy be approved, it will be subject to a 12 week consultation exercise. Any responses will be considered and presented to the Licensing Committee on 8<sup>th</sup> October 2015.

### **Background Papers**

Gambling Act 2005

Guidance issued by the Gambling Commission