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## STATEMENT OF GAMBLING POLICY

To: **Overview and Scrutiny Panel – 20th October 2015**

Main Portfolio Area: **Community Services**

By: **Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **Thanet Wide**

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**Summary:** **This report reviews the Statement of Gambling Policy under the 2005 Gambling Act.**

### **For Decision**

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#### **1.0 Introduction and Background**

- 1.1 The Gambling Act 2005 came into force in September 2007. It removed from the Magistrates' Courts all responsibility for granting gaming and betting permissions. The Act introduced a unified regulator, the Gambling Commission, and a new licensing regime for commercial gambling (to be conducted by the Commission or by Licensing Authorities, depending on the matter to be licensed).
- 1.2 Premises licences are granted by Licensing Authorities, which, in an English County with a County Council, are the District Councils. Premises licences authorise the provision of facilities on casino, bingo and betting premises, adult gaming centres and family entertainment centres. Decisions relating to premises licences are delegated to the Licensing Board under the Act. Permits for gaming machines and Small Society lottery registration are also dealt with by District Councils.
- 1.3 Licensing Authorities must have a Statement of Gambling Policy in place under the Act. Full Council approved the Gambling Policy in December 2006. This Policy is required under the Act to be reviewed every three years and was again approved by Full Council in October 2009 and December 2012. The Policy needs to be published four weeks prior to the 31<sup>st</sup> January 2016.
- 1.4 Premises licensed by the Council are an important part of our local town centres, with a significant number of employees. It is therefore important to the local economy that the Council discharges its statutory duty in both an efficient and effective manner.

#### **2.0 The Current Situation**

- 2.1 There are currently three casino, two bingo, and eighteen betting premises in Thanet. There are also thirteen Adult Gaming and Family Entertainment Centres. A variety of permits have also been issued to premises for gaming machines.
- 2.2 Guidance under the Act is issued by the Gambling Commission to Local Authorities. The Gambling Commission published its fourth edition of the Guidance in February 2013. Consultation on the fifth edition closed in June 2015 and publication is awaited.
- 2.3 Consultation took place on the draft Statement of Gambling Policy between the 23<sup>rd</sup> July and the 15<sup>th</sup> October 2015. The Act requires the Licensing Authority to consult with the

Police and interested persons. 'Interested persons' are further defined in the Act. Copies of the draft Policy were sent to the persons and bodies mentioned at appendix 5 in the Policy. The same appendix will list the responses received. The draft Statement of Gambling Policy published for consultation, but without consideration of any responses received during the consultation period, is at Annex 1.

- 2.4 The Act requires Licensing Authorities to publish the Policy statement in January 2016. The Policy must be approved by Full Council. Licensing Authorities are required to have regard to the Guidance issued by the Gambling Commission.

### **3.0 Corporate Implications**

#### **3.1 Financial**

- 3.1.1 None at this time. Should the Policy be rejected further consultation would have to take place with cost implications.

#### **3.2 Legal**

- 3.2.1 Regulations made under the Act state that Local Authorities should have their Policy in place by January 2016. Legal challenges may be made where consultation does not comply with the Act or Policy does not follow the Guidance issued.

#### **3.3 Corporate**

- 3.3.1 To be able to carry out its functions under the Act full Council will have to approve a Statement of Gambling Policy by December 2015.

#### **3.4 Equity and Equalities**

- 3.4.1 There are no specific equity and equality considerations that need to be addressed in this report.

### **4.0 Recommendation**

- 4.1 The Overview and Scrutiny Panel recommend to Council that the Policy statement should be adopted.

### **5.0 Decision Making Process**

- 5.1 Should the Overview and Scrutiny Panel recommend adoption the Policy statement will go to Council for approval so that the statement of Gambling Policy can be published in January 2016.

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Reporting to:	Penny Button, Head of Safer Neighbourhoods

### **Annex List**

Annex 1	Draft Statement of Gambling Policy
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### **Background Papers**

<b>Title</b>	<b>Where to Access Document</b>
Guidance issued by the Gambling Commission and the Gambling Act 2005	<a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>

**Corporate Consultation Undertaken**

Finance	
Legal	