
STATEMENT OF GAMBLING POLICY

To: **Council – 6th December 2012**

Main Portfolio Area: **Corporate and Regulatory Services**

By: **Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

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

For Decision

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. The Policy needs to be published four weeks prior to the 31st January 2013.
- 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 seventeen betting premises in Thanet. There are also fourteen 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 latest Guidance in September 2012.

- 2.3 Consultation took place on the draft Statement of Gambling Policy between the 1st June and the 24th August 2012. 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 lists the responses received, a total of two - the Association of British Bookmakers confirmed that they were satisfied with the draft Gambling Policy Statement, HM Revenue & Customs advised of a change of address for correspondence which has been amended. The amended Statement of Gambling Policy is at Annex 1.
- 2.4 The Act requires Licensing Authorities to publish the Policy statement in January 2013. 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 Options

- 3.1 To adopt the Statement of Gambling Policy.
- 3.2 To adopt the Statement of Gambling Policy with amendments.
- 3.3 To reject the Statement of Gambling Policy and require Officers to produce a further draft.

4.0 Corporate Implications

4.1 Financial

- 4.1.1 Should the Policy be rejected further consultation would have to take place with cost implications.

4.2 Legal

- 4.2.1 Regulations made under the Act state that Local Authorities should have their Policy in place by January 2013. Legal challenges may be made where consultation does not comply with the Act or Policy does not follow the Guidance issued.

4.3 Corporate

- 4.3.1 To be able to carry out its functions under the Act the Council will have to approve a Statement of Gambling Policy by December 2012.

4.4 Equity and Equalities

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

5.0 Recommendation

- 5.1 To recommend paragraph 3.1 that Council adopt the Statement of Gambling Policy.

6.0 Decision Making Process

- 6.1 If Council adopt the Statement of Gambling Policy it will come into force in January 2013.

Contact Officer:	<i>Philip Bensted, Regulatory Services Manager</i>
Reporting to:	<i>Harvey Patterson, Corporate and Regulatory Services Manager</i>

Annex List

<i>Annex 1</i>	<i>Draft Statement of Gambling Policy</i>
----------------	---

Background Papers

Guidance issued by the Gambling Commission and the Gambling Act 2005. The Guidance is available at www.gamblingcommission.gov.uk.

Corporate Consultation Undertaken

All Members of the Senior Management Team	
Planning, Environmental Protection	