

Licensing Committee

4 November 2015



Title	Adoption of the Gambling Act Policy 2016-2019		
Purpose of the report	To make a recommendation to Council		
Report Author	Dawn Morrison		
Cabinet Member	Councillor Tony Mitchell	Confidential	No
Corporate Priority	This item is not in the current list of Corporate priorities but still requires a Cabinet decision		
Cabinet Values	Community		
Recommendations	Licensing Committee is asked to recommend to Cabinet, for onward recommendation to Council, the adoption of the revised Statement of Gambling Policy 2016-2019, according to the timetable outlined in section 5 of this report.		

1. Key issues

- 1.1 Section 349 of the Gambling Act 2005 (2005 Act) requires all licensing authorities to prepare and publish a Statement of Policy on the principles that they propose to apply in exercising their functions under this legislation. The Policy will last a maximum of three years, at which time it must be reviewed. A consultation exercise must be undertaken in relation to its review.
- 1.2 A report was presented to Cabinet on 15 July 2015 to obtain approval to consult on the revised draft policy. A consultation was undertaken including Surrey Police, gambling businesses, other organisations affected by gambling activities, all councillors and heads of service, and residents' groups, between 16 July 2015 and 1 October 2015. This follows best practice as set out by the Cabinet Office which recommends that 12 weeks should be allowed for responses.
- 1.3 The consultation attracted four responses: one from a betting operator, one from an organisation representing racecourses, one from a member of the public, and one from Gosschalks Solicitors, acting for the Association of British Bookmakers.
- 1.4 A summary of the consultation responses and proposed amendments is attached at **Appendix A**

2. Options analysis and proposal

- 2.1 The preferred option is for Licensing Committee to recommend Cabinet to recommend to Council, the adoption of the revised policy.

2.2 There is an option for Licensing Committee to recommend amending the policy. However if Committee decides this course of action it may cause a delay in the implementation of the final policy beyond the required time limit.

3. Financial implications

3.1 The cost of revising the policy and the consultation has been met within existing budgets.

4. Other considerations

4.1 The revised policy must be published at least one month before it takes effect. Therefore, it must be approved by Council no later than 31 December 2015.

4.2 Section 154 of the 2005 Act provides that functions relating to the three year licensing policy cannot be delegated and therefore remain functions of the Council.

5. Timetable for implementation

5.1 Cabinet to consider recommendation from Licensing Committee on 9 December 2015.

5.2 Council to adopt final policy on 17 December 2015

5.3 Policy published and added to Spelthorne Borough Council website by 31 December 2015 to take effect from 31 January 2016.

Background papers:

Appendices:

Appendix A Table of responses to Spelthorne Borough Council's Draft Statement of Gambling Policy 2016-2019