



**Report To:** Licensing Committee  
**Lead Officer:** Director Health & Environmental Services

25 June 2018

---

## REVISION TO POLICY STATEMENT OF GAMBLING ACT 2005

### Purpose

1. To seek approval the revised draft Gambling Act Licensing Policy statement of Licensing Policy to be circulated for public consultation in line with the requirements of the Gambling Act 2005.
2. This is not a key decision.

### Recommendations

3. It is recommended that That the Licensing Act 2003 Committee that the draft Gambling Act 2005 statement of Policy as attached at Appendix A be approved for public consultation between July 2018 and September 2018.

### Reasons for recommendation

4. It is a statutory duty to have in place by no later than 31<sup>st</sup> January 2019, a new Gambling Act Licensing Policy statement.

### Background

5. A statement of licensing policy is a requirement under section 349 of the Gambling Act 2005 and without a policy South Cambridgeshire District Council may be subject to a judicial review for failing to carry out a statutory duty. In preparing the revised statement of the Licensing Policy, officers gave full regard to both the requirements of the Act itself and the guidelines issued by the Department of Culture Media and Sport (DCMS), Gambling Commission and where relevant, Council strategies such as crime and disorder.
6. The policy will remain in force for three years but may be reviewed at any time before this if required. It will form the basis of any decision taken in respect of applications or enforcement under the Gambling Act 2005 by Officers or any Committee or sub-committee involved in licensing decisions.
7. Central Government has stated that the revised Licensing Policy must be published by 31st January 2019.
8. The draft Licensing Policy (**Appendix A**) will be subject to a public consultation. Information on how to view the policy will be circulated to a range of potential consultees including representatives of special interest groups known to deal with gambling issues along with Parish Councils and responsible authorities such as Police. The consultation will also be publicised through our own website and social media channels.

9. The draft policy being circulated for approval remains very similar to the previous policy in force since 2016 and changes mainly relate to changes made in the Gambling Commission guidance to Licensing Authorities updated September 2016, or Government changes to prize stakes. All changes are shown using track changes.

### **Considerations**

10. Consultation will take place for a 12 week period between early July and late September 2018.
11. The Policy will be a document that continually develops to reflect the changing nature of the gambling industry, Government initiatives and the needs of local businesses and residents alike.

### **Options**

12. Members may after consideration, opt for one of the following options:
  - To recommend the amended policy as submitted at **Appendix A** for approval by the Leader and Council.
  - To make further amendments followed by recommendation for approval by the Leader and Council.

### **Implications**

13. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

#### ***Financial***

14. Failure to adopt a policy may lead to a judicial review for failing to adhere to a statutory duty and incur costs.

#### ***Legal***

15. The Gambling Act is a statutory duty.

#### ***Staffing***

16. No staffing implications arise for this report.

#### ***Risk Management***

17. A statement of Gambling Act Licensing Policy is a requirement of the Gambling Act 2005 and without a policy the Council may be subject to Judicial Review for failing in its responsibility to carry out a statutory duty.

#### ***Equality and Diversity***

18. The Policy reflects the Government's guidance in relation to the administration of the gambling Act 2005 by Local Authorities Consultation has sought views from relevant groups.

## **Effect on strategic aims**

**Aim 1 -Commitment to being a connected community by taking into consideration the views of the community in the development of this policy and any subsequent applications considered under this policy.**

**Aim 2. Living Well - Support our Communities to remain in good health whilst protecting the natural and built environment.**

## **Background Papers**

Guidance issued under the Gambling Act 2005 by the Gambling Commission September 2016 5th Edition.

**Report Author:** Myles Bebbington – Head of Service Environmental Health & Licensing  
Telephone: (01954) 712922