

# APPENDIX 1

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Environmental Health Portfolio Holder 22<sup>nd</sup> October 2005  
**AUTHOR:** Chief Environmental Health Officer

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### GAMBLING ACT 2005

#### Purpose

1. To inform the Portfolio Holder of the latest information issued by The Government on the forthcoming Gambling Act 2005.

#### Background

2. A Gambling bill was introduced into Parliament on the 18<sup>th</sup> October 2004. Following consideration by the House of Commons and the House of Lords, it received Royal Assent on the 7 April 2005 and became the Gambling Act 2005. The Act replaces most of the existing law about gambling in Great Britain and puts in place an improved, more comprehensive structure of gambling regulation.
3. It provides a new structure of flexible protections for children and vulnerable adults and, in particular, brings the burgeoning Internet gaming sector within British regulation for the first time. An independent regulatory body is created, the Gambling Commission, which will be the new national regulator for commercial gambling in Great Britain. It also allows for a controlled increase in the number of casinos in Great Britain. There will be a maximum of 17 new style casinos, whose locations will be proposed by an independent advisory panel.
4. Existing casinos will be able to continue broadly as now. These new casinos will be significant leisure developments that will bring jobs and improved leisure facilities where they are wanted. But the Act also puts in place a strong role for the local authorities in licensing gambling in their area, and local authorities will be able to resolve not to license any new casinos in their area if they do not want them.
5. The target for full implementation of the Act is 1 September 2007. DCMS is working with the Gaming Board, local authorities, problem gambling charities and the industry on the implementation programme.
6. Further background information is provided in the attached PDF guidance notes.

#### Considerations

7. The proposals are for a system of licensing to be set up that licenses both the premises and the licensee individually, it is envisaged that by the introduction of such a system a line of accountability through to the Licensee will be clearer than at present and enforcement will be enhanced. This will cover premises such as book makers, casinos, horse & dog racing circuits, internet gambling (if the base is in the area), bingo clubs, family entertainment centres and adult gaming centres.

8. SCDC will also be expected to issue permits for: Gaming machines in Member's clubs and licensed premises, gaming in Member's clubs, prize gaming and unlicensed family entertainment centres.
9. Officers are on a steep learning curve and at this time we are unclear as to the full implications for SCDC but the infrastructure required is anticipated to be similar to the 2003 Act (although not on the same scale). It is expected that it will be a statutory duty for a Local Authority to develop a written policy in respect of this Licensing function. The Local Authority will probably have to consult with various outside bodies including Police, Fire Authority, local residents and business in the development of such a policy.
10. The Authority is a member of the Local Government Association and with their guidance will be considering how to best prepare training packages for members and officers in the near future.

### **Financial Implications**

11. There will be financial implications due to the introduction of this Act. The 2006/07-budget cycle will need to reflect any additional costs due to the implementation of the Act. Costs will be mainly centred on staffing and training issues as the Licensing Officer, when considering I.T. requirements for the recently introduced Licensing Act 2003, also made provision for this Act.
12. The Act contains provisions for fees, which will be set by Central Government in bands, the intention being to cover the cost of administering the system. As yet no suggested fees have been circulated.

### **Legal Implications**

13. As described in the main body of the report.

### **Staffing Implications**

14. All affected premise and licence holders will require licensing/permitting over a relative short period of time. Subsequently the regime should settle down, however, there will be a greater administrative burden imposed. It is not possible to gauge at this stage whether additional staff will be required until the legislation is finalised and the projected workload can be quantified. However we do have the flexibility of the existing temporary positions.

### **Risk Management Implications**

15. The risk management implications are difficult to quantify at present. However, the general public, and effected businesses will expect an effective licensing regime to be provided by SCDC. As with the 2003 Act the implementation of the new gambling regime is likely to invoke both local and national media publicity. SCDC must therefore ensure that it is well prepared for its new responsibilities.

### **Conclusions/Summary**

16. The Gambling Act 2005 will elicit a wholesale change in how gambling is licensed in Great Britain. The implementation of the Act will bring new responsibilities to Local Authorities

## **Recommendations**

17. That the report be noted.

**Background Papers:** the following background papers were used in the preparation of this report:

DCMS website:- [www.culture.gov.uk/gambling\\_and\\_racing](http://www.culture.gov.uk/gambling_and_racing).  
Institute of Licensing News Bulletin

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