

**To the Chair and Members of the
Regeneration & Environment Overview & Scrutiny Panel**

Statement of Policy – Gambling Act 2005

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cynthia Ransome	All	PO346

EXECUTIVE SUMMARY

1. The purpose of this report is to update the Panel on the adoption of the 2013 – 2015 ‘Statement of Policy - Gambling Act 2005’ following its triennial review.

EXEMPT REPORT

2. There are no confidential issues.

RECOMMENDATIONS

3. It is recommended that Panel note and comment on the reviewed ‘Statement of Policy – Gambling Act 2005’ with a view to it being adopted by Full Council.

BACKGROUND

4. The Licensing Authority is required, under the Gambling Act 2005 (The Act), to produce a Statement of Policy and to review the Policy every 3 years. The reviewed Policy must be effective by the 31st January 2013. There are three licensing objectives set out in the Act and these must be addressed within the Authority’s Statutory Gambling Policy, namely:
 - i. preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
 - ii. ensuring that gambling is conducted in a fair and open way.
 - iii. protecting children and other vulnerable persons from being harmed or exploited by gambling.
5. The Policy sets out under these three objectives the steps that need to be taken by applicants to address these issues. It also addresses how the Licensing Committee will conduct hearings for applications that cannot be resolved. The delegation of work to the Licensing

Committee is prescribed within the Gambling Act and members of that Committee and any Sub Committee will have to have a detailed knowledge of the Policy and its implications for applicants. Decisions of the relevant committees must state how decisions have been made and how the relevant parts of the Policy have been used to make that decision.

6. The Policy has to be reviewed and whilst there are changes these are minor updates to the previous policy which allows for each application to be considered on its merits taking into account the principles outlined above.
7. The legislation requires Licensing Authorities to consult with statutory consultees and interested parties and then to approve a new policy triennially.
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8. Consultation with all interested parties and statutory agencies has been undertaken and there was one response. This has been taken into consideration in formulating the proposed Statement of Policy.
9. The policy is at Appendix A.

OPTIONS CONSIDERED

10. The Policy has been reviewed and updated to ensure it is relevant to Doncaster in 2013 going forward and to take account of the latest Guidance to Local Authorities produced by the Gambling Commission. If the Policy was to remain in its current form it would be outdated.

REASONS FOR RECOMMENDED OPTION

11. The alterations have arisen out of the review process and consultation albeit they are largely driven by the Licensing Authority seeking to ensure the Policy remains up to date and relevant.

IMPACT ON THE COUNCIL'S KEY PRIORITIES

- 12.

Priority Theme	Mayor's Priorities for 2011/12	Implications of this initiative
1. Creating a strong, connected and inclusive economy	<ul style="list-style-type: none"> • Drive forward the Doncaster economy • Get the balance of public and private transport right • Promote Doncaster as a tourist destination • Regenerate Doncaster's town centres 	
2. Developing stronger communities	<ul style="list-style-type: none"> • Encourage community harmony and cohesion. Treat people as individuals, not by reference to labels and artificial groupings 	
3. Increasing and improving housing	<ul style="list-style-type: none"> • Raise housing standards 	
4. Protecting and	<ul style="list-style-type: none"> • Continue to improve education and skills 	Protecting children

improving all our children's lives	<ul style="list-style-type: none"> • Build on a strengthening Children's Service 	and young people from being harmed or exploited by gambling
5. Improving health and support for independent lives	<ul style="list-style-type: none"> • Encourage attitudes of self-reliance, self-improvement and mutual respect within Doncaster communities 	
6. Tackling crime and anti-social behaviour	<ul style="list-style-type: none"> • Reduce crime and all forms of anti-social behaviour 	Preventing gambling being a source of crime or disorder
7. Creating a cleaner and better environment	<ul style="list-style-type: none"> • Continue to protect the environment from developers, decay and architectural vandalism 	
8. Internal Transformation	<ul style="list-style-type: none"> • Ensure local people get value for money from council services 	

RISKS AND ASSUMPTIONS

13. There are no risks or assumptions.

LEGAL IMPLICATIONS

14. The functions under Part VIII of the Gambling Act 2005 of a licensing authority are, by virtue of Section 154(1) of the Act, delegated to the Licensing Committee established under Section 6 of the Licensing Act 2003.
15. The Gambling Act requires the Council to prepare a statement of the principles they propose to apply in exercising their functions and publish it in accordance with the statutory requirements. There are statutory requirements detailing when the policy must be in force. The statement must be reviewed at least every three years. In preparing the statement various persons have to be consulted.

FINANCIAL IMPLICATIONS

16. There are no financial implications associated with this report. Any costs involved with the preparation, adoption and implementation of the Policy are met by the fees paid by applicants and existing licence holders.

CONSULTATION

17. The Gambling Act 2005 requires formal consultation with all of the responsible authorities and interested parties. All of these parties have been advised of the review and one consultee has responded indicating the concerns of the Racecourse Association. The response from the Racecourse Association is attached as Appendix B for noting.
18. Full details of the consultation process can be found in section 1.10 of the Policy.

19. This report has significant implications in terms of the following:

Procurement		Crime & Disorder	X
Human Resources		Human Rights & Equalities	
Buildings, Land and Occupiers		Environment & Sustainability	
ICT		Capital Programme	

BACKGROUND PAPERS

21. The proposed 2013 Statement of Policy – Gambling Act 2005 is attached at Appendix A.
22. Response from the Racecourse Association – Appendix B

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