

GAMBLING ACT POLICY REVIEW

Head of Service/Contact:	Rod Brown Head of Housing and Environmental Services
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Annexes/Appendices (attached):	Annex 1: Draft revised Statement of Licensing Policy
Other available papers (not attached):	None

Report summary

The report requests the Committee to recommend to Council the adoption of the renewed Statement of Policy as required under the Gambling Act 2005.

Recommendation (s)

That the Committee agree to recommend to Council:

- (1) The adoption of the Statement of Policy as attached as Annexe 1 to this Report.**

Notes

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 None for the purpose of this report.

2 Background

- 2.1 Under the Gambling Act 2005, Epsom and Ewell Borough Council became the Licensing Authority for various regulatory functions in relation to gambling powers to licence the licensable activities

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2.2 Section 349 of the Gambling Act 2005 required the Authority to publish a Statement of Licensing Policy with regards to the undertaking of its licensing functions. Under the Act the Policy was to have effect for no longer than 3 years, after which time it had to be reviewed. As the current Policy was adopted by the Council to take effect on 27 December 2015, it must now be reviewed. In addition, before the revised Policy may take effect, the Authority must advertise the intention to publish the revision at least 4 weeks prior to the publication date.

2.3 In reviewing the Policy, the Authority is required to consult with persons listed in section 349 of the Gambling Act 2005. The consultation period commenced on 19 April 2018 and ended on 24 May 2018.

2.4 A list of bodies and individuals consulted is attached as an Annexe to the Statement of Policy. In addition details of the consultation were posted on the Council's website.

3 Proposals

3.1 That the Committee agree to recommend to Council the adoption of the renewed Statement of Policy.

4 Financial and Manpower Implications

4.1 The adoption, implementation and enforcement of the Policy will be undertaken using existing resources.

5 Legal Implications (including implications for matters relating to equality)

5.1 The Authority is required to publish a Statement of Gambling Policy under the Gambling Act 2005, with such Policy being kept under review as required, for a period not exceeding 3 years.

6 Sustainability Policy and Community Safety Implications

6.1 None for the purposes of this report.

7 Partnerships

7.1 The enforcement of the licensing regime is undertaken in partnership with Surrey Police and the Gambling Commission.

8 Risk Assessment

8.1 Under the Gambling Act 2005 we must publish a Policy which outlines the steps the Authority will take in determining applications. The Policy must be seen to be robust and transparent to avoid legal challenge.

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9 Conclusion and Recommendations

- 9.1 In accordance with statute, the current policy statement has been reviewed and minor amendments made. The Committee are requested to recommend to Council the adoption of the revised Gambling Act 2005 Statement of Licensing Policy, to be effective from 27 December 2018.

Ward(s) affected: All