

Meeting: Overview and Scrutiny Committee

Date: 1 June 2015

Title: Gambling Act 2005 Draft Statement of Licensing Policy (Gambling)

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Service: Environment, Housing and Leisure

Wards affected: All

1. Purpose of Report

The Committee are invited to consider the information provided by the Cabinet Member for Housing and Transport in relation to the draft Statement of Licensing Policy (Gambling).

2. Recommendations

The Committee is asked to consider the draft Statement of Licensing Policy (Gambling), and if necessary, make recommendations and observations to Councillor John Harrison, the Cabinet Member for Housing and Transport.

3. Details

On 11 May 2015 Cabinet received a report from the Head of Environment, Housing and Leisure in relation to the draft Statement of Licensing Policy (Gambling) that must be published by the Authority as a licensing authority under Section 349 of the Gambling Act 2005 and be in force by the 31 January 2016. The revised Policy will replace the existing one that came into force on the 31 January 2013.

The draft Policy will be subject to a 12 week period of consultation commencing on 18 May 2015 and ending on 10 August 2015. The 12 week period of consultation is considered appropriate for a document that forms part of the Authority's Policy Framework. Members of the public, members of the gambling trade all North Tyneside MPs, MEPs, Councillors, Heads of Service have an opportunity of commenting on the draft Policy. At the end of the consultation process, it is proposed that an all party Member working group be established to consider the consultation responses.

The main change to the draft Policy is the inclusion of Chapter 4 detailing the new legislative requirement for those applying for a Premises Licence or the variation of an existing Licence to prepare and forward to the Authority a Local Risk Assessment. The Assessment will include the policies, procedures and control measures that will be implemented to mitigate any risks that may be posed by the gambling activities to be undertaken at the licensed premises.

As the Policy forms part of the Authority's Policy Framework, the process set out in the Authority's Constitution for the preparation, consideration and approval of such plans must be followed. With that in mind, the initial proposals were presented to Cabinet on 11 May 2015.

Committee is now being presented with the initial proposals. The final proposals will be presented to Committee on 5 October 2015. Thereafter, the final proposals will be presented to Cabinet on 9 November 2015 together with any comments from Committee and details of any consultation responses. Council will then consider the proposed Policy on 19 November 2015.

Appendices:

Appendix 1 – Report to Cabinet 11 May 2015

Appendix 2 – Draft Statement of Licensing Policy (Gambling)

4. Background Information

The following documents have been used in the compilation of this report and may be inspected at the offices of the author.

- Minutes of Cabinet – 11 May 2015
- Gambling Act 2005
- Gambling Commission's Guidance issued under Section 25 of the Gambling Act 2005
- The Local Authorities (Functions and Responsibilities)(England) Regulations 2000
- The Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006