

Review of the Council's Statement of Gambling Licensing

Committee

Full Licensing Committee

Officer Contact

Stephanie Waterford

Papers with report

- Draft Statement of Gambling Policy, changes highlighted
- Summary of consultation comments

Ward(s) affected

All

SUMMARY

The Gambling Act 2005 requires the Council, as the Licensing Authority, to review its statement of gambling licensing policy every 3 years. This is the first review since the implementation of the Act in 2007. The Council will need to approve and adopt the revised policy which will be effective from 2010 to 2013.

RECOMMENDATION

That the Committee approve the draft policy.

INFORMATION

In April 2009, a working party was convened to carry out the first review of the Council's Statement of Gambling Licensing Policy. The working party was made up of the following officers:

- Norman Stanley, Licensing Service Manager
- Stephanie Waterford, Licensing Officer
- Sue Pollitt, Deputy Consumer Protection Manager
- Beejal Soni, Licensing Lawyer
- Natasha Dogra, Democratic Services Officer
- Sgt Ian Meens, Police Licensing Sergeant
- Paul Hewitt, Local Safeguarding Children Board

The working party agreed that the current gambling licensing policy has worked well since its implementation in 2007 and has not been subject to any challenge. It was therefore agreed by the working party not to change to content or format to any great degree, however some minor changes were proposed and full consultation began on 17th July 2009.

Consultees included:

- Elected Members
- Gambling trade representatives
- Responsible Authorities
- Neighbouring local authorities
- Local residents associations and local community groups
- Licensing Solicitors

- Licensed premises

Consultation closed on 28th August 2009 with a total of 5 responses (attached).

The working party was re-convened on 10th September 2009 to discuss the responses and the policy was amended accordingly.

Approval process and time-line

- Draft policy needs to be approved by the full licensing committee
- Draft policy to RESPOC for scrutiny 17/11/09
- Draft policy to Cabinet for approval 17/12/09
- Draft policy to full Council 14/01/10
- Policy comes into force until 2013

FINANCIAL IMPLICATIONS

None

LEGAL IMPLICATIONS

Section 349 of the Act requires that licensing authorities prepare and publish a statement of its licensing policy every three years. The London Borough of Hillingdon's Gambling Act 2005 Statement of Principles is due for renewal in January 2010. The adopted policy must set out the Authority's general approach to licence applications and may only be determined following consultation with the following parties.

- Chief Officer of Police for the authority's area
- Persons who appear to the authority to represent the interests of gambling businesses in the area
- Persons who appear likely to be to represent or have interests likely to be affected by affected by the exercise of the authority's functions under the Act.

In determining its policy the authority must have regard to the Guidance issued by the Gambling Commission to accompany the Act, and give appropriate weight to representations made with regard to:

- Interest and expertise of person making representation
- The motivation of those making representations;
- How many people have expressed similar views
- How far representations relate to matters that should be included in the policy.

The draft policy has been prepared in consultation with The London Borough of Hillingdon's Gambling Policy Working Group and takes account of Revised Guidance to Local Authorities 3rd Edition, issued by the Gambling Commission in April 2009.

When carrying out its functions under the Act the Council's Licensing Committee, will apply this " Statement of Principles ", the Act itself, any Regulations, and Guidance from the Gambling Commission when determining its decisions.

BACKGROUND PAPERS

The Gambling Act 2005
Gambling Commission Guidance to Licensing Authorities.