

Report to Licensing Committee

07 June 2018

By the Head of Environmental Health & Licensing

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Review of Licensing Policy (Gambling Act 2005)

Executive Summary

The Gambling Act 2005 currently requires Licensing Authorities to publish at least every three years a statement of their licensing policy (gambling). Applications for licences under the Gambling Act 2005 have to be made in accordance with the Licensing Authority's Licensing Policy (Gambling) and the Regulations made under the 2005 Act. The Council's first Policy came into force on 29 December 2006 and following a statutory consultation and review the current policy came into force on 31 December 2015. The Council has now to review the existing policy with a view to having a new policy in force by 31 December 2018

The policy, which has to be approved by the full Council (as the Licensing Authority), has to be the subject of public consultation for 3 months and the comments received have to be taken into account before formally adopting the policy.

Set out at Appendix 1 to this report is the consultation draft of the Council's statement of licensing policy (gambling) to be reviewed.

Recommendations

The Committee is recommended:

- i) Approve the Licensing Policy set out at Appendix 1 to this report as a consultation policy, and
- ii) Instruct the officers to consult for a period of three months on the draft policy commencing on 18 June 2018.
- iii) That, subject to their being no relevant representations that the Head of Environmental Health & Licensing in consultation with the Chairman of the Licensing Committee recommends to the Council adoption of the Draft Gambling Policy.
- iv) Should relevant representations be received, instruct officers to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

Reasons for Recommendations

- i) To comply with legislative requirements, and
- ii) To ensure openness and transparency in the Council's decision making, and
- iii) To ensure that those persons affected by the policy have the opportunity to have an input into it.

Background Papers: None

Wards affected: All

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Background Information

1 Introduction and Background

- 1.1 The purpose of this report is to seek approval for a revised draft of the Council's Licensing Policy (Gambling) in order that it can be released for consultation by 18 June 2018. The report also sets out the process and timescale for the consultation and formal approval for the Policy by Council.

2 Relevant Council policy

- 2.1 Licensing Policy (Gambling) amended in December 2012.

3 Details

- 3.1 Set out at Appendix 1 to this report is the Council's statement of licensing policy to be approved by the Committee for consultation purposes. The policy was first adopted on 31 December 2006 with the current policy in place since December 2015 which has served the Council well. There have been no negative comments since the policy was implemented and no changes in legislation, therefore only minor amendments have been made.

- 3.2 Comments will be invited from a wide range of consultees including: -

- Statutory Consultees (Police, Fire, Trading Standards, Social Service)
- Members
- The Gambling Commission
- Parish and Neighbourhood Councils
- All betting shop operators in the district, and
- Trade Representative bodies

- 3.3 The Committee is recommended to approve the Draft Policy for consultation.

4 Next Steps

- 4.1 Following approval by the committee the consultation will last for 3 months with responses requested back by 18 September 2018

- 4.2 Following the period of consultation officers will analyse any responses. Should there not be any relevant representations it is recommended that the Head of Environmental Health & Licensing in consultation with the Chairman of the Licensing Committee recommends to the Council adoption of the Draft Licensing Policy. Should relevant representations be received, officers will recommend amendments to the draft policy where appropriate or give reasons why suggested alterations are not made and prepare a report for the Licensing Committee with a final draft policy for committee to recommend to full Council on 05 December 2018 for adoption by the Council

5 Outcome of Consultations

- 5.1 Should there be any relevant representations resulting from the consultation process, they will be reported to the Licensing Committee.

6 Other Courses of Action Considered but Rejected

6.1 None

7 Resource Consequences

7.1 None

8 Legal Consequences

8.1 The legal implications are contained within the body of this report.

9 Risk Assessment

9.1 This is a Statutory Requirement under the provisions of the Gambling Act 2005 and failure to comply could lead to adverse publicity and possible action against the authority instigated by the relevant Government Department.

10 Other Considerations

10.1 One of the licensing objectives is preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

10.2 There will be no impact on different equality groups issuing from this report.