

Special Meeting of the Cabinet – 18th November 2009

Report of the Interim Director of Law, Property and Human Resources

Gambling Policy

Purpose of Report

1. For the Cabinet to consider the recommendations of the Licensing and Safety Committee in relation to the review of the Council's Gambling Policy and to recommend approval of the policy to full Council.

Background

2. The Gambling Act 2005 requires the Council to prepare and publish a statement of its Gambling Policy every three years.
3. The current Policy was approved by the Licensing and Safety Committee on 19th October 2006, the Cabinet on 1st November 2006, Council on 4th December 2006, and was published on 3rd January 2007.
4. The Licensing Officer has produced a draft Gambling Policy to include the changes to the Gambling Commission Guidance to Licensing Authorities issued in May 2009. These changes have been highlighted in 'bold'. A copy of the draft policy is attached to this report as Appendix 1.
5. The draft policy went out to consultation on 1st October 2009. A list of consultees is set out in the draft policy on pages 4 and 5.
6. We have received to date one response to the consultation from the British Beer and Pub Association. A copy of the response is attached to this report as Appendix 2. Any further responses to the consultation will be available at the meeting.
7. The Licensing and Safety Committee is considering the draft Gambling Policy, together with the responses to the consultation, at their meeting on 12th November 2009. The recommendations of the Licensing and Safety Committee will be reported at the Cabinet meeting.
8. It is planned that following Cabinet approval of the draft policy, it will be put before full Council on 30th November 2009, with publication of the policy on 4th January 2010. It is a statutory requirement that the policy must be published by 14th January 2010.

Finance

- 9. The costs of publication of the Gambling Policy will be met out of the Licensing budget.

Law

- 10. The Gambling Act 2005 Section 348 (1)(a) and (b) requires all Local Authorities to prepare and publish a Licensing Policy.

- 11. The statutory consultees on that policy are set out in Section 349(3) of the Gambling Act 2005: -

The Chief Officer of Police

Representatives of persons carrying on gambling businesses

Representatives of persons who are likely to be affected or by or otherwise have an interest in the licensing policy.

Equality Impact

- 12. This report takes into account the Council's policy on equality and diversity.
- 13. A Gambling Policy will impact equally on all racial groups
- 14. A Gambling Policy will impact on children and young persons through their permitted attendance at certain categories of licensed premises.
- 15. There has been consultation and involvement of young people in developing this policy as part of the consultation process through Area Committee and the Directorate of Children's Services.
- 16. This application falls within the Council's responsibility for licensing as a direct link to the Council's key corporate priority that safety matters.

Recommendation

- 17. That the Cabinet considers the recommendations of the Licensing and Safety Committee on the amended draft Gambling Policy and recommends approval of that Policy to full Council.



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INTERIM DIRECTOR OF LAW, PROPERTY AND HUMAN RESOURCES

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List of Background Papers

Gambling Act 2005

Gambling Commission Guidance to the Gambling Act

Dudley Metropolitan Borough Gambling Policy

Responses to the Consultation of Dudley Metropolitan Borough Council's Gambling Policy