

Licensing and Safety Committee – 12th November 2009

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

Gambling Policy

Purpose of Report

1. For the Committee to consider the responses to the consultation 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 Committee on 19th October 2006, Cabinet on 1st November 2006, full Council on 4th December 2006, and was published 3rd of 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, and a list of consultees is contained within the draft Policy on page 4 and 5.
6. We have received to date one response to the consultation from the British Beer and Pub Association. A copy of this response is attached to this report as Appendix 2. Any further responses to the consultation will be available at the meeting.
7. It is planned that following Committee consideration of the draft policy, it will be recommend to Cabinet on 18th November 2009, and full Council on 30th November 2009, with publication of the policy on 4th of January 2010. It is statutory that the policy must be published by 14th of January 2010.

Finance

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

Law

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

11. This report takes into account the Council's policy on equal opportunities.
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 Licensing and Safety Committee considers the responses to the consultation of the Council's Gambling Policy and recommends approval of the Policy to full Council.

A handwritten signature in black ink, appearing to be 'J. Elliott', written over a horizontal line.

.....
INTERIM DIRECTOR OF LAW, PROPERTY AND HUMAN RESOURCES

Contact Officer: Mrs. J. Elliott 5377
Telephone: 01384 815377
Email: janet.elliott@dudley.gov.uk

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