

REPORT TO: Regulatory Committee

DATE: 3 October 2018

REPORTING OFFICER: Strategic Director, Enterprise, Community & Resources

PORTFOLIO: Resources

SUBJECT: Gambling Act 2005 Statement of Gambling Policy

WARDS: Boroughwide

1.0 PURPOSE OF REPORT

To approve a draft Statement of Gambling Policy for recommendation to the Council for adoption.

2.0 RECOMMENDED: That

- (1) Having undertaken a consultation exercise the draft Statement of Gambling Policy as amended be approved by the Committee and be recommended to full Council for adoption.**
- (2) An appropriate form of wording for the Council resolution would be:**
“The Council:
 - (1) adopts the Statement of Gambling Policy attached to the report to come into effect immediately following the expiry of the current Policy; and**
 - (2) directs that the OD-LD publishes the Statement in accordance with section 349 Gambling Act 2005 and the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.”**

3.0 SUPPORTING INFORMATION

- 3.1** At its meeting held on 4 July 2018 the Committee considered a report on the Statement of Gambling Policy which must be adopted by the Council to replace the current policy which will expire in January 2019. The current Statement of Gambling Policy is due to expire at midnight on 30th January 2019 and the new Statement of Gambling Policy must be in place on 31st January 2019. Full details are set out at Minute COU 38 and agenda item 9d to the meeting.
- 3.2** The Committee authorised the Operational Director Legal and Democratic Services (OD-LD) to undertake a consultation exercise in respect of the Council’s Statement of Gambling Policy in accordance with section 349 Gambling Act 2005.

- 3.3 The consultation exercise was completed on 31 August 2018. Only one response was received to the consultation. This was a very helpful response from the Gambling Commission. The response asked that the Council keep in mind the possibility of including references Local Risk Assessments, Local Area Profiles and joint working with other local authorities. Joint working groups do exist for sharing best practice. The usefulness of including additional guidance on Local Risk Assessments has been considered in the past and it has been decided that references in the Statement would simply be a gloss on the legislation and serve no useful purpose locally. Equally, the inclusion of a Local Area Profile in such a compact Borough as Halton would serve no useful purpose. There was also a request to update the section of the Statement dealing with Bingo Premises since the Gambling Commission guidance has been updated. The updated guidance has now been incorporated.
- 3.4 The original consultation draft Statement is therefore attached as Appendix 1. The previous guidance on bingo is shown struck through and the updated guidance is shown in bold text underneath.
- 3.5 The appropriate Council meeting to consider this matter will be held on 17 October 2018.

4.0 POLICY IMPLICATIONS

- 4.1 Once it comes into effect, the Statement of Gambling Policy will be used in accordance with the Gambling Act 2005.

5.0 OTHER IMPLICATIONS

- 5.1 There are no other implications arising out of this report.

6.0 IMPLICATIONS FOR THE COUNCILS PRIORITIES

6.1 Children and Young People in Halton

The Council's Statement of Gambling Policy operates under a separate statutory code but since it involves licensable activities it is designed to contribute to licensing objective of the protection of children from harm.

6.2 Employment Learning and Skills in Halton

N/A

6.3 A healthy Halton

N/A

6.4 A Safer Halton

N/A

6.5 Halton's Urban Renewal

N/A

7.0 RISK ANALYSIS

N/A

8.0 EQUALITY AND DIVERSITY ISSUES

N/A

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D LOCAL GOVERNMENT ACT 1972

This report is based on the Gambling Act 2005. See also the Council's existing Statement of Gambling Policy.