

LICENSING ACT COMMITTEE

13 JUNE 2006

GAMBLING POLICY STATEMENT

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

STRATEGIC OBJECTIVES:	To encourage economic well-being and employment prospects in Rutland. To make Rutland an attractive place for those who live, work and visit here
SERVICE PLAN(S):	Public Protection and Emergency Planning
WARD(S):	All

1. PURPOSE OF REPORT

- 1.1 To seek Member's approval of the draft Statement of Gambling Policy so that this version can be sent out for consultation. Consultation is essential prior to the final version of these policies being submitted for approval by Council.

2. RECOMMENDATIONS

2.1 The Licensing Act Committee is requested to:-

2.1.1 Approve the circulation of the draft policy document (Appendix 1) for the purpose of consultation, prior to approval of the policy by full Council.

2.1.2 Consider whether they wish to recommend to Council the inclusion of a resolution stating that there will be no casinos in Rutland.

3. REASON FOR THE RECOMMENDATIONS

- 3.1 To meet the statutory duty imposed under Section 349 of the Gambling Act 2005 and the Guidance issued by the Gambling Commission under Section 25 of the Act.

4. **GAMBLING ACT 2005**

4.1 Under the Gambling Act 2005 the Council will become the Licensing Authority and will be responsible for granting Premise Licences in Rutland for the following types of premises and the issue of permits for:

- Casinos
- Bingo Premises
- Betting Premises
- Tracks
- Adult Gaming Centres
- Club Gaming & Prize Gaming Permits
- Temporary Use Notices
- Registration of Small Societies

4.2 As a licensing Authority, under the Gambling Act 2005, Rutland County Council must determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy. Before determining the policy as licensing authority Rutland County Council should consult the Chief Constable of Leicestershire Constabulary, businesses affected by the legislation and responsible authorities as named in the Act.

4.3 The guidance issued by the Gambling Commission sets out the route and timeframe for consultation on the Statement. Final Policy Statements must be published at least 4 weeks from the transition date of 31 January 2007.

4.4 It is intended the draft statement of Gambling Policy will be circulated to

- the Chief Constable
- the Chief Fire Officer;
- Rutland Together (Chairmen of the 'Community Safety' sub-group and the 'Leisure, Sports and the Arts' sub-group);
- Rutland Community Safety Partnership;
- Rutland County Council's Head of Development Control;
- Rutland County Council's Head of Cultural Services;
- Rutland County Council's Community Safety Officer;
- Director of Children and Young People's Services,
- Oakham Town Council,
- Uppingham Town Council and
- The 27 villages with Parish Councils.

It is also intended to post the draft policy documents on the Council's website. The level of consultation is vital to ensure proper weight can be given to the views of consultees when Council considers the policy.

- 4.5 Within Rutland there are two Betting Shops that will require a Premises Licence. In addition the Council currently issues around 70 Gaming permits.
- 4.6 The statement is intended to address and comply with guidance issued by the Gambling Commission, and provides the opportunity for consultees to make their views known to the Authority. These can then be considered before the final Policy Statement is published. The Statement relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, as set out in 4.1 above.
- 4.7 It is the aim of the Gambling Policy to achieve balance between the need for leisure and entertainment and the needs of residents and other businesses for an acceptable environment and quality of life. This aim is in line with two of Rutland County Council's strategic aims: To encourage economic well-being and employment prospects in Rutland and to make Rutland an attractive place for those who live, work and visit here.
- 4.8 The Council is able to pass a resolution regarding the exclusion of casinos within Rutland. This decision can only be made by full Council. Members may wish to follow this route. Development Control and Licensing Committee has recommended that this matter is consulted on before any decision is made by Council.
- 4.9 The Gambling Act uses similar terminology to the Licensing Act 2003, however, the Council's responsibilities are different. The Table in Appendix 2 highlights the main differences.

5. FINANCIAL IMPLICATIONS

- 5.1 Currently it is estimated that there are two licensable premises plus around 70 gaming permits in Rutland, therefore the requirements of the legislation can be met from within existing resources. The licensing activities in relation to the Gambling Act 2005 will be administered by the Licensing Officer and Administrative Officer within the Public Protection Team

6. LEGAL IMPLICATIONS

- 6.1 Under the Gambling Act 2005 Rutland County Council, as a unitary authority and licensing authority is responsible for the administration of the Gambling Act. One of the duties of a licensing authority is to determine its policy with respect to the exercise of its Gambling Act functions and publish a statement of that policy (a gambling statement) every three years. In addition the Council can decide whether it wants to make a statement regarding casinos in its area. This decision can only be made by full Council.

7. SUSTAINABILITY IMPLICATIONS

7.1 It is the aim of the Gambling Policy to achieve balance between the need for leisure and entertainment and the needs of residents and other businesses for an acceptable environment and quality of life. This aim is in line with two of Rutland County Council's strategic objectives: To encourage economic well-being and employment prospects in Rutland and to make Rutland an attractive place for those who live, work and visit here; this is the essence of sustainability.

8. CRIME AND DISORDER IMPLICATIONS

8.1 The licensing objectives within the gambling statement are:

1. preventing gambling from being a source of crime and disorder,
2. being associated with crime or disorder or being used to support crime;
3. ensuring that gambling is conducted in a fair and open way; protecting children and other vulnerable persons from being harmed or exploited by gambling of crime and disorder;

9. CONCLUSIONS

9.1 The policy, as drafted, complies with guidance issued by the Gambling Commission. The consultation plan meets Rutland County Council's statutory duty and ensures that proper weight can be given to the views of consultees when Council considers the policy.

Background Papers:

LACORS guidance
Gambling Commission Guidance

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