

## LICENSING ACT COMMITTEE

24 October 2006

### GAMBLING ACT 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 inform Members of the outcome of the consultation exercise on the draft Statement of Gambling Policy (Appendix 1) so that they can make a recommendation on the final wording to be submitted to Council with a recommendation for approval.

#### 2. RECOMMENDATIONS

- 2.1 That Licensing Act Committee consider the responses to the consultation exercise. These are contained in Appendix 1.
- 2.2 That Licensing Act Committee consider whether they wish to amend the draft Policy in light of the comments received before making a recommendation to Council including whether a resolution stating that there will be no casinos in Rutland forms part of the document.

#### 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 CONSULTATION EXERCISE**

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 Policy Statement. Final Policy Statements must be published at least 4 weeks from the transition date of 30 April 2007. This has recently (11<sup>th</sup> September) been revised by government from the original date of 30<sup>th</sup> January 2007.

4.4 The draft statement of Gambling Policy has been 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
- Societies and groups registered with Community Services
- Lottery holders registered with Community Services
- Via the Rutland County Council Website

- 4.5 In addition a “question of the month” was posed as to whether local residents supported a ban on casinos in Rutland. The results of this are included in Appendix 2.
- 4.6 The consultation has enabled consultees to make their views known to the Authority. In total 11 responses were received, of these 6 were thought that the Council should prohibit casinos. One respondent, Leicestershire Constabulary, made a positive statement regarding well run casinos. Of the people who responded to the question posed on the website, 61% supported a ban, while 39% did not. The Association of British Bookmakers made a number of comments regarding the wording of the Policy (see Appendix 2). These can be considered before the final Policy Statement is published.
- 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.

## **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. There will be fees payable to the Authority for issuing the licenses. These will be set nationally.

## **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 and 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 responses allows Members to make informed decisions about the content of the draft Policy 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  
Draft Gambling Policy Statement

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