

		Licensing & Regulatory Committee 7 October 2015	Agenda Item No. 5
Title	Revision of Gambling Policy		
For further information about this report please contact	Jayne Bailey, Health & Community Protection 01926 456742 jayne.bailey@warwickdc.gov.uk		
Wards of the District directly affected	All		
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No		
Date and meeting when issue was last considered and relevant minute number			
Background Papers			

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	Yes

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	28/09/2015	Andy Jones
Head of Service	28/09/2015	Richard Hall
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	28/09/2015	Cllr Moira-Ann Grainger
Consultation & Community Engagement		
<p>The consultation was wide ranging and included the Responsible Authorities, holders of existing licences, representatives of businesses, Councillors & Town & Parish Councils, local bodies representing consumers and tourism, local bodies representing vulnerable persons, departments within the Council with an interest in the licensing of gambling.</p>		
Final Decision?	No	
Suggested next steps (if not final decision please set out below)		
Go to full Council		

1. **Summary**

- 1.1 This report sets out the new Gambling Policy/Statement of Principles to this Committee.
- 1.2 The main differences between the current policy and the new one relates to Social Responsibility and the requirement for operators to adhere to the new Codes of Practice and Guidance issued by the Gambling Commission

2. **Recommendation**

- 2.1 This Committee recommends the new Gambling Policy to full Council with the minor amendment detailed below* and on the table attached in **Appendix 1**.

3. **Reasons for the Recommendation**

- 3.1 The Licensing Authority is required by the Gambling Act 2005 to review its Statement of Principles every three years.
- 3.2 The amended policy has been consulted upon and the 7 responses received and a table of suggested amendments are attached as **Appendix 1**.
 - 3.2.1 As an amendment, (not from responses received) but due to a recent announcement from the Gambling Commission, at 19.1 add:
**A machine that is capable of being used as a gaming machine whether or not it is currently operating as one would also be classified as a gaming machine.*
- 3.3 The changes to the policy are wide ranging and are designed to reflect the Authority's current approach to the Gambling Regime in terms of the unique character of the district and the application of generic legislation.
- 3.4 The current Policy is attached at **Appendix 2**, the reviewed Policy at **Appendix 3** and a summary of scheme of delegation at **Appendix 4**.
- 3.5 The requirement for operators to show that they have a robust risk assessment in place specific to each premises which is consistent with the three gambling licensing objectives.

The new policy is more informative without replicating legislation and shows the expectations of this Authority.

4. **Policy Framework**

- 4.1 The policy outlines the way in which this Authority will assist in preventing gambling from being a source of crime. It highlights the procedures for enforcement protocols and best practices, and promotes working in partnership with the Gambling Commission, Responsible Authorities and Operators, and ensures that the licencing objectives are met.

4.2 **Fit for the Future**

In line with Fit for the Future, contents of the Gambling Policy/Statement of Principles, provide guidance, consistency, best practices, transparency,

proportionality and promotes safety and wellbeing to the community. This contributes to the Council's strategy of making Warwick District a great place to live, work and visit.

4.3 **Impact Assessments**

An Equality Impact Assessment has been carried out. It is consistent with the Council's duty under the Equality Act 2010.

5. **Budgetary Framework**

5.1 There are no budgetary implications arising from the new Policy

6. **Risks**

6.1 It is a legal requirement to review the Gambling Policy every three years, not to carry out the review could lead to legal challenge.

7. **Alternative Option(s) considered**

7.1 No alternative to reviewing the policy is available as this is a legal requirement to review the policy every three years.

8. **Background**

8.1 The Gambling Commission launched a consultation at the beginning of this year and the policy has been written having regard to this.

In order to keep up to date with legislation changes, a continuous review of the policy is done giving consideration to local issues.