

## BOROUGH OF KETTERING

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Report Originator	Shirley Plenderleith	<i>Fwd Plan Ref No:</i>	
Wards Affected	All	12 <sup>th</sup> December 2018	
Title	<b>GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY</b>		

Portfolio Holder: Cllr Mark Dearing

### 1. PURPOSE OF REPORT

For Kettering Borough Council (the Council) to agree to adopt the reviewed Gambling Act 2005 Policy Statement (the Policy).

### 2. INTRODUCTION

2.1 Every three years, the Gambling Act 2005 (the 2005 Act) requires Licensing Authorities to review and publish a statement of principles that they intend to apply when exercising their related functions. (**Appendix 1**)

### 3. INFORMATION

3.1 The 2005 Act has three objectives. They are:

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

3.2 Further detail of the objectives of the 2005 Act and how its delivery is proposed locally can be found in the appended document. The Council adopted the current Policy on 16<sup>th</sup> December 2015 and it took effect from 31<sup>st</sup> January 2016.

3.3 The appended document was drafted by the Northamptonshire Licensing Liaison Group and essentially reflects the Gambling Commission's Guidance to Licensing Authorities and the Local Government Association's guidance on what should be included in such a document.

3.4 The new policy differs very little from the existing policy, the most significant change being a requirement for applicants to provide Local Risk Assessments to support their applications. Detail of all of the pre-consultation amendments are included at **Appendix 2**.

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- 3.5 A wide scale consultation took place for a 6-week period between 24<sup>th</sup> September and 5<sup>th</sup> November 2018. Several responses were received and considered by the Group; details of which are provided at **Appendix 3**.
- 3.6 Both Gamcare and Northamptonshire County Council Public Health make reference to area profiles in their submissions. Northamptonshire County Council have also offered to be a partner and support this piece of work. This will be looked at within the life of this policy.

#### **4. CONSULTATION AND CUSTOMER IMPACT**

- 4.1 The draft policy has been out to consultation in line with the requirements of the Gambling Act 2005 and accompanying guidance. Responses have been received, considered and acted upon as detailed in **Appendix 3**.
- 4.2 The draft Policy was presented to the Licensing Committee on 29<sup>th</sup> November 2018 which agreed that the Statement of Licensing Policy as presented to the Committee be referred to Council for adoption with effect from 31<sup>st</sup> January 2019, subject to the following amendments:
- Policy Statement - Part B - Paragraph 11.1 – Bullet Point 2; inclusion of the words “young people” alongside children and vulnerable groups; and
  - Policy Statement - Part B - Paragraph 11.1 – Bullet Point 7; alter the word “youths” to read “persons”.
- 4.3 These amendments have been made.

#### **5. POLICY IMPLICATIONS**

- 5.1 The Policy must be adopted by the Council before 31<sup>st</sup> December 2018 to allow time for it to be published prior to taking effect on 31<sup>st</sup> January 2019. Regulations to the Act require that the statement must be published by being made available for a period of at least 4 weeks before the date on which it will come into effect.

#### **6. USE OF RESOURCES**

- 6.1 There are no implications.

**B O R O U G H   O F   K E T T E R I N G**

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**7. RECOMMENDATION**

That the Council adopts the Gambling Act 2005 Policy Statement 2019 – 2022 as shown at Appendix 1.

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**Background Papers:**

Title of Document:

Date:

Contact Officer:

**Previous Reports/Minutes:**

Ref:

Date: