

## **GAMBLING ACT 2005 – STATEMENT OF GAMBLING POLICY**

**Submitted by: Democratic Services Manager**

**Portfolio: Safer Communities**

**Ward(s) affected: All**

### **Purpose of the Report**

To advise Members of the recommended changes to the Gambling Policy as agreed by the Licensing Committee on 8<sup>th</sup> November 2012.

### **Recommendations**

**(a) That the current Challenge 21 policy be replaced by a Challenge 25 policy in the Gambling Policy for Newcastle under Lyme Borough Council.**

**(b) That the revised Gambling Policy be agreed.**

### **Reasons**

Under section 349 of the Gambling Act 2005 the Council has a statutory duty to review its Gambling statement set out in the Gambling Policy before the end of December 2012.

## **1. GAMBLING ACT 2005 – STATEMENT OF GAMBLING POLICY**

### **Background**

Under section 349 of the Gambling Act 2005 the statutory period for licensing policies is 3 years with the first period starting on 31 January 2007. The Council therefore has a statutory duty to review its Gambling statement set out in the Gambling Policy before the end of December 2012.

In preparing a statement for revision the Council must consult:

- The Chief Officer of Police for the authority's area
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act

### **Issues**

The consultation period ended on 8<sup>th</sup> November 2012 and the Council received a total of 7 responses all of which were positive and in favour of the existing policy, 4 of the responses contained comments, 3 of which related to issues that can only be considered by the Gambling Commission and therefore fell outside of the remit of the Council.

The remaining comment received from Staffordshire Trading Standards requested that the Policy support a Challenge 25 policy in place of the currently suggested Challenge 21 policy referred to on pages 14 and 17 of the Gambling Policy.

The Licensing Committee were in support of this alteration to the Policy and as such the change has been reflected in the revised Gambling Policy which will be in force for 3 years from the date of this meeting.

**3. Legal and Statutory Implications**

Under section 349 of the Gambling Act 2005 the Council has a statutory duty to review its Gambling statement set out in the Gambling Policy before the end of December 2012.

**5. Background Papers**

A copy of the revised Gambling Policy is available upon request from Members Services.

A copy of the original draft was distributed to all Members at the start of the consultation process.