

PART ONE - PUBLIC

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**Decision Maker:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date:** Thursday 17 September 2015

**Decision Type:** Non-Urgent Non-Executive Key

**Title:** **GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY 2016-2019**

**Contact Officer:** Paul Lehane, Head of Food Safety, Occupational Safety and Licensing  
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**Chief Officer:** Executive Director of Environment & Community Services

**Ward:** (All Wards);

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1. Reason for report

To present Members with the results of public consultation on the draft gambling policy and recommend the approval of the draft policy for adoption by Council on 19 October 2015.

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2. **RECOMMENDATION(S)**

**Members are asked to note and comment on the response to public consultation and recommended the Statement of Gambling Policy under the Gambling Act 2005 for adoption by full Council on 19 October 2015 to have effect from 31 January 2016.**

## Corporate Policy

1. Policy Status: Existing Policy: The Council adopted the current Gambling Policy on 12 November 2013 which had effect from 31 January 2013 for a period of three years.
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Vibrant, Thriving Town Centres:
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## Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Public Protection and Safety Portfolio budget
  4. Total current budget for this head: £2.277m
  5. Source of funding: Existing revenue budgets 2015/16
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## Staff

1. Number of staff (current and additional): 51 fte
  2. If from existing staff resources, number of staff hours: N/A
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## Legal

1. Legal Requirement: Statutory Requirement: Section 349 Gambling Act 2005 requires the Council to prepare and publish a statement of the principles they propose to apply in exercising their functions under the Act. Each statement of policy lasts for 3 years. The next three year period is from 31 January 2016 to 30 Jan 2019.
  2. Call-in: Not Applicable:
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 150 licensed gambling premises and all residents and businesses living and trading in the vicinity of licensed premises and users of licenced premises.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: No comments have been received in response to consultation on the draft statement of Gambling policy

### 3. COMMENTARY

- 3.1 The Council is the 'Licensing Authority' under the Gambling Act 2005 and must prepare and publish a statement of its licensing policy for periods of three years (Section 349). The policy must be reviewed from time to time and before each three year period. The current policy was reviewed by Members on 26 September 2012 and adopted by Full Council on 12 November and come in effect on 31 January 2013.
- 3.2 The General Purposes and Licensing Committee prepares and recommends to full Council the adoption of the Councils Statement of Gambling policy which is required by the Gambling Act 2005
- 3.3 At its meeting on 14 July 2015 Members approved a draft Statement of Gambling Policy (2016-2019) for public consultation.
- 3.4 The draft policy has been published on the Council's website and all licence holders have been written to advising them of the draft policy, highlighting the most significant changes and seeking their views. In addition the draft policy has been drawn to the attention of the statutory Responsible Authorities and a wide range of other bodies and organisations as listed on page 5 of the draft policy
- 3.5 A total of four responses have been received

1. Copers Cope Area Residents' Association. Asked for a specific provision for the cumulative impact of betting shops to be considered and set a saturation level.

There are no provisions within the Gambling Act 2005 to control betting shops in this way.

2. Bromley Safeguarding Children Board – corrected their name

3. Association of British Bookmakers –ABB (Appendix 1)

Members are asked to consider the points made by the ABB under the headings - Evidence based approach and Concerns around increases in regulatory burden. In particular

a. Local Area profiles. We don't currently have any but would ensure they were based on evidenced risks not perceived risks.

b. Should proximity of gambling premises to schools / children's services and the vulnerable be included as potential licence issues when determining applications?

c. Should the policy include the requirement under section A7.1 for operators to supply information on an annual basis or only when required.

4. Power Leisure Bookmakers (Paddy Power) (Appendix 2)

Minor changes to section B3 and B4 have been made to the policy in respect of the comments by Paddy Power. These are shaded grey on pages 16 and 18.

- 3.6 In light of the responses to the consultation, a suggested final version of the policy is attached which Members are asked to recommend for adoption by full Council on 19 October 2015, subject to any changes agreed following public consultation. (Appendix 3)

#### 4. POLICY IMPLICATIONS

The current statement of Gambling policy 2013 - 2016 expires on 30 January 2016. A new policy statement is required for the period 2016 – 2019 to comply with the Councils legal duties. The policy is largely unchanged from the previous one.

#### 5. LEGAL IMPLICATIONS

See policy implications

<b>Non-Applicable Sections:</b>	<b>FINANCIAL &amp; PERSONNEL IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	Gambling Act 2005, Statement of Gambling policy 2013 – 2016. Report to GP&L on 14 July 2015