

TO: LICENSING COMMITTEE

DATE: 26TH MAY 2006

SUBJECT: GAMBLING ACT 2005

BY: SENIOR SOLICITOR

Classification: Unrestricted

Summary: This report details the requirement and recommendations for members to approve a draft of the Gambling Licensing Policy for consultation purposes.

Implications: Human Resources Implications, Minimal

Finance Implications, Minimal

Legal Implications, statutory requirement

Crime & Disorder Implications, None

Sustainability Implications, None

Risk Implications, None

Decision Required: To approve the draft policy, to be published for mandatory consultation.

Introduction/Background

I anticipate that the provisions of the Gambling Act 2005 will come into force on 1st January 2007. From this date we need to be able to deal with any application for a Licence from anybody conducting or wishing to conduct "gambling activities". We are only concerned with premises licences. Operators' licences and personal licences will be dealt with by the Gambling Commission

We have a statutory duty to have a Licensing Policy (sometimes called a Licensing Statement) in place by this date. We have worked closely with the Steering Committee comprising representatives of all Kent and Medway Councils (except KCC) for more than a year. We have produced the annexed draft policy. We have worked together to ensure wherever possible consistency across the county but have changed it where necessary to meet the particular needs of Swale.

I believe we should have policies in place by no later than Christmas although I would prefer the beginning of December. I will be bringing the draft forward at various stages in the democratic process as it may require some revision to reflect recently published guidance and the yet to be published regulations. I would hope that full Council would approve this Policy in November.

Issue for decision

Approval of the draft policy to be published for mandatory consultation.

Options (where appropriate) and why they are not recommended

None.

Recommendation

I recommend that Members approve the draft in its present form for the statutory 12 week widespread public consultation. Members will have the opportunity to comment/ amend the policy when it returns after public consultation.

Reasons for the Recommendation

This is a statutory requirement.

Author: Mike Hawkins - Ext. 7325

Date: 11th May 2006

List of background documents –

Gambling Act 2005 and guidance issued by DCMS