

To: City Executive Board
Date: 11 September 2013
Report of: Head of Environmental Development
Title of Report: STATEMENT OF GAMBLING LICENSING POLICY

Summary and Recommendations

Purpose of report: To consider the recommendation of the Licensing and Gambling Acts Committee of 5th September 2013 in relation to the Draft Revised Statement of Gambling Licensing Policy.

Key decision: Yes

Policy Framework: Statement of Gambling Licensing Policy

Recommendation(s):

The Board is recommended to:

(i) approve the recommendation of the Licensing and Gambling Acts Committee that the Draft Revised Statement of Gambling Licensing Policy be recommended to Council for adoption.

Appendix One: Recommended amendments and additions to the existing Statement of Gambling Licensing Policy

Appendix Two: Revised draft Statement of Gambling Licensing Policy

Appendix Three: "No Casino" Briefing Note

Appendix Four: Response to consultation

Appendix Five: Risk Register

Appendix Six: Equalities Impact Assessment

Introduction

1. On 5th September 2013, the Licensing and Gambling Acts Committee is being recommended :-
 - a) For the purpose of adopting a new policy confirm that the “No Casino” resolution remains;
 - b) To recommend the Board to recommend Council to adopt the Draft Revised Statement of Gambling Licensing Policy

Background

2. The Board is reminded that all Licensing Authorities have adopted a Statement of Gambling Licensing Policy. This Statement must promote the three licensing objectives of the Gambling Act 2005 (the 2005 Act), which are:
 - Preventing gambling from being a source of crime and disorder
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and vulnerable persons from being harmed or exploited by gambling
3. The Council is obliged to determine and publish the "Statement of Gambling Licensing Policy" and to keep it under review, and to renew the Policy at least every three years. In preparing the Statement, Licensing Authorities must follow the procedure set out in the 2005 Act, including who should be consulted. The current policy now requires renewal and therefore the Board is requested to review the proposed new Policy.
4. The Statement of Gambling Licensing Policy sets out how the Licensing Authority intends to exercise its functions under the 2005 Act.
5. A Summary of the Policy changes is attached at **Appendix One**, and the Draft Revised Policy is attached at **Appendix Two**.

No Casino Resolution

6. On 20th November 2006 following a recommendation by the Licensing and Gambling Acts Committee, Council passed a ‘No Casino’ resolution (in accordance with S.166 of the Gambling Act 2005). This had the effect that the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place.
7. The 'no casino' resolution lapsed in November 2012 and currently has no effect. A new resolution can be made at any time in the context of reviewing the Council's Statement of Gambling Licensing Policy.
8. A Briefing Note was provided to Members of the Licensing and Gambling Acts Committee informing them that the Council would not be eligible for any casino to be sited in Oxford due to the current legislation regarding such issues.
9. Therefore in light of the legislative position of the Gambling Act 2005 the Committee resolved to maintain the “No Casino” resolution and review the matter should the

legislation change in the future. A copy of the Briefing Note is attached at **Appendix Three**.

Consultation on the Draft Revised Statement of Gambling Licensing Policy

10. The consultation on the revised Statement of Gambling Licensing Policy was held from 1st May 2013 until 12th June 2013 and was made available to the following groups for consideration:
- Members of the public;
 - Responsible Authorities (Police, Fire and Rescue, Trading Standards, Planning, Environmental Protection, Child Protection, Health & Safety); and
 - Current licence holders and representatives of current licence holders.
11. One response was received to the consultation, and is attached at **Appendix Four**. The respondent comments that Oxford requires a casino. Board Members are referred back to the Briefing Note that deals with this matter.

Consultation Timetable

12. The proposed consultation timetable is as follows:
- 11th September 2013: report to City Executive Board to consider the decision of the Licensing and Gambling Acts Committee approval of the final Statement of Gambling Licensing Policy.
 - 30th September 2013: Licensing and Gambling Acts Committee's recommendation to Full Council for adoption of the final Statement of Gambling Licensing Policy.

Level of Risk

13. A Risk Register is attached at **Appendix Five**.

Environmental Impact

14. The Statement of Gambling Licensing Policy is a mandatory requirement of the Licensing Authority in relation to its functions in accordance with the Gambling Act 2005.

Equalities Impact

15. An initial Equalities Impact Assessment is attached at **Appendix Six**.

Financial Implications

16. Any financial implications regarding this matter are covered within existing Licensing Authority budgets.

Legal Implications

17. Any legal implications regarding this matter are covered within the Gambling Act 2005.

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List of background papers: None

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