



FULL COUNCIL REPORT

Date Written	14 th December 2015
Report Author	Simon Jones
Service Area	Legal & Democratic Services
Committee Division	Strategic
Exempt/Non Exempt	Non Exempt
Committee Date	6 th January 2016

To: Chair, Ladies and Gentlemen

REVIEW OF STATEMENT OF LICENSING POLICY UNDER THE GAMBLING ACT 2005

1.0 SUMMARY OF THE REPORT

1.1 To update the Council's Licensing Policy following the conclusion of a public consultation exercise and in accordance with the statutory requirement upon the Council to review the same on a three yearly basis.

2.0 RECOMMENDATION(S) that

2.1 The revised Statement of Licensing Principles be approved and adopted by the Council to come into force on the 31st January 2016.

2.2 The previous decision resolved on the 13th December 2006, the 9th December 2009 and the 5th December 2012 for a 'no casino' resolution within the County Borough be reaffirmed and ratified.

3.0 INTRODUCTION AND BACKGROUND

3.1 The Gambling Act 2005 created a new system of licensing and regulation for commercial gambling in the UK and, as part of the changes, Merthyr Tydfil County Borough Council assumed responsibility for licensing premises and issuing permits and authorisations for the temporary use of premises amongst other matters.

3.2 Councillors will be aware that a Statement of Licensing Policy under the Gambling Act 2005 was first approved by Council on 13th December 2006 and thereafter 3 years later on the 9th December 2009 and the 5th December 2012.

4.0 POLICY REVIEW

4.1 Section 349 of the Gambling Act 2005 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy every three years. The Authority's existing statement came into effect on the 31st January 2013 and therefore needs to be reviewed with a revised statement of policy in force by the 31st January 2016. This will be the third review of the Authority's Statement of Policy.

4.2 A draft revised statement of Licensing Principles, which amended the previous Licensing Principles in line with guidance was put for public consultation in accordance with the HM Government Code of Practice for a 12 week period on the 7th August 2015 concluding on the 30th October 2015, a copy of the same can be found on the Council's Intranet and Website.

4.3 Section 349 (3) of the Gambling Act 2005 requires the Licensing authority to consult the following on the policy statement or any subsequent revision to it:

- 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; and
- 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 this Act.

The authority consulted with those organisations/persons/bodies set out in paragraph 1.5 on page 6 of the draft policy. The draft policy was also published on the Council's website and the Cwm Taff Hub

4.4 There were no negative responses to the consultation and, as such, no amendments have been made to the draft policy.

4.5 A copy of the Policy can be accessed via the Background Papers link.

5.0 NO CASINOS RESOLUTION

5.1 Section 166 of the Gambling Act 2005 allows a licensing authority to resolve not to issue casino premises licenses within its boundaries.

5.2 At all previous Full Council meetings where the Gambling Policy has been considered, the Council has decided to approve a "no-casinos" resolution.

5.3 The adoption of a no-casinos resolution requires ratification every three years and is included as part of the revised policy.

6.0 TIMESCALES

6.1 Following consultation, the views of the persons consulted must be considered. Thereafter, in accordance with legislative requirements the revised statement will be published on the Council's website and made available for inspection at the Council's offices and the Central Library prior to the new policy coming into force on the 31st January 2016.

7.0 FINANCIAL IMPLICATION(S)

7.1 There are no financial Implications associated with this report.

8.0 SINGLE INTEGRATED PLAN AND SUSTAINABILITY IMPACT SUMMARY

8.1 The Community Plan & Sustainability Impact Assessment has been completed and the proposals will have a positive impact on people in Merthyr Tydfil in particular contributing to Merthyr Tydfil becoming a safer and more sustainable place in which to live, work and play.

9.0 EQUALITY IMPACT ASSESSMENT

9.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It has been found that a full assessment is not required at this time. The form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

GARETH CHAPMN
CHIEF EXECUTIVE

COUNCILLOR PHIL WILLIAMS
CABINET MEMBER FOR GOVERNANCE
AND CORPORATE SERVICES

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Licensing Policy	2016 - 2019	Legal Department/Council website
Does the report contain any issue that may impact the Council's Constitution?		No

Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.