

Report considered by Licensing Committee - 11 November 2009

GAMBLING ACT 2005 –STATEMENT OF GAMBLING LICENSING POLICY (2010-2013)

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1 Purpose

To consider the Statement of Gambling Licensing Policy for Milton Keynes (2010-2013) as required by the Gambling Act 2005.

2 Recommendations

- 2.1 That the Council be recommended to approve the Statement of Gambling Licensing Policy 2010-2013 in the **Annex**.

3 Issues and Choices

- 3.1 The Council as the Licensing Authority under Section 349 of the Act is required to have in place a 3 year policy incorporating its published Statement of Principles. The current policy will expire on the 30 January 2010.

Since the original policy took effect on the 31 January 2007 there have been legislative amendments and revised guidance to Licensing Authorities from the Gambling Commission.

In addition, a completely new and detailed section has been inserted to deal with the large casino premises licence process. This will provide valuable information to potential applicants and assist them in formulating their bids following the global invitation to apply for the sole licence that is available.

- 3.2 The Policy sets out the Council's general approach, as a Licensing Authority and how it will exercise its functions under the Gambling Act 2005. The various Statements of Principles in the Policy focus on detailed arrangements that the Council will expect from an applicant.
- 3.3 The Policy goes into detail in respect of the application process issues for the different categories of gambling.
- 3.4 The Gambling Commission licences the operators of gambling premises and the manufacturers of gaming equipment etc. Local authorities acting as the Licensing Authority are responsible for licensing the premises used for gambling.

- 3.5 The draft document has been the subject of a 12 week consultation process. It contains a number of Statements of Principles that will assist applicants in understanding the position of the Council acting as the Licensing Authority. The Licensing Authority is required to review their policy every 3 years.

4 Implications

4.1 Resources

The Council is a member of an Officers' Networking Group representing the 16 local authorities that have been awarded the opportunity to grant the 8 small and 8 large casino premises licences. Each local authority has provided £5K to cover the cost of engaging professional/technical advisors and consultants via Southampton City Council. Regular meetings take place and the process is working very well. The joint commissioning of advice and information is good value for money.

The Assistant Director Regulatory Services is the corporate lead on the casino application process.

The licensing revenue budget receives all relevant income and any incidental costs incurred in this process will be funded by this budget. Administering the Gambling Act 2005 should be cost neutral.

4.2 Legal

In order that the Licensing Authority cannot be challenged at a later date, the Policy for 2010-2013 requires a resolution by the Licensing Committee and endorsement by Full Council prior to the 31 January 2010. These arrangements will demonstrate to the Department for Culture, Media and Sport and the gambling operators that Milton Keynes Council as the Licensing Authority has in place a properly published Statement of Gambling Licensing Policy for the period 2010-2013

Background Papers

Gambling Commission's Guidance to Local Authorities

Milton Keynes Council Statement of Principles (2007-2010)

Gambling Act 2005