

CASINO PREMISES LICENCES IN ACCORDANCE WITH SECTION 166 – GAMBLING ACT 2005.

Report By: HEAD OF ENVIRONMENTAL HEALTH AND TRADING STANDARDS

Wards Affected:

County-wide

Purpose:

1. For the council to consider whether they wish to resolve not to issue casino premises licences in accordance with Section 166 – Gambling Act 2005.

Law:

2. Section 2 – Gambling Act 2005 states that the ‘ a district council is a Licensing Authority’
3. Section 154 automatically delegates to the Licensing Committee some of the functions under the Act, with the exception of ‘Section 166 (Resolution Not to Issue a Casino Licence), Section 212 (Setting of fees) and Section 349 (Gambling Policy).
4. Section 166 – Gambling Act 2005 states that: -
 - 1) *A licensing authority may resolve not to issue casino premises licences.*
 - 2) *In passing a resolution under subsection (1) a licensing authority may have regard to any principle or matter.*
 - 3) *A resolution under subsection (1) –*
 - (a) *must apply to the issue of casino premises licences generally,*
 - (b) *must specify the date on which it takes effect,*
 - (c) *may be revoked by a further resolution, and*
 - (d) *shall lapse at the end of the period of three years beginning with the date on which it takes effect (without prejudice to the ability to pass a new resolution).*

History:

5. The ‘Resolution not to issue casino premises licences’ was presented to the Councils’ Regulatory Committee on 28th November, 2006 when it was approved.

Change in Legislation:

6. On 24th April the Department of Culture Media and Sport (DCMS) announced that for English councils the delegation for a ‘Resolution not to issue casino premises licences’ sits with the Full Council following an amendment to ‘The Local Authorities (Functions and Responsibilities) (England) Regulations 2000’

Background:

7. This authority has previously advised the Department of Culture Media and Sport (DCMS), that it did not wish to be considered as a location for one of the seventeen casinos proposed.

8. Although the DCMS have recently announced the location of the seventeen proposed casinos and no further licences can be issued at this time, there is a possibility that this number could be increased in the future.

Recommendation

That Council pass a resolution under Section 166 of the Gambling Act 2005 resolving not to issue any casino premises licences.