

City of York Council

Committee Minutes

MEETING	GAMBLING & LICENSING ACTS COMMITTEE
DATE	20 NOVEMBER 2009
PRESENT	COUNCILLORS MERRETT (CHAIR), AYRE, FUNNELL, SUE GALLOWAY, HORTON, HYMAN, LOOKER, ORRELL, PIERCE, REID, TAYLOR, B WATSON AND WISEMAN (VICE-CHAIR)
APOLOGIES	COUNCILLORS MOORE AND RUNCIMAN

PART B MATTERS REFERRED TO COUNCIL**25. GAMBLING ACT 2005 - TRIENNIAL REVIEW OF THE STATEMENT OF POLICY**

[See also under Part A Minutes]

Members considered a report which advised them of the review of the Council's Statement of Gambling Policy, of the consultation undertaken and the changes made as a result and revised guidance. Members were asked to recommend the revised policy to Council for approval.

Section 349 of the Gambling Act 2005 (the Act) requires licensing authorities to keep their statements of Gambling Policy under review and to be reviewed before each successive period of three years. The current policy is due to expire on 31 January 2010. The template suggested by the Department of Culture Media and Sport has been used and comments made during the consultation, which ended on the 9 October 2009 have been incorporated.

Members made the following comments:

- Officers were requested to point out what is local policy as Members felt it was difficult to distinguish what is narrative, prescriptive and what is local policy. Officers advised that the whole document will be council policy but that the majority of the document was not subject to local discretion. It was pointed out that page 22 paragraph 19.5 and page 23 paragraph 21.2 outlined City of York Council's Statement of Principles.
- Members queried whether there is scope to require operators of Licensed Family Entertainment Centres to ensure staff are Criminal Records Bureau checked. Officers advised that no other authority have introduced this and City of York Council would be open to challenge if it was introduced.
- Members expressed concern over the lack of power to attach conditions to Gaming Permits. Officers advised that the Code of

Practice covers all expected controls such as location and operation of machines and the protection of children from harm.

Members then made the following changes to the policy, detailed by reference to the page number of the policy:

Page 8 – Decision Making – paragraph 9.3 – wording to be adjusted as it is unclear if Members can reject applications due to moral reasons.

Page 20 – Reviews – paragraph 18.1 does not link with the wording inside the box and at the end of paragraph 18.2, the words ‘ and there has been no change in circumstances’ to be added to the end of the sentence.

Officers advised they would correct any typing errors.

RECOMMENDED: That Council approve the Statement of Gambling Policy for approval by Council, subject to the amendments outlined above.

REASON: To satisfy the requirements of Section 349 of the Gambling Act 2005.

Councillor Merrett, Chair

[The meeting started at 2.00 pm and finished at 2.40 pm].