

WEST DUNBARTONSHIRE COUNCIL

Report by the Chief Executive

Children's Services Committee – 11 October 2006

Subject : Gambling Act 2005 – Protection of Children

1. Purpose

- 1.1** To seek approval for the Children's Services Committee to be designated as the responsible body to advise West Dunbartonshire Licensing Board on the protection of children from harm in terms of the Gambling Act 2005.

2. Background

- 2.1** The Gambling Act 2005 creates a new system of licensing and regulation for commercial gambling in the UK.
- 2.2** The Act comes fully into force in September 2007 and repeals the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976.
- 2.3** Apart from spread betting and the National Lottery, all commercial gambling will be regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.
- 2.4** Licensing authorities will license premises where gambling is to take place, and also license some other activities such as registering small societies' lotteries.
- 2.5** West Dunbartonshire Licensing Board is the Licensing Authority for the West Dunbartonshire Council area for the purpose of the Gambling Act 2005 and any subsequent regulations and guidance.
- 2.6** The Act contains three licensing objectives which underpin the functions that the Commission and licensing authorities will perform. These objectives are central to the new regulatory regime created by the Act. They are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and vulnerable persons from being harmed or exploited by gambling.

3. Main Issues

- 3.1** Licensing authorities are required by Section 349 of the Gambling Act 2005 to publish a Statement of the Principles which they propose to apply when exercising their functions.
- 3.2** Licensing authorities are required to set out, in their Statement of Principles, their approach to their functions under the Act. One of those functions is to determine who will be competent to advise them about the protection of children from harm.
- 3.3** A licensing authority's Statement of Principles must state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 3.4** In accordance with the Gambling Commission's Guidance to Licensing Authorities, it is considered that it would be appropriate for the Children's Services Committee of West Dunbartonshire Council to be designated as the body which is competent to advise the Licensing Board about the protection of children from harm.

4. Personnel Issues

- 4.1** There are no personnel issues.

5. Financial Implications

- 5.1** There are no financial implications.

6. Recommendation

- 6.1** It is recommended that the Children's Services Committee agrees to the proposal that it be designated as the responsible body to advise West Dunbartonshire Licensing Board on the protection of children from harm in terms of the Gambling Act 2005.

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Tim Huntingford
Chief Executive

NB 04.10.06

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Background Papers

Gambling Commission - Guidance to Licensing Authorities, April 2006
West Dunbartonshire Licensing Board – Draft Statement of Principles – Gambling Act 2005

Wards Affected: N/A