

**LICENSING COMMITTEE: 2 February 2010**

**Report of the Chief Strategic Planning and Environment Officer**

**GAMBLING ENFORCEMENT OPERATION.**

**1. Background**

- 1.1 The local authority is the licensing authority in respect of applicants for gambling premises licences for premises such as casinos, betting shops, bingo halls and amusement centres. The Gambling Commission is the licensing authority for operators and individuals involved in gambling.
- 1.2 Together with officers of the Gambling Commission, Trading Standards Officers have taken part in a nationwide compliance measuring programme targeting gambling licensed premises.

**2. Details.**

- 2.1 As part of the Gambling Commissions nationwide compliance campaign Trading Standards Officers organised a test purchasing operation targeting betting shops in Cardiff. As part of the operation a young person was sent into licensed betting shops to place a bet. It is illegal for a person under 18 years of age to be permitted on licensed premises and for any person to accept a bet from a child or young person.
- 2.2 Of the thirteen premises targeted during the operation nine operators, quite properly, asked for the young person to produce identification and the bet was not therefore accepted. However in four of the premises the bet was accepted. Clearly there is further work to be undertaken to ensure that operators put effective controls in place in premises to prevent under age gambling. Both the Gambling Commission and the licensing authority have engaged with all the operators of those premises where bets were accepted to secure immediate improvement plans. Further test purchase operations will be organised next year to assess the level of compliance.

**3. Achievability**

This report contains no equality personnel or property implications.

**4. Legal Implications**

- 4.1 Under Section 62 of the Gambling Act 2005 a criminal offence in respect of a young person aged 16 – 18 carries a maximum fine of £5000. The penalties are more severe in the case of children under 16, including potential imprisonment.
- 4.2 In criminal proceedings it is a defence for the defendant to show that he took all reasonable steps to determine the age of the child or young person and reasonably believed that the individual was not a child or young person.

**5. Financial Implications.**

- 5.1 The operation was financed by the Licensing Authority. The licensing service is required to be self financing with all expenditure being met from fees and charges which are reviewed annually. The costs of mounting such operations will be taken into account at the next review.

**7. Recommendation**

- 7.1 That the report be noted.

**SEAN HANNABY**

**1 January 2010**

**CHIEF STRATEGIC PLANNING AND ENVIRONMENT OFFICER**

This report has been prepared in accordance with procedures approved by Corporate Managers.

Background Papers: None