

**GAMBLING ACT 2005
AUTHORISED PERSONS
(Report by Head of Administration)**

1. INTRODUCTION

- 1.1 Part 15 of the Gambling Act 2005 contains powers for the Gambling Commission, local authorities, licensing authorities and the Police to monitor compliance with the provisions of the Act and with licence conditions and to investigate suspected offences. This report invites the Committee to authorise officers of the licensing authority as authorised persons under the Act.

2. AUTHORISATIONS

- 2.1 The Act grants certain powers to police constables, enforcement officers (designated staff of the Gambling Commission) and to authorised persons. The latter include inspectors appointed under the Fire Precautions Act, Health & Safety at Work etc Act and any other person prescribed in regulations by the Secretary of State. With regard to the Council, a distinction has to be made between its role as the local authority and as the licensing authority. If an officer has already been authorised for the purposes of minimising or preventing the risk of pollution of the environment or of harm to human health, that officer is already an authorised person for the purposes of the Gambling Act 2005. The same situation does not apply to the Council's role as licensing authority and officers are specifically required to be authorised under the Act.
- 2.2 Police constables, enforcement officers and authorised persons have wide ranging powers under the Act to inspect premises and machines, question people on licensed premises, require access to and copies of written or electronic records and remove and retain any equipment or anything else which is suspected of being used in the commission of an offence. The approach of the Gambling Commission will be that the authority that has issued a licence or permit should take the lead in ensuring compliance with that licence or permit and any conditions attached to it, including compliance with any relevant codes of practise. The general intention is that the regulatory burden will be the minimum consistent with the carrying out of statutory duties and for inspections to be based on an assessment of risk in respect of individual premises.

3. CONCLUSION AND RECOMMENDATIONS

3.1 The Committee is required to authorise officers for the purpose of the Act and it is therefore

RECOMMENDED

that the following officers be authorised under Part 15 of the Gambling Act 2005 as authorised persons:

- Head of Administration
- Central Services Manager
- Licensing Officer
- Assistant Licensing officers

Background papers

Gambling Act 2005

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