

**REPORT NO 1****HARBOROUGH DISTRICT COUNCIL****REPORT TO THE LICENSING COMMITTEE OF 9<sup>th</sup> FEBRUARY 2022****PUBLIC REPORT: Y****EXEMPT REPORT: N**

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| <b>Report Title</b>                 | Gambling Act 2005 – Revised Statement of Principles  |
| <b>KEY DECISION</b>                 | N/A  |
| <b>Report Author</b>                | Jess Nicholls – Senior Licensing Officer   |
| <b>Purpose of Report</b>            | To consider the Council’s Revised Statement of Principles under the Gambling Act 2005 go out for public consultation and subject to any consultation responses be recommended to Council for approval  |
| <b>Reason for Decision</b>          | The Gambling Act 2005 (“the Act”) the Council is required to consult upon and prepare a Statement of Principles every three years  |
| <b>Portfolio (holder)</b>           | Cllr Dann  |
| <b>Corporate Priorities</b>         | <b>The Place:</b> A safe, enterprising and vibrant place   |
| <b>Financial Implications</b>       | There are no direct financial implications arising from this report.   |
| <b>Risk Management Implications</b> | Not having an up to date Statement of Principles document published may open the Council up for challenge by the Gambling Commission and other relevant stakeholders.  |
| <b>Environmental Implications</b>   | None   |
| <b>Legal Implications</b>           | As above there is a legal requirement to review, consult and publish a Statement of Principles for gambling premises every three years.  |
| <b>Equality Implications</b>        | An Initial Equality Impact Assessment was completed in September 2015 and it confirmed that there was no direct discrimination against any of the protected groups. Following the review further consideration was given and there is no further evidence to suggest that it will have a disproportionately negative impact against any of the protected groups  |
| <b>Data Protection Implications</b> | None   |
| <b>Consultation</b>                 | S.349(3) of the Act requires licensing authorities to consult with the following on their policy statement or any subsequent revision: <ul style="list-style-type: none"> <li>• the chief officer of police for the authority’s area</li> <li>• one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area</li> </ul> |

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|                          | <ul style="list-style-type: none"> <li>one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act</li> </ul> <p>The consultation will take place over a period of 4 weeks and once approved by Council the Statement is published on the Councils website and will take effect one month following publication.</p>  |
| <b>Options</b>           | Not to review the Council's Statement of Principles in line with the guidance of the Gambling Commission.  |
| <b>Background Papers</b> | Guidance issued <a href="#">to Local Authorities from the Gambling Commission regarding the Gambling Act 2005.</a>   |
| <b>Recommendation</b>    | <ol style="list-style-type: none"> <li><b>That the Revised Statement of Principles is subject to a period of public consultation from 14th February – 13<sup>th</sup> March 2022;</b></li> <li><b>That the Regulatory Services Manager, in consultation with the Chairman and Vice-Chairman of the Licensing Committee, is given delegated authority to consider any consultation responses received;</b></li> <li><b>Subject to the outcome of 2 above, refers the revised Statement of Principles attached as <u>Annex A</u>, to Council for approval and adoption.</b></li> </ol> |

## Key Facts

- 1.1 Section 349 of the Gambling Act 2005 requires all Gambling Act Licensing Authorities to prepare and publish a Statement of Principles that they propose to apply in exercising their functions under the Act.
- 1.2. The Council currently licenses three Betting Shops within the District, issues approximately 70 lottery licenses and three Gaming Machines within the remit of this policy.
- 1.3. The Licensing Authority is required to review its policy every three years. Harborough District Council will be consulting on its Statement of Licensing Policy under the Gambling Act 2005. As part of the review, subject to approval of the revised document by the committee, consultation will take place with stakeholders, interested parties and the community for a period of four weeks. Consideration will be given to any representation received during the consultation and the final documents will be referred to Council for approval.
- 1.4. There has been no substantial change in the current legislation and the revised Statement of Principles has simply been updated with minor

amendments. The proposed amendments are set out in red in the document in Annex A.

1.5. In drawing up its policy, Harborough District Council has had regard for the three licensing objectives, which 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 other vulnerable persons from being harmed or exploited by gambling
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