

ITEM NO. 13

REPORT TO THE COUNCIL MEETING OF 10th December 2018

Meeting: Council
Date: 10th December 2018
Subject: Gambling Act 2005 – Revised Statement of Principles 2019-2022
Report of: Elaine Bird Regulatory Services Manager
Portfolio Holder: Cllr Rickman
Status: For adoption
Relevant Ward(s): All Wards

1 Purpose Report

1.1 To seek approval of the revised Statement of Principles 2019 – 2022 for Gambling Premises following public consultation.

2 Recommendations:

2.1 **It is recommended that:**

2.1.1 **Members approve the revised Statement of Principles under the Gambling Act 2005 as set out in Appendix A**

3 Summary of Reasons for the Recommendations

3.1 In accordance with the Gambling Act 2005 the Council is required to publish a Statement of Principles and the document must be reviewed every three years.

3.2 The existing Statement of Principles expires on the 31st January 2019.

3.3 At the meeting of the Licensing Committee on the 5th September 2018, members approved that the revised Statement of Principles as set out in Appendix A should be subject to a period of public consultation running from 10th September 2018 to 21st October 2018.

3.4 No representations were received during the consultation period.

4 Impact on Communities

- 4.1 The Statement of Principles set out how the Council will protect the public through the management of licensed gambling establishments.

5 Key Facts

- 5.1 Section 349 of the Gambling Act 2005 requires all Licensing Authorities to prepare and publish a Statement of Principles they propose to apply in exercising their functions under the Act. The licensing authority is required to review its policy every three years. The current Statement of Principles expires on the 31st January 2019.
- 5.2 Members of the Licensing Committee on 5th September 2018 approved the draft Statement of Principles document for public consultation. The consultation process ran from the 10th September until the 21st October 2018. No representations were received during the consultation period and consequently the draft document which went out for public consultation has not been amended.

6 Legal Issues

- 6.1 The Gambling Act 2005 places a duty on both the Gambling Commission and local licensing authorities to aim to permit gambling in so far as it is reasonable to meet the licensing objectives as set out in section 10.1 below. The published Statement of Principles sets out how the council will provide this service.

7 Resource Issues

- 7.1 There are no resource implications associated with this report.

8 Equality Implications

- 8.1 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 disproportionate impact against any of the protected groups.

9 Impact on the Organisation

- 9.1 There are no impacts on the organisation in relation to this report.

10 Community Safety Implications

10.1 In drawing up its policy, the licensing authority must have regard to the three licensing objectives which are designed around protecting the public and minimising adverse community safety issues. The licensing objectives 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.

11. Carbon Management Implications

11.1 None identified

12. Risk Management Implications

12.1 There is a legal requirement for the licensing authority to publish its Statement of Licensing Principles every three years. There is a risk that by not publishing an updated document the council could be open to challenge by interested parties.

13 Consultation

13.1 The public consultation process ran from 10th September to the 21st October 2018 and no representations were received during this process.

14 Options Considered

14.1 There is a legal duty to review the Statement of Principles every three years. The current document expires at the end of January 2019

15 Background Papers

15.1 Not applicable

Previous report(s):

Information Issued Under Sensitive Issue Procedure:

Ward Members Notified:

Appendices:

Appendix A – The Statement of Principles 2019 - 2022

