

REPORT OF THE EXECUTIVE DIRECTOR OF NEIGHBOURHOODS

LICENSING AND REGULATORY COMMITTEE – 26 APRIL 2021

GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

1. PURPOSE OF THE REPORT

- 1.1** To advise the Committee of the requirement on the Council, in its capacity of a Licensing Authority, to undertake a review of the Council's Statement of Principles under the Gambling Act 2005 ("the Act"), and to carry out a consultation exercise as prescribed under Section 349 of the Act.

2. DESCRIPTION OF DECISION (RECOMMENDATIONS)

- 2.1** The Committee are requested to note the contents of the report and give their approval that the Licensing Section undertakes a consultation exercise upon the Council's draft Statement of Principles under the Gambling Act 2005.

3. INTRODUCTION/BACKGROUND

- 3.1** Under Section 349 of the Act a Licensing Authority shall before each successive period of three years:-

- (a) prepare and publish a Statement of Principles that they propose to apply in exercising their functions under the Act during that period, and
- (b) publish that statement.

Also, under the above Section a Licensing Authority shall-

- (a) review their statement under this section from time to time,
- (b) if they think it necessary in the light of the review, revise the statement, and
- (c) publish any revision giving it effect.

- 3.2** The current Statement of Principles was agreed by Council at a meeting held on 21 November 2018 and was published on 31 December 2018. The current Statement of Principles came into force on 31 January 2019.

- 3.3** Under the statutory procedure set out in Section 349 of the Act, the Council is required to undertake a review of its Statement of Principles, publish its revised Statement of Principles by 31 December 2021, and for it to be in force from 31 January 2022.

- 3.4** The Act further requires that in preparing a Statement of Principles or revision under the above Section, the Licensing Authority shall consult with:-

- The Chief Officer of Police;
- One or more persons who appear to the Council to represent the interests of

persons carrying on gambling businesses in the Council's area; and

- One or more persons who appear to the Council to represent the interests of persons who are likely to be affected by the exercise of the Council's functions under the Gambling Act 2005.

4. CURRENT POSITION

- 4.1** Officers have completed a review of the current Statement of Principles. The current Statement was prepared having regard to the Gambling Commission's Guidance issued to Licensing Authorities.
- 4.2** Licensing Officers have not identified any need to change the current Gambling Statement of Principles in any material way. Officers have therefore prepared a new draft Statement of Principles which largely replicates the current Statement, but which has been amended to reflect only minor administrative changes. A copy of the revised draft Gambling Statement of Principles is attached to the report at Appendix 1.
- 4.3** The Committee are recommended to agree that the revised draft Statement of Principles be subject to consultation in accordance with the statutory procedure. Any responses received following the consultation will be reported to the Committee for its consideration at a future meeting.
- 4.4** Following its consideration of any responses received to the consultation the Committee will be asked to determine whether to make any further amendments to the revised draft Gambling Statement of Principles prior to the Statement being referred to Council for approval in November 2021.

5. REASONS FOR THE DECISION

- 5.1** To facilitate compliance with the requirements of the Gambling Act 2005 and to ensure that the Council continues to have a Gambling Statement of Principles in place as from and including 31 January 2022.

. ALTERNATIVE OPTIONS

- 6.1** None submitted.

7. RELEVANT CONSIDERATIONS/CONSULTATIONS

- 7.1** None

8 GLOSSARY

- 8.1** No acronyms or abbreviations have been used in this report.

9 LIST OF APPENDICES

9.1 Appendix 1 – The Council’s Gambling Act 2005 revised draft Gambling Statement of Principles

10 BACKGROUND PAPERS

10.1 None

