

GAMBLING ACT 2005 - APPROVAL OF THE COUNCIL'S STATEMENT OF PRINCIPLES**Report of the Executive Director of Economy and Place****1. Purpose of the Report**

- 1.1 To brief the Cabinet upon the responsibility of the Council with regard to the publishing of a statement of principles under the Gambling Act 2005 (the "Act").

2. Description of Decision (Recommendations)

- 2.1 To recommend the Council to approve the draft statement of principles (attached as Appendix 1) in accordance with the Act.

3. Introduction/Background

- 3.1 The Act requires the Council, as a Licensing Authority, to prepare and publish a statement of principles that we propose to apply in exercising our functions under the Act. These functions include the licensing of premises for the provision of gambling facilities.
- 3.2 The Act further requires that this statement is published before each successive period of three years. The current statement was agreed at a meeting of the Council in November 2015 and published on 31 December 2015. A reviewed statement is therefore required to be published before January 2019.
- 3.3 In reviewing the policy the Act requires the Council to consult specified persons including statutory agencies, representatives of the interests of persons carrying on gambling businesses in our area and persons who represent the interests of persons who are likely to be affected by the exercise of the our functions under the Act. This consultation exercise has been undertaken and has now concluded. The persons and organisations consulted are listed in Appendix 2.

4. Current Position

- 4.1 Comments on the proposed statement of principles were received from one respondent, Gosschalks Solicitors on behalf of the Association of British Bookmakers (ABB). Their response (attached as Appendix 3) suggests some amendments to the draft statement.

- 4.2 Consideration has been given to the points raised by the ABB and comments upon their views are contained in Appendix 4. These comments indicate that some of the points made by the ABB should be accepted by the Council and that commensurate amendments should be made to the draft statement.
- 4.3 A revised draft of the statement of principles, amended in line with the comments contained at Appendix 4, is attached as Appendix 1.
- 4.4 On 3 September 2018 the Council's Licensing Committee received a report upon the consultation response and the revised draft statement of principles. The Committee, subject to confirmation at their next meeting, resolved that the contents of the report be noted and that the draft statement of principles be submitted to Council for approval under the Gambling Act 2005.
- 4.5 On 6 November 2018 the Council's Economic Prosperity Scrutiny Committee also considered a report upon the consultation response and the revised draft statement of principles. The Committee resolved to recommend that the draft statement of principles be approved by the Council under the Gambling Act 2005.

5. Reasons for the Decision

- 5.1 To enable the Council to comply with the statutory obligation to publish a statement of principles under the Gambling Act 2005.

6. Alternative Options

- 6.1 As this is a statutory obligation no other options have been considered.

7. Impact Analysis

- (a) **Equalities** – No impact
- (b) **Privacy Impact Assessment (PIA)** – No impact
- (c) **Sustainability** – The statement of principles is intended to assist responsible businesses.
- (d) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** – One of the objectives of the Gambling Act 2005 is preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime and this is dealt with by the draft statement of principles.

8. Other Relevant Considerations / Consultations

- 8.1 (i) **Legal implications** – The Head of Law and Governance advises that the Council has a legal requirement to publish a statement of principles.
- (ii) **Financial implications** – There are no additional financial implications arising as a result of this report
- (iii) **The Public / External Bodies** – Statutory consultees have been consulted.

9. Glossary

- 9.1 None.

10. List of Appendices

- 10.1 Appendix 1 – Draft statement of principles
Appendix 2 – List of consultees
Appendix 3 – Consultation response
Appendix 4 – Comments on consultation response

11. Background Papers

- 11.1 None.

