

## **1 Purpose**

- 1.1 To provide Committee Members the opportunity to make comment on a new draft Statement of Principles, also known as Licensing Policy, prepared in accordance with the Gambling Act 2005, prior to referral to the Full Council for adoption.

## **2 Recommendations**

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| 2.1 For Members to consider and comment on a new draft Statement of Principles, or Licensing Policy, prepared in accordance with the Gambling Act 2005. |
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## **3 Supporting information**

- 3.1 Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Act. The statement of principles or licensing policy must be reviewed and republished every three years. The Council's policy is now due for revision and a new version must be published in January 2019.
- 3.2 A new draft policy containing a number of proposed revisions was presented to the Licensing Committee at its meeting on 2 July 2018. The main changes relate to the preparation and publication of a Local Area Profile and expansion of the sections referring to risk assessments and licensing objectives. There has also been some minor changes to other sections with the policy. A copy of the new revised policy is shown as Appendix 1.
- 3.3 In accordance with legal requirements, the draft new policy was distributed for consultation and a copy of the policy was published on AVDC's website. The consultation period ran for 8 weeks, between 9 July and 31 August 2018. A wide range of potential stakeholders were consulted, which included:
- Responsible authorities under the Gambling Act
  - Local organisations working with those potentially vulnerable to gambling related harm.
  - Premises licence and permit holders within the District
  - Organisations representative of gambling businesses.
  - District and Borough Councillors.
  - Parish Councils and neighbouring Districts
- 3.4 The Council's Licensing Service received only one response to the consultation from GamCare. GamCare's comments and the Licensing Service's response is shown as Appendix 2.
- 3.5 The draft Licensing Policy was again considered by the Licensing Committee at its meeting on 10 September 2018 and no further changes were proposed.

- 3.6 In accordance with legal provisions, final approval of the policy must be dealt with by Full Council. It is intended that the new policy will be presented to Full Council for adoption on 24 October 2018.
- 3.7 Following discussions at the Licensing Committee meeting on 2 July and 10 September 2018, it is intended that the Local Area Profile will be published as a separate document to the policy. The Local Area Profile is essentially a statistical document, with its content and its application governed by the policy. Given the fluid nature of the document it is considered more appropriate to publish the document separate to the policy to allow timely changes to be made without the requirement for full consultation and Council approval. The new draft Local Area Profile is shown as Appendix 3.

#### **4 Options considered**

- 4.1 No other options considered in terms of preparation and adoption of the policy as this is a statutory function with little discretion as to how the Council can proceed. It was considered whether or not to include the Local Area Profile within the policy document, however there is a statutory requirement to carryout a full consultation on any proposed amendments to the policy, with the final decision required by full Council. The purpose of Local Area Profile is to provide statistical information which will invariably change over time. It is therefore considered more appropriate to publish this document separate to the policy so timely changes can be made without the requirement for full consultation and Council approval.

#### **5 Reasons for Recommendation**

- 5.1 This is a statutory requirement.

#### **6 Resource implications**

- 6.1 Limited resource implications dealt with by licensing income.

#### **7 Response to Key Aims and Objectives**

- 7.1 Supports business and local communities.

Contact Officer

Background Documents

Simon Gallacher, Principal Licensing Officer

Gambling Act 2005, Gambling Commission Guidance to Licensing Authorities.