

SUBJECT:	Gambling Act 2005 Statement of Principles Review 2018 Consultation Outcome
REPORT OF:	Director of Services – Steve Bambrick
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WARD/S AFFECTED	All

1. Purpose of Report

- 1.1 To advise Members of the outcome of the consultation on the revised draft Gambling Act 2005 Statement of Principles (“the draft Statement of Principles”) and for Members to consider the responses received so that the draft Statement of Principles can be recommended to Cabinet and Full Council for adoption.

RECOMMENDATIONS

It is recommended;

1. That all responses to the consultation including the response in Appendix 2 be considered by Members.
2. To approve draft Statement of Principles attached at Appendix 1 with or without modification.
3. To recommend to Council to adopt the approved draft Statement of Principles at its meeting on 13 November 2018 for publication at least 4 weeks prior to coming into effect for the period 14 January 2019 to 13 January 2022.
4. To request Cabinet at its meeting on 16 October 2018 to consider the approved draft Statement of Principles and to recommend to Council as set out in 3 above.
5. To recommend to Council to resolve with effect from 14 January 2019 to 13 January 2022 not to issue casino premises licences in accordance with Section 166 of the Gambling Act 2005.

2. Reasons for Recommendations.

- 2.1 It is important that the consultation responses are given due consideration by Members and the draft Statement of Principles be amended if appropriate in light of those responses before recommending the draft Statement of Principles to Council for adoption.
- 2.2 The Council has a statutory responsibility to ensure that the Gambling Statement of Principles is reviewed at least every 3 years. For the draft Statement of Principles to be adopted within this statutory timescale, a report recommending its adoption must go to the meeting of the

Cabinet on 16 October 2018 and then to Council on 13 November 2018 for adoption of the final draft Statement of Principles.

- 2.3 This is a shared function under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and therefore Cabinet will be asked to consider the draft Statement of Principles and to recommend to Council to adopt the revised draft Statement of Principles with or without modification.
- 2.4 For the Council to continue to have a resolution not to issue casino premises licences, it is a requirement of section 166 of the 2005 Act that a new resolution is considered and if appropriate passed by Council every 3 years.

3. Background

- 3.1 Section 349 of the 2005 Act requires all licensing authorities to prepare and publish a statement of the principles that they intend to apply in exercising their functions under the 2005 Act. This statement of principles will last for a maximum of three years, but can be reviewed and revised by the authority at any time.
- 3.2 The Council published its first Statement of Principles in January 2007 and has subsequently published a revised Statement every three years since, the most recent of which covers the period 14 January 2016 to 13 January 2019. In accordance with the requirements of the 2005 Act a further revised Statement of Principles must now be adopted and published for the period 14 January 2019 to 13 January 2022.

4. Discussion

- 4.1 The Committee considered a revised draft Statement of Principles at its meeting on 10th May 2018 and agreed when approving the draft Statement of Principles that it include a resolution under Section 166 of the 2005 Act not to issue casino premises licences and additional wording regarding community safety issues be added thereto and then be submitted for formal consultation. This consultation took place for 6 weeks.
- 4.2 At the time of writing this report only one response has been received during the consultation period which was from GamCare (see Appendix 2) advising that although they do not have the resources to comment on an individual Council's Statement of Principles, they have provided some general guidance and information to be considered. No changes are proposed as a result of the information provided by GamCare as the draft Statement of Principles already includes information in accordance with the guidance and information. It is also considered more appropriate to have information and web links on the Council's website to signpost members of the public to organisations such as GamCare. Members will be advised at the meeting if any other responses are received during the consultation period.

5. Options

- 5.1 If there are no responses from consultees objecting to or requesting that the draft Statement of Principles be amended, and as the draft Statement of Principles has previously been agreed by the Committee there is only 1 appropriate option which is to follow the recommendations.

5.2 If there are responses objecting to or requesting changes to the draft Statement of Principles then Members can recommend adoption of the draft Statement of Principles with or without modification having duly considered those responses.

6. Corporate Implications

6.1 Legal and Financial.

The revision of the Statement of Principles is a statutory function and must be undertaken every 3 years. The costs in carrying out the revision, including the consultation process, will be covered by the Gambling Act 2005 fees. There will be no income generated by the revision of the existing Policy.

6.2 Equalities Act 2010

An Equalities Impact Assessment (EIA), in accordance with the requirements of the Equality Act 2010, has been undertaken in connection with the review of the Statement of Principles. The EIA undertaken, a copy of which can be viewed by contacting the Licensing Team, did not identify any adverse equality issues and as a result no further action or mitigation is considered appropriate.

6.3 Other Implications

A robust Statement of Principles assists the Council in preventing Crime and Disorder, and minimising the negative impact of licensable activities on the local environment. It should encourage good partnership working with Responsible Authorities and other key stakeholders.

7. Links to Council Policy Objectives

The publication of an effective Licensing policy links to all 3 of the Council's headline objectives:

1. Delivering cost- effective, customer- focused services.
2. Working towards safe and healthier local communities.
3. Striving to conserve the environment and promote sustainability.

8. Next Steps

The next steps will be as stated in the recommendations.

Background Papers:	None other than those referred to in this report.
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