

<b>SUBJECT:</b>	<b>Gambling Act 2005 Licensing Statement of Principles – 2015 Revision</b>
<b>REPORT OF:</b>	Interim Director of Services – Anita Cacchioll
<b>RESPONSIBLE OFFICER</b>	Head of Healthy Communities – Martin Holt
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<b>WARD/S AFFECTED</b>	All

### 1. Purpose of Report

- 1.1 The purpose of this report is to provide Members with the final revised draft Gambling Act 2005 Statement of Principles for consideration as required under the Gambling Act 2005 (“the 2005 Act”).

#### **RECOMMENDATION**

- 1.2 It is recommended that the Committee
- 1.2.1 Approve draft the Statement of Principles attached at Appendix A
- 1.2.2 Recommend to Council to adopt the draft Statement of Principles at its meeting on Tuesday 10<sup>th</sup> November 2015 for publication at least 4 weeks prior to coming into effect for the period 31 January 2016 to 30 January 2019
- 1.2.3 Request Cabinet at its meeting on Tuesday 13<sup>th</sup> October 2015 to consider the draft Statement of Principles and to recommend to Council as set out in paragraph 1.2.2 above.

### 2. Reasons for Recommendations

- 2.1 The recommendations are in line with the legal requirements for the correct process for the required review and adoption of the Statement of Principles.
- 2.2 The adoption of the revised Statement of Principles 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 that it be adopted.

### 3. Content of Report

- 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.

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- 3.2 The Council published its first Statement of Principles for the period 31 January 2007 to 30 January 2010 and subsequently published a revised Statement for the periods 31 January 2010 to 30 January 2013 and 31 January 2013 to 30 January 2016. In accordance with the requirements of the 2005 Act a further revised Statement of Principles must now be adopted and published for the period 31 January 2016 to 30 January 2019.
- 3.3 The Committee considered a revised draft Statement of Principles at its meeting on 1 July 2015 and agreed that it should be submitted for formal consultation. This consultation took place for 12 weeks from Monday 6 July to Monday 28 September 2015.
- 3.4 At the time of writing this report only one response has been received during the consultation period which was from Buckinghamshire Fire and Rescue Service advising that it had no comments. Members will be advised at the meeting if any other responses are received during the consultation period.

### **4. Options**

- 4.1 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.
- 4.2 If there are responses objecting to or requesting changes to the draft Statement of Principles then Members can recommend adoption of the draft Statement with or without modification having duly considered those responses.

### **5. Corporate Implications**

#### **5.1 Financial**

The only resource implications in relation to the publication of the Statement of Principles are officer time. The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 require that the licensing authority advertise the publication of the statement by publishing a notice either before, or on, the day of the publication of the statement. It is proposed to publish the revised Statement of Principles on the Council's website and simply advertise the publication of the statement at local libraries and at the council offices.

#### **5.2 Legal**

It is a legal requirement of the 2005 Act to have a Statement of Principles and that this statement is reviewed and published every 3 years.

### **6. Links to Council Policy Objectives**

The licensing of gambling premises and the adoption of a policy in respect of this activity contributes towards the Council's Corporate Plan Key Theme 1 of 'Thriving Economy' and Corporate Plan Key Theme 3 of 'Safe Communities'. Properly

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controlling and regulating gambling activities will assist in ensuring that levels of crime and disorder remain low and appropriate well run gambling premises can contribute towards the local economy.

**7. Next Step**

The next steps will be as stated in the recommendations

<b>Background Papers:</b>	Gambling Act 2005 and associated Orders and Regulations Gambling Commission Guidance to Licensing Authorities 4 <sup>th</sup> Edition July 2012 and draft 5 <sup>th</sup> Edition March 2015.  Statement of Principles adopted on 12 December 2006 and reviewed on 15 December 2009 and 10 October 2012
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