

## Agenda Item

**REPORT OF** LEAD LICENSING OFFICER

**To:** LICENSING COMMITTEE

**Subject:** GAMBLING ACT – STATEMENT OF PRINCIPLES

**Date:** 27 OCTOBER 2021

**Reference:**

### **PURPOSE OF REPORT:**

To review and update the Authority's current Statement of Principles published under s.349 of the Gambling Act 2005

## **1. INTRODUCTION**

Section 349(1) of the Gambling Act requires licensing authorities to *'prepare a statement of the principles that they propose to apply in exercising its functions under the Act'*.

Section 349(2) of the Act requires the licensing authority to review the statement at least every three years, revise it if necessary and to publish any revision. Regulations require that any revision to the Statement of Principles must be published at least four weeks before the revised Statement comes into effect.

The current Statement of Principles will expire on 30<sup>th</sup> January 2022 and needs to be reviewed now in order to allow sufficient time for consultation, consideration of responses by this Committee, adoption by Full Council and publication.

## **2. REPORT**

The current Statement of Principles was last reviewed and updated in detail during 2018.

This year the Statement of Principles only requires minor changes to bring it up to date. The revised Statement of Principles is provided in Appendix B with the minor amendments and updates highlighted in red.

Section 349 requires the licensing authority to consult:

- The Chief Officer of Police,
- One or more persons representing the interests of persons carrying on gambling businesses in the local authority area,
- One or more persons representing the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

A list of proposed consultees is included in Part A, Section 4.2 of the Statement of Principles.

### **3. IMPLICATIONS**

#### Legal Implications

The proposed changes bring the policy up to date with current legislation and good practice.

#### Financial Implications

None

#### Human Resources Implications

None

#### Sustainability Implications

None

#### Equality/Diversity

None

#### Risk Management

There is a risk if the Council do not implement the new policy businesses will be trading illegally. If the policy is not up to date it could affect any proposed enforcement action.

#### Compliance with Policies and Strategies

All regulatory activity will be carried out in accordance with current policy and procedures.

#### Data Protection (GDPR) Implications

Any amendments to the policy will comply with data protection requirements

#### Climate Change

The policy will seek to implement measures to reduce the effects of climate change and will be in accordance with the Council's Carbon Reduction Plan

#### Lead Member Views

Councillor McKenzie, Chair, has been consulted.

### **4. CONCLUSIONS**

The Statement of Principles sets out the Authority's approach to the regulation of gambling in its area and the standards it will apply in relation to licensed premises, permits and registrations. The proposed revisions to the current Policy are designed to keep it up to date, relevant, robust and to reflect evolving guidance from the Gambling Commission since the last review in 2018.

### **5. RECOMMENDATIONS**

It is recommended that:

1. Members approve the draft revised Statement of Principles for consultation;
2. That consultation on the draft statement is carried out over a 6 week period and the responses reported back to this Committee.

### **SUPPORTING INFORMATION**

Consultations: In accordance with the agreed schedule

Contact: Chris Parkhouse

Supporting papers: Licensing data area/files