

Licensing Committee	27 <sup>th</sup> November 2006
Cabinet	30 <sup>th</sup> November 2006

## **GAMBLING ACT 2005 STATEMENT OF PRINCIPLES**

**(Report by Head of Administration)**

### **1. INTRODUCTION**

At their meeting held on 24<sup>th</sup> August 2006, the Licensing Committee approved a draft Statement of Principles which the Council as the licensing authority has to adopt under the Gambling Act 2005. The first appointed day for the statement to come into effect is 31<sup>st</sup> January 2007 and the statement must be published at least 28 days prior to that date, i.e. by 3<sup>rd</sup> January 2007. The statement has effect for 3 years after which it has to be reviewed. It can be changed at any time within that period, subject to further consultation having been undertaken.

The current consultation period ends on 23<sup>rd</sup> November and any late responses will be reported at the meetings of the Licensing Committee and Cabinet respectively.

### **2. CONSULTATION EXERCISE**

The draft statement (which was modelled on a LACORS template) was circulated widely to those in the gambling industry, responsible authorities defined in the Act, town and parish councils, community groups, councillors etc. The consultation period extended for 10 weeks.

Only 5 responses were received and these are summarised in Annex A attached, together with suggested responses.

A further change is necessitated as a result of a misinterpretation of the legislation by the Gambling Commission in relation to door supervision and a flaw in the LACORS template. This was replicated in the authority's statement. The Commission and LACORS assumed that door supervisors at casinos and bingo premises are not subject to the licensing regime of the Security Industry Authority. In fact it is only in-house door supervisors who do not need to be licensed. Door supervisors in casinos and bingo premises who are contracted do require licensing by the SIA, as do door supervisors at any other

premises licensed under the Gambling Act (whether in-house or contracted).

The Statement of Principles has been amended to take into account the suggested responses and changes and to delete references to the fact that the earlier document was a draft. The amended statement is reproduced at Annex B attached.

Discussions are continuing between the gambling industry, the Department for Culture, Media and Sport and the Gambling Commission. Further guidance and codes of practice are awaited and there is a raft of Regulations yet to be made. In advance of that information, it has been difficult for authorities to draft statements of principles when these may be affected by subsequent regulatory change, amended guidance and new codes of practice.

### **3. CONCLUSION AND RECOMMENDATION**

Members are invited to endorse the amended document which sets out how the licensing authority will approach its responsibilities under the Act. The statement must be approved by the authority as a whole and it is therefore

### **4. RECOMMENDED**

That the Council be recommended to approve the Statement of Principles under Section 349 of the Gambling Act 2005 as set out in Annex B for a period of three years commencing on 31<sup>st</sup> January 2007.

#### **Background Papers:**

- ◆ Draft Statement of Licensing Principles approved by Cabinet on 7<sup>th</sup> September 2006
- ◆ LACORS guidance on door supervision
- ◆ Consultation replies as listed in the schedule to the report now circulated.

#### **Contact person:**

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