

GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES**(Report by Head of Democratic and Central Services)****1. Introduction**

- 1.1 The Council is the licensing authority for the purposes of the Gambling Act 2005. Section 349 of the Act requires the licensing authority to prepare a statement of principles that it proposes to apply in exercising its functions under the Act. The statement applies for three years after which it must be reviewed and a new statement published.

2. The Statement

- 2.1 The existing statement was approved by the Council on 6th December 2006 and came into effect on 31st January 2007.
- 2.2 At the time when the existing statement was approved, some elements of the Gambling Commission guidance, codes of practice and regulations had yet to be made. The statement therefore was based on the information available at that time.
- 2.3 All of the regulations and codes of practice have now been issued, together with a third edition of the Gambling Commission's Guidance to Licensing Authorities. The revised statement of principles has had regard to those changes and the draft issued for consultation is attached.
- 2.4 In undertaking its functions and responsibilities under the Act, the licensing authority has to act in accordance with its statement of principles and relevant guidance issued by the Gambling Commission.

3. Consultation

- 3.1 The draft was issued for consultation after approval by the Chairman and Vice Chairman. The consultation period began on 11th September with a closing date for comment of 13th November. As the initial statement attracted few responses, it is not anticipated that there will be many replies on this occasion.
- 3.2 Approval of the statement of principles is reserved to full Council but requires consideration by Cabinet before a recommendation for approval can be made. Cabinet will therefore be asked to endorse the statement at its meeting to be held on 19th November for approval by Council on 2nd December. The new statement will come into effect on 31st January 2010.
- 3.3 As it will not be possible for a further meeting of the Licensing Committee to be held prior to Cabinet, Members are invited to comment on the draft and authorise the Head of Democratic and Central Services, after consultation with the Chairman and Vice Chairman, to make any changes that are thought appropriate having regard to any comments received at the end of the public consultation period.

4. Conclusion and Recommendations

- 4.1 The adoption of a statement of principles is a statutory requirement. The present statement must be reviewed and replaced with effect from January 2010 for a further period of three years. Comments have been invited on a revised draft statement with a closing date of 13th November. It is not

anticipated that there will be a significant response to the consultation exercise.

4.2 It is therefore

Recommended

- (a) that Members comment on the draft statement of principles attached as an annex to the report;
- (b) that the Head of Democratic and Central Services be authorised, after consultation with the Chairman and Vice Chairman of the Committee to make any amendments to the statement that are considered necessary as a result of any comments received from the public consultation exercise; and
- (c) that the Cabinet and Council be invited to approve the statement of principles under the Gambling Act 2005 to come into effect on 31st January 2010 for a period of three years.

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Background Papers

Gambling Act 2005

3rd Edition of the Guidance to Local Authorities issued by the Gambling Commission.
Existing Statement of Principles under the Gambling Act 2005 approved by the licensing authority.