

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 each 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 statement was approved, some elements of the Gambling Commission guidance, codes of practice and regulations had yet to be issued. 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 of the Licensing and Protection Panel. The consultation period began on 11th September with a closing date for comment of 13th November. Although the consultation on the initial statement in 2006 attracted few responses, there has been no comment on the current revision at the time of writing this report. Any subsequently received before the closing date will be brought to the attention of Cabinet at its meeting.
- 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. The Licensing and Protection Panel, at its meeting held on 27th October 2009, has already endorsed the statement for submission to Cabinet. The final statement will require approval by Council on 2nd December and will come into effect on 31st January 2010.

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.

4.2 It is therefore

Recommended

that the Cabinet endorse the statement of principles under the Gambling Act 2005 as attached to this report for submission for approval to Council 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.