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# **Gambling Act 2005 – Statement of Principles**

## **Report by the Head of Legal and Democratic Services**

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### **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 2nd December 2009. It came into effect on 31st January 2010 and therefore expires on 30th January 2013.
- 2.2 A revised statement of principles has been prepared taking into account the Local Government Association's template and the 4th edition of the Gambling Commission's Guidance to Licensing Authorities published on 28th September 2012. The revised draft statement has had regard to the template, the new guidance and to comments received as a result of the consultation process.
- 2.3 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 Licensing Committee on 20th June 2012. Twelve weeks consultation took place between 9th July and 1st October 2012. The consultation attracted four responses, mainly in agreement to the proposed revision statement and consisting of general comments. One comment resulted in an amendment to add vulnerable persons to a paragraph for consistency purposes.
- 3.2 Approval of the statement of principles is reserved to full Council and both Cabinet and the Licensing Committee have endorsed the content of the proposed revision. Following approval by Council on 19th December, the new statement will be published and will come into effect at the end of January 2013.

#### **4. CONCLUSION AND RECOMMENDATIONS**

4.1 In order to undertake its statutory duties under the Gambling Act 2005, it is a statutory requirement for the council to approve and publish a revised statement of principles before 3rd January 2013, so that it can come into effect on 31st January 2013. The present statement must be reviewed and replaced for a further period of three years.

4.2 It is therefore

#### **RECOMMENDED**

**that the Council approves the statement of principles under the Gambling Act 2005 as attached to this report to come into effect on 31st January 2013 for a period of three years.**

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#### **BACKGROUND PAPERS**

Gambling Act 2005

4th Edition of the Guidance to Local Authorities issued by the Gambling Commission.

LGA statement of principles template – June 2012 version

Existing Statement of Principles under the Gambling Act 2005 approved by the licensing authority.