

LICENSING COMMITTEE

17th December 2012

GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES - REVIEW

Relevant Portfolio Holder	Councillor Rebecca Blake, Portfolio Holder for Community Safety and Regulatory Services
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To advise members of the outcome of the recent consultation exercise undertaken with stakeholders in relation to the 2013 -2016 Statement of Gambling Principles and invite Members to make a recommendation that the updated Statement be adopted.

2. RECOMMENDATIONS

The Committee is requested to **RECOMMEND** that

the outcome of the consultation exercise be noted and the 2013 -2016 Statement of Gambling Principles be adopted from 31st January 2013.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications associated with this report, other than statutory consultation with licence holders and other interested parties.

Legal Implications

- 3.2 Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the three year period to which the policy applies.
- 3.3 The statement of Policy will last for a maximum of three years but can be reviewed and revised by the authority at any time. The statement must be produced following consultation with the bodies specified in section 349(3) of the Gambling Act.

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- 3.4 In addition to the legislative requirements guidance issued by the Gambling Commission sets out certain information that the Commission considered should be included in all licensing authority Statements of Policy.
- 3.5 If it is anticipated that there may be changes to the Gambling Act before the next Statement is published. Any relevant changes will be brought to the attention of the Licensing Committee by way of report.

Service / Operational Implications

- 3.6 The Gambling Act requires the Council to carry out a review of its Gambling Act 2005 – Statement of Gambling Principles which is used to determine all applications made under the terms of the Act, every three years.
- 3.7 The Council adopted its current Statement of Principles in December 2009. A review of the current document has now been completed. In conducting the review the Council as Licensing Authority consulted with all interested parties to ensure that the policy continues to reflect the local balance between the commercial interests of the licensed trade and the communities they serve and impact on.
- 3.8 The current Statement of Gambling Principles is due to expire in December 2012 and a new Statement of Principles must be in place by 31st January 2013.
- 3.9 The Statement of Gambling Principles was originally written in conjunction with the County Licensing Group representing all the district councils within Worcestershire. Since the introduction of Worcestershire Regulatory Services (WRS) in June 2010 the responsibility for overseeing gambling issues generally rests with officers from WRS.
- 3.10 A copy of the 2013 -2016 Statement of Gambling Principles is attached at **APPENDIX 1**. Officers can advise that there have been no significant changes to the legislation or guidance affecting gambling since the previous Statement of Principles was adopted by the Council. Members will see that subject to a limited number of very minor changes the new document that has been consulted on and is to be adopted is essentially the same in content as the previous version.
- 3.11 Members of the Licensing Committee received an earlier report on this matter on 2nd July 2012 and authorised officers to proceed with a 12 week consultation exercise. The consultation period commenced and closed on 17th October 2012. During the Consultation process, the following bodies were consulted -

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- The Chief Police Officer for the Borough
- Hereford & Worcestershire Fire Authority
- Worcestershire County Council – Child Protection
- Persons representing the interests of those carrying on gambling businesses in the Borough
- Persons representing the interests of those who are likely to be affected by the exercise of Redditch Borough Councils functions under the Gambling Act 2005.
- All Borough Councillors
- Feckenham Parish Council
- Consultation document was also featured on the Council web page.

3.12 Each Licensing Authority in Worcestershire has conducted a review of their Statement of Gambling Principles. Officers can confirm that no responses were received within the consultation period countywide.

3.13 A response was received from Redditch Community Safety Partnership which expressed concerns of a Crime and Disorder nature that so far have not been an issue in the administration of the Gambling function. Unfortunately this response was out of time and Officers explained that the Gambling Commission vetted all applicants; and that the Licensing Authority was responsible for ensuring the premises were fit for the licensable activity that the applicant intended to carry out.

3.14 Accordingly, Members are asked to consider this report and make a recommendation to Executive Committee that the 2013-2016 Statement of Gambling Principles be adopted.

4. RISK MANAGEMENT

Failure to consult on the Statement of Gambling Principles will result in the Council failing to exercise its duty under the requirements of the Gambling Act 2005.

5. APPENDICES

Appendix 1 2013 -2016 Statement of Gambling Principles

6. BACKGROUND PAPERS

Gambling Commission Guidance to Local Authorities.

REDDITCH BOROUGH COUNCIL

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AUTHOR OF REPORT

Name: Sue Garratt – Licensing Manager
Worcestershire Regulatory Services
E Mail: sue.garratt@worcsregservices.gov.uk
Tel: 01527 534196