

**TO: LICENSING AND SAFETY COMMITTEE
12 JANUARY 2012**

**REVIEW OF STATEMENT OF GAMBLING PRINCIPLES
Chief Officer: Environment and Public Protection**

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of the proposed timetable to review the Council's Statement of Gambling Principles.

2 RECOMMENDATION

2.1 That the Committee:

- (i) **approves the proposed timetable for review as set out in paragraph 5.3;
and**
- (ii) **agrees the proposed consultee list at Annex A.**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 Under the Gambling Act 2005, the Council is required to review and consult upon its 'Statement of Gambling Principles' every three years from the date of adoption. The present Statement of Gambling Principles was published on 31 January 2010 and therefore must undergo a review and be re-published on or before 31 January 2013.
- 3.2 The statement must be produced following consultation with those bodies and persons set out in subsection (3) of section 349. This includes the Chief Officer of Police, persons who represent the interests of persons carrying on gambling businesses in the area and persons who represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 There are no alternative options as the consultation and revision of the Statement are legal requirements.

5 SUPPORTING INFORMATION

- 5.1 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. The Statement of Principles ('the Statement') will last for a maximum of three years and can be reviewed and revised by the authority at any time. The current policy can be found at: <http://www.bracknell-forest.gov.uk/environment/env-licensing/env-gambling-act-2005.htm>.
- 5.2 It is recommended that the consultation should be in accordance with Government best practice, including allowing 12 weeks for responses to the consultation. Whilst this is not a legal requirement, a failure to consult in an appropriate manner could be grounds for a subsequent legal challenge to the Statement.

- 5.3 To enable the Statement to be reviewed and published in accordance with the legislation, the following timetable is recommended:

March 2012 - May 2012	Consultation
5 July 2012	Report to Licensing and Safety Committee on the consultation with Draft Statement for comment and approval
15 August 2012	Report to CMT on consultation responses received with Draft Statement for comment and approval
4 September 2012	Report to Executive for approval to take Draft Statement to Full Council
19 September 2012	Draft Statement to Full Council
2 January 2012	New Statement published
31 January 2013	New Statement comes into force

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The legal implications are identified within the report.

Borough Treasurer

- 6.2 There are no significant financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 6.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

- 6.4 There are no implications arising from the recommendation in this report.

7 CONSULTATION

Principal Groups Consulted

- 7.1 The list of proposed consultees is attached at **Annex A**.

Method of Consultation

- 7.2 Consultation will be carried out by e-mail wherever possible to keep costs to a minimum.

Representations Received

- 7.3 Not applicable at this stage.

Background Papers

Statement of Gambling Principles (January 2010)

Gambling Commission Guidance to Licensing Authorities (May 2009)

Contact for further information

Laura Driscoll

Licensing Team Leader

01344 352517

laura.driscoll@bracknell-forest.gov.uk

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List of Consultees

- Association of British Bookmakers
- Association of Licensed Multiple Retailers
- Bar Entertainment and Dance Association
- British Amusement Catering Trade Association
- British Institute of Inn Keeping
- British Beer and Pub Association
- Committee of Registered Clubs Association
- Federation of Community Associations
- Federation of Licensed Victuallers Associations
- Gamblers Anonymous
- GAMCARE
- Guild of Master Victuallers
- Holders of existing gambling licences / permits
- Local businesses and their representatives, e.g. Bracknell Forest Chamber of Commerce, Bracknell Retailers Forum, Bracknell Regeneration Partnership, Crowthorne Traders Association
- Local residents
- Members of Bracknell Forest Council
- National Association of Bookmakers
- National Association of Licensed House Managers
- Parish and Town Councils
- Premises licence / club premises certificate holders
- Pub & Drug Watch
- Race Equality Forum
- Safety Advisory Group
- Thames Valley Police
- The Bingo Association