

**TO: LICENSING AND SAFETY COMMITTEE
11 JUNE 2015**

**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 ('Statement') as attached Annex A.

2 RECOMMENDATION

2.1 That the Committee:

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

3 REASONS FOR RECOMMENDATION(S)

- 3.1 Under the Gambling Act 2005, the Council is required to review and consult upon its Statement three years from the date of adoption. The present Statement was published on 31 January 2013 and therefore must undergo a review and be re-published on or before 31 January 2016.
- 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 will last for a maximum of three years and can be reviewed and revised by the authority at any time.
- 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:

June 2015 - Sept 2015 Consultation period

Unrestricted

8 October 2015	Report to Licensing and Safety Committee on the consultation with draft Statement for comment and approval
18 November 2015	Report to CMT on consultation responses received with draft Statement for comment and approval
15 December 2015	Report to Executive for approval to take draft Statement to Full Council
20 January 2016	Draft Statement to Full Council
31 January 2016	New Statement published and 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** but any person may comment on the consultation.

Method of Consultation

- 7.2 The consultation will take place via the Council's public consultation portal. Details of the consultation will be sent to those listed in Annex A via email.

Representations Received

- 7.3 Not applicable at this stage.

Background Papers

None

Contact for further information

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