

Gambling Act 2005 – Draft Statement of Principles 2019 – 2022

Portfolio:	Non-executive function
Ward(s) Affected:	All

Purpose

To consider the proposed draft Statement of Principles for 2019 – 2022 in relation to exercising functions under the Gambling Act 2005

Background

1. The Council as a licensing authority has a duty to undertake various regulatory functions imposed by the provisions of the Gambling Act 2005.
2. Before exercising these functions the Council must first adopt a “Statement of Policy” indicating how the functions will be exercised.
3. The Statement can only be adopted after consultations on the draft document have taken place with various bodies/organisations including the chief officer of police, trade associations, trade unions, residents and tenants associations, county councillors, parish councils and the Member of Parliament for the Constituency.
4. The Council has a statutory duty to adopt a “Statement of Policy” for the purpose of exercising functions under the Gambling Act 2005, and to review it at least every 3 years. The Statement of Policy was last reviewed during 2016 and was adopted from 05 October 2016.
5. However, the current “Statement of Policy” must be reviewed by 31 January 2019 in order to conform to the Act. This must be preceded by a period of public consultation.
6. A draft statement is based on the current “Statement of Policy”. With the exception of the validation period there have been no amendments.
7. Public consultation took place for 12 weeks from 01 October 2018 to 31 December 2018. In addition to the list of consultees outlined at Annex 3 of the current “Statement of Policy” the following bodies were also consulted:
 - Collectively Camberley
 - Details of the consultation were also placed on the Council’s website and Social Media

Current Position

8. No replies were received during the consultation process.

9. Officers have given due consideration to the Gambling Commission Guidance in the production of a draft amended Statement of Principles.
10. Officers have also incorporated amendments brought about by the Gambling Commission's Guidance to licensing authorities which was last published in September 2015 (5th edition). These included Local Risk Assessments which may be viewed at paragraph 6.41 in the Guidance, appended at Annex 4 to the revised draft of Principles.
11. The draft Statement of Policy is attached at Annex A. There have been no material changes made to the draft statement following consultation.
12. Following approval of the proposed draft Statement of Principles by the Licensing Committee, the final version of the Statement of Principles incorporating any amendments will be submitted to the next meeting of the full Council on 27 February 2019. The Statement must be published at least 4 weeks before it takes effect.

Resource Implications

13. The only additional resource implication arising from the consultation process was postage and stationary costs. The vast majority were sent by electronic means. The total costs were met within the existing budget.

Options

14. Any amendments to the existing Statement of Principles are made at the discretion of the Council but due weight will have to be given to any representations made as a result of the consultation process.

Recommendation

15. The Committee is advised to RECOMMEND that the draft Statement of Principles, as attached at Annex A to this report, be adopted.

Background Papers: None

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