

Report for: ACTION
Item Number: 5



<b>Contains Confidential or Exempt Information</b>	<b>NO</b>
<b>Title</b>	Statement of Principles – Gambling Act 2005
<b>Responsible Officer(s)</b>	Craig Miller, Community Protection & Enforcement Services Lead
<b>Contact officer, job title and phone number</b>	Steve Johnson – Enforcement Principal – 01628 683555
<b>Member reporting</b>	Councillor Majeed
<b>For Consideration By</b>	Licensing Panel
<b>Date to be Considered</b>	14 <sup>th</sup> July 2015
<b>Implementation Date if Not Called In</b>	January 2016
<b>Affected Wards</b>	All
<b>Keywords/Index</b>	Gambling Policy

<p><b>Report Summary</b></p> <p>1. The Gambling Act 2005 requires the council as the licensing authority to have in place a statement of principles in relation to gambling in its area.</p> <p>2. The existing statement had now been in effect since 2013 The attached draft is intended to replace that document and will be in force from January 2016 for a 3 year period when it will be revised again.</p>
---

<b>If recommendations are adopted, how will residents benefit?</b>	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. The policy will ensure that the objectives of the Gambling Act 2005 are met so that the gambling activities authorised by the Council do not have any adverse effect on the lives of the residents of the Royal Borough.	1 <sup>st</sup> January 2016

## 1. Details of Recommendations

### RECOMMENDATION:

**That the Community Protection and Enforcement Services Lead be authorised to consult on the updated policy and report back to the October meeting of the Panel.**

**2. Reason for Recommendation(s) and Options Considered**

2.1 This is a statutory requirement of the Gambling Act 2005

**3. Background**

- 3.1 Gambling is a relatively low level activity in the Royal Borough’s area. There are 22 bookmakers, two racetracks and one adult entertainment centre (which allows gambling via slot machines).
- 3.2. There have been no problems associated with any of these premises over the past three years and there have been no complaints about the licensable activities at these premises.
- 3.3 The Council also authorises Society lotteries for organisations such as Parent Teacher Associations and Charities. Once again, this is relatively low level work and relatively few problems arise.
- 3.4 The Gambling Act 2005 provides for objectives which are to be the guiding principles in dealing with any applications. These are as follows:
  - i) preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime
  - ii) ensuring that gambling is being conducted in a fair open way
  - iii) protecting children and other vulnerable persons from being harmed or exploited by gambling.

These objectives are expanded on in the draft Statement of Principles but, for example, they follow similar lines to the Licensing Act 2003 with which Members are now very familiar.

3.5 In accordance with the Act and supporting regulations, it is proposed to carry out a three month consultation and then report back to the next meeting of this Panel. Since this is an important policy document, it will have to be approved by Full Council.

Option	Comments
This is a statutory requirement	There are no other options

**3. Key Implications**

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by

% change in annual overall complaints regarding licensable activities at Gambling premises	>0 %	0% to -2%	-2% to -10%	>- 10%	1 <sup>st</sup> January 2017
% change in annual crime & disorder incidents where gambling is a factor	>0 %	0% to -2%	-2% to -10%	>- 10%	1 <sup>st</sup> January 2017
% change in annual incidents involving children and gambling	>0 %	0% to -2%	-2% to -10%	>- 10%	1 <sup>st</sup> January 2017

#### 4. Financial Details

##### a) Financial impact on the budget (mandatory)

There are no financial implications as a result of this report

#### 5. Legal Implications

The council must carry out this exercise in order to comply with Section 349 Gambling Act 2005

#### 6. Value for Money

N/A

#### 7. Sustainability Impact Appraisal

There are no significant sustainable development impacts resulting from this.

#### 8. Risk Management

Risks	Uncontrolled Risk	Controls	Controlled Risk
Non-compliance with a statutory requirement	Statement is not put in place	Statement is reviewed and published every 3 years	Statement is available on the borough's website

#### 9. Links to Strategic Objectives

The main links are to:

**Residents First**

- Support Children and Young People
- Work for safer and stronger communities

#### **Delivering Together**

- Enhanced Customer Services
- Deliver Effective Services

#### **10. Equalities, Human Rights and Community Cohesion**

None.

#### **11. Staffing/Workforce and Accommodation implications:**

None.

#### **12. Property and Assets**

None

#### **13. Any other implications:**

None.

#### **14. Consultation**

The list of consultees is shown below. In addition the draft statement has been on the Council's website.

#### **15. Timetable for Implementation**

The new policy must be in effect by January 2016.

#### **16. Appendices**

Appendix A: Draft Statement of Principals Gambling Act 2005

#### **17. Background Information**

None

#### **18. Consultation (Mandatory)**

<b>Name of Consultee</b>	<b>Post held and Department</b>	<b>Date sent</b>	<b>Date received</b>	<b>See comments in paragraph:</b>
<b>Internal</b>				
Cllr Burbage	Leader of the Council	03/07/2015	03/07/2015	
Cllr Cox	Lead Member	02/07/2015	03/07/2015	
Cllr Majeed	Licensing Panel Chairman	02/07/2015	03/07/2015	
Simon Fletcher	Strategic Director of Operations	02/07/2015		
Neil Allen	Shared Legal Services	02/07/2015		
<b>External</b>				
	Chief Officer of Police for the	To be sent after the		

	<p>Authority's Area.  GAMCARE.  Those representing  the interests of  persons carrying on  gambling businesses  in the Council's area.  Parish Councils  All Members of  RBWM</p>	<p>Panel's  decision</p>		
--	---	------------------------------	--	--

### Report History

<b>Decision type:</b>	<b>Urgency item?</b>
	No

Full name of report author	Job title	Full contact no:
Steve Johnson	Enforcement Principal	01628 683555