

Report for: ACTION
Item Number: 4



Contains Confidential or Exempt Information	NO
Title	Statement of Principles – Gambling Act 2005
Responsible Officer(s)	Craig Miller, Community Protection & Enforcement Services Lead
Contact officer, job title and phone number	Steve Johnson – Enforcement Principal – 01628 683555
Member reporting	Councillor Majeed
For Consideration By	Licensing Panel
Date to be Considered	13 th October 2015
Implementation Date if Not Called In	January 2016
Affected Wards	All
Keywords/Index	Gambling Policy

Report Summary

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.
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.
3. Members had previously authorised consultation on the draft and this report deals with the feedback from that consultation.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. The statement of principles 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 st January 2016

1. Details of Recommendations

RECOMMENDATION:

That the Licensing Panel recommends to Full Council that the new Statement of Principles should be adopted.

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 At the July 2015 Licensing Panel Members approved a draft wording of the new Statement of Principles (attached as Appendix A) and, in accordance with the Act and supporting regulations, authorised the Community Protection & Enforcement Services Lead to undertake a consultation exercise with interested bodies on the proposed Statement.

3.6 That consultation exercise was carried out and produced just one response, from The Racecourse Association, which is attached as Appendix B. This particular response was actually about the way the Statement is interpreted and put into practice and so does not necessitate any amendment to the Statement's wording approved by Members at the July Panel.

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

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%	1st January 2017
% change in annual crime & disorder incidents where gambling is a factor	>0 %	0% to -2%	-2% to -10%	>- 10%	1st January 2017
% change in annual incidents involving children and gambling	>0 %	0% to -2%	-2% to -10%	>- 10%	1st 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 those consulted 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

Appendix B: Response from The Racecourse Association Limited

17. Background Information

None

18. Consultation (Mandatory)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council			
Cllr Cox	Lead Member			
Cllr Majeed	Licensing Panel Chairman			
Simon Fletcher	Strategic Director of Operations			
Neil Allen	Shared Legal Services			
External				
	Chief Officer of Police for the	August 2015		

	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			
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Report History

Decision type:	Urgency item?
	No

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