

FAREHAM

BOROUGH COUNCIL

Report to Licensing and Regulatory Affairs Committee

Date **17 November 2015**

Report of: **Head of Environmental Health**

Subject: **GAMBLING - STATEMENT OF PRINCIPLES**

SUMMARY

To consider the draft revised statement of principles under the Gambling Act 2005, which the Council is required to review and publish every three years, for use in connection with applications/reviews under the Gambling Act 2005 ("statement of principles"). The Committee's comments are sought on the draft revised Statement of Principles prior to consultation.

RECOMMENDATION

- (a) the draft revised statement of principles be approved for the purposes of statutory consultation; and
- (b) that a further report be presented setting out the feedback and responses from the consultation for consideration by the Committee at its meeting of 26th January 2016 prior to the revised Statement of Principles being recommended to Council for adoption at its meeting of 19th February 2016.

INTRODUCTION

1. The Gambling Act 2005 introduced significant changes in the regulation of the Gambling Industry. The majority of these changes fell to the Gambling Commission, to implement. Local Authorities are required to act as the licensing authority in relation to the licensing of premises and the issuing of permits for certain activities:
 - casinos
 - betting offices and race tracks
 - bingo premises
 - adult gaming centres
 - family entertainment centres.
2. The Council is required to determine and publish every three years a Statement of Principles in relation to the exercise of its functions under the Gambling Act 2005. The three year period to which the current Statement of Policy relates ends in January 2016. The current Statement has been reviewed by the Head of Environmental Health.
3. The purpose of this report is to bring before the Licensing and Regulatory Affairs Committee the draft Statement of Principles for 2016-2019 and to approve it (with or without amendment) for statutory consultation.
4. The Gambling Act requires that the Council carries out its various licensing functions with regard to the licensing objectives:
 - preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way; and
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
5. The Gambling Act requires the Council to publish a Statement of Principles that sets out the principles it will generally apply to promote the objectives above when making decisions on applications made under the Act.
6. Section 153 of the Act requires the Council in carrying out its licensing functions to also have regard to
 - a. any relevant code of practice issued by the Gambling Commission and
 - b. in accordance with any relevant guidance issued by the Gambling Commission
 - c. to be reasonably consistent with the licensing objectives above and
 - d. in accordance with this Statement of Principles
7. The Head of Environmental Health has reviewed the current Statement of Principles. A draft Statement has been prepared for the Committee to consider and approve for the purpose of statutory consultation.
8. There are no substantive changes other than those to simplify the document and make it more concise. The Draft Statement of Principles is attached as Appendix A to this report.

RISK ASSESSMENT

9. The Council is required by statute to review and publish every three years a reviewed Gambling Act Statement of Principles under the Gambling Act 2005. In the absence of such a statement it would not be impossible to consider applications for Premises Licences made under the Act.

CONCLUSION

10. This Council must adopt the three-yearly reviewed Gambling Act Statement of Principles issued under the Gambling Act 2005 for February 2016, which will become effective in February 2016.
11. The reviewed Gambling Act Statement of Principles must be adopted by a meeting of the Full Council.
12. The reviewed Gambling Act Statement of Principles has been prepared for adoption in compliance with guidance issued by the Gambling Commission.
13. The reviewed Gambling Act 2005 Statement of Principles will be subject to the necessary consultations prior to the final draft being reported back to the Licensing and Regulatory Affairs Committee prior to it being reported to Council for adoption.

Background Papers:

None.

Reference Papers:

The Gambling Act 2005

Enquiries:

For further information on this report please contact Ian Rickman (Ext 4428).

Appendix A - [Revised Statement of Principles issued under the Gambling Act 2005](#)