

# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive for Decision 04 March 2019

<b>Portfolio:</b>	Health and Public Protection
<b>Subject:</b>	<b>Review of the Gambling Act 2005 Statement of Principles</b>
<b>Report of:</b>	Director of Planning and Regulation
<b>Corporate Priorities:</b>	Strong, safe, inclusive and healthy communities

#### **Purpose:**

This report sets out the Gambling Act 2005 Statement of Policy (Gambling Policy) that details the Council's approach to the provision of Gambling in the Borough. The Policy is reviewed every three years and this review has taken account of changes in legislation, regulations and guidance. The revised Policy is attached as Appendix A and is being presented to the Executive for recommendation to Council for adoption.

#### **Executive summary:**

The Council has an existing Gambling Policy which, during this review, has been rewritten for ease of understanding. There have not been any substantive policy changes. The local area profile has been reviewed and expanded upon. Local Risk Assessments are now required to be kept on gambling premises. The Policy sets out the standards and criteria for applications received according to the Gambling and how those applications will be determined and the licensing objectives promoted.

#### **Recommendation:**

It is recommended that the Executive considers the revised Gambling Policy, as detailed in Appendix A, and recommends it to Council for adoption.

#### **Reason:**

Section 349 of the Gambling Act 2005 ('the Act') requires the licensing authority to prepare and publish a Statement of Licensing Policy every three years. This outlines the general approach of the licensing authority when making licensing decisions under the Act and can be reviewed and revised by the authority at any time.

**Cost of proposals:**

There are no financial implications to the Council arising from consideration of this proposal.

**Appendices:                    A: Revised Statement of Principles**

**Background papers:    None**

**Reference papers:        None**

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### Executive Briefing Paper

<b>Date:</b>	04 March 2019
<b>Subject:</b>	<b>Review of the Gambling Act 2005 Statement of Principles</b>
<b>Briefing by:</b>	Director of Planning and Regulation
<b>Portfolio:</b>	Health and Public Protection

#### INTRODUCTION

1. The Gambling Act 2005 came fully into force on 01 September 2007 and was designed to control all forms of gambling. It transferred authority for licensing gambling from the magistrates' courts to local authorities.
2. The Gambling Policy reflects the requirements of the Gambling Act 2005 and the associated guidance and regulations. Section 349 requires each licensing authority to publish a statement of principles in respect of its licensing functions at the beginning of each three year period. This policy must be kept under review and such revisions must be made at such times as it considers appropriate.
3. The present three year period ended in January 2019 and therefore a Gambling Policy for 2019-2022 must be determined and published.
4. Consultation took place during December 2019 and a report was taken to the Licensing and Regulatory Affairs Committee on 6 February 2019 where the Head of Environmental Health reported in more detail on the consultation responses. A response from Public Health England was received that necessitated that the draft revised policy be amended, which was to add more detail under the section 'Fareham Profile'.
5. The Licensing and Regulatory Affairs Committee approved the draft policy on 6 February 2019 for recommendation to the Executive.
6. There are no significant risk considerations in relation to this report.

#### CONCLUSION

7. Members are invited to consider the information contained in the report and recommend the revised Policy to Council for adoption.

**Enquiries:** For further information on this report please contact Ian Rickman (Head of Environmental Health) Ext 4773.