

FOR PUBLICATION

AGENDA ITEM

GAMBLING ACT 2005- STATEMENT OF PRINCIPLES

MEETING: LICENSING COMMITTEE
EXECUTIVE MEMBER - ENVIRONMENT
CABINET
FULL COUNCIL

DATE: 13TH NOVEMBER 2013
25TH NOVEMBER 2013
3RD DECEMBER 2013
18TH DECEMBER 2013

REPORT BY: HEAD OF ENVIRONMENT

WARD: ALL

COMMUNITY FORUM: ALL

FOR PUBLICATION

TITLE: Gambling Act 2005 – STATEMENT OF PRINCIPLES LOCATION: Licensing Group

1.0 PURPOSE OF REPORT

1.1 To recommend that the full Council adopts and publishes the 'Statement of Principles' (copy attached as Appendix 1) made under the Gambling Act 2005.

2.0 RECOMMENDATION

2.1 That the Statement of Principles be adopted by the Council.

3.0 REASON FOR RECOMMENDATION

3.1 To comply with the requirements of the Gambling Act 2005.

4.0 BACKGROUND

4.1 The Act requires each licensing authority to adopt a Statement of

Principles and that it is reviewed every three years. It was last reviewed in December 2010.

4.2 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in Section 1 of the Act. The licensing objectives are;

- 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.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.3 The last Statement of Principles was adopted and published January 2010, which means that the review of the Principles must be determined and published by 1st January 2014.

4.4 In this regard, members will recall that reports were presented at the Licensing Committee on 11th September 2013 and circulated to all Council Members seeking approval of the Councils Draft Statement of Principles, prior to it being made available for consultation.

5.0 **RESULT OF CONSULTATION ON CHESTERFIELD BOROUGH COUNCIL'S DRAFT STATEMENT OF PRINCIPLES**

5.1 As part of the consultation process, the authorities required to be consulted have been informed of the consultation as were the major licence holders. The consultation was also published on the Councils website and a notice appeared in the 'Public Notices' section of the Derbyshire Times on 19th September 2013 (Appendix 2). Further copies were made available at Chesterfield Library, Tourist Information Centre, and the Licensing Counter at Customer Service Centre, Chesterfield Borough Council.

5.2 Any comments were to be made in writing to the Licensing Section by Friday 18th October 2013.

5.3 One comment has been received from the Community Safety Partnership based within the Town Hall. The comments and responses are included in Appendix 3.

5.4 The lists of authorities and consultees have been removed from the Statement as they are not relevant to the Statement and were originally included as information when the Statement was first adopted.

6.0 **EQUALITIES**

A preliminary equality impact assessment has been undertaken, no negative impacts have been identified for any of the protected characteristics.

7.0 **RISK MANAGEMENT**

<u>Description</u>	<u>Impact</u>	<u>Probability</u>	<u>Controls to be implemented</u>
Failure to put policy into place by January 2014 as required by legislation	Low	Medium	Draft Policy to be approved by Full Council in December 2013
Lack of policy puts the regulatory decisions of the Licensing Committee at risk of legal challenge	Medium	Low	As Above

8.0 **RECOMMENDATION**

8.1 That the Statement of Principles be adopted by the Council.

9.0 **REASON FOR RECOMMENDATION**

9.1 To comply with the requirements of the Gambling Act 2005.

D W WEST
HEAD OF ENVIRONMENT

October 2013

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