

**Appendices:**  
**A - Responses.**  
**B- Table of Changes**  
**C- Draft Policy**



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **COUNCIL**

## **7 March 2016**

**Agenda Status:** Public

**Directorate:** Customers and Communities

<b>Report Title</b>	<b>STATEMENT OF GAMBLING PRINCIPLES 2016 - 2019</b>
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### **1. Purpose**

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1.1 The purpose of this report is to seek adoption of the attached Statement of Gambling Principles following the three yearly review required by the Gambling Act 2005

### **2. Recommendations**

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2.1 That the Policy attached to this report be approved for publication as the Council's Statement of Gambling Principles Policy under Section 349 of the Gambling Act 2005 for the three year period commencing 7th<sup>st</sup> March 2016

### **3. Issues and Choices**

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#### **3.1 Report Background**

3.1 The Gambling Act 2005 passed the responsibility for the licensing of premises used for gambling to local authorities

3.2 Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of principles they propose to apply in exercising their functions under the Act, and in particular the following three licensing objectives:

- Keeping gambling crime free
- Making sure that gambling is fair and open
- Protecting children and vulnerable adults

- 3.3 The statutory period for review is three years. The last statement was approved by the Council on 25th February 2013 and came into effect on 1<sup>st</sup> March 2013. A new statement must be prepared and published with a view to it coming into effect on as soon as practicable after 1 March
- 3.4 A review of the Policy Statement has now taken place and a Table of Changes is attached as Appendix B
- 3.5 The Act requires the following persons to be consulted regarding the review of the Policy Statement:
- The Chief Officer of Police
  - One or more persons who appear to the authority to represent the interests of persons carrying on gambling business in the authority's area
  - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005
- 3.6 Consultation was undertaken between 21st September 2015 and 4<sup>th</sup> November 2015. Four responses were received and they are attached at Appendix A
- 3.5 In Northamptonshire the statement is prepared jointly by all local authorities in the county and was reviewed in accordance with guidance from the Local Government Association and members of the national licensing policy forum
- 3.6 The draft Policy Statement with consultation responses was considered by the Licensing Committee on 2<sup>nd</sup> February 2016 and recommended for approval to full Council with the request that an additional statement is included relating to Child Sexual Exploitation. This has been included at 1.3. (Attached at Appendix C is the statement as considered by the Licensing Committee.)
- 3.7 The completed Policy Statement will need to be published as soon as practicable after 1 March 2016

#### **4. Implications (including financial implications)**

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##### **4.1 Policy**

- 4.1.1 This policy replaces the existing Statement of Licensing Policy adopted in February 2013

##### **4.2 Resources and Risk**

- 4.2.1 If the Licensing Policy is not adopted as soon as practicable after 1 March 2016 the Authority will be in breach of its duty under Section 349 Gambling Act 2003

### **4.3 Legal**

The Council need to be mindful that the three Licensing Objectives are upheld and promoted within the Statement of Gambling Principles. There are no new Enforcement Issues to take into account. The principles within the Statement of Gambling Principles must be approved by Council as soon as practicable after 1 March 2016

Section 349 Gambling Act 2005 expressly states that a licensing authority shall before each successive period of three years:

(a) prepare a statement of the principles that they propose to apply in exercising their functions under Gambling Act during that period, and

(b) publish the statement

The purpose of this report and accompanying policy is commensurate with the obligations under statute

### **4.3 Equality**

4.3.1 As this does not affect policy there is no duty to undertake an Equality Impact Assessment. However, by definition the purpose of the statement is to assist the licensing authority to exercise its function so as to meet the licensing objectives. A key objective is to protect children and vulnerable adults

### **5. Other Implications**

None.

### **6. Background Papers**

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6.1. Gambling Commission Guidance 2015

6.2. The Gambling Act 2005 (Gaming Machines In Adult Gaming Centres And Bingo Premises) Order 2011 - Guidance for Operators and Licensing Authorities – Letter from DCMS

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