

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Licensing Committee      **DATE:** 30<sup>th</sup> September 2015

**CONTACT OFFICER:** Michael Sims, Licensing Manager  
(01753 477387)  
Ginny De Haan - Head of Consumer Protection and  
Business Compliance  
(01753 477912)

**WARD(S):** All

### **PART I** **FOR DECISION**

#### **GAMBLING ACT 2005: REVIEW OF 'STATEMENT OF LICENSING PRINCIPLES'.**

##### **1. Purpose of Report**

To inform the Committee of the outcome of the public consultation on the Council's Gambling Act 2005 Statement of Principles policy (as amended 2015).

##### **2. Recommendation/Proposed Action**

- a. The Committee is requested to recommend to Full Council that the Gambling Act 2005 Statement of Principles policy (as amended 2015) is adopted as the Council's Gambling Policy.

##### **3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The review and consultation on the Statement of Licensing Principles for the Gambling Act 2005 is a statutory requirement that ensures that the Licensing Authority can carry out their functions under the 2005 Act.

##### **3a. Slough Joint Wellbeing Strategy Priorities –**

The Licensing Authority is responsible for administering all functions under the 2005 Act. In developing a Statement of Licensing Principles the Licensing authority must ensure that the Licensing Objectives are promoted at all times and therefore contributes to the following wellbeing priorities:

Priorities:

- Health (gambling addition)
- Economy and Skills
- Safer Communities

Cross-Cutting themes:

The report highlights the statutory requirement to review the Statement of Licensing Principles.

If the policy lapses the Licensing Authority would not be able to carry out its functions under the Act or regulate and control those individuals or organisations carry on gambling activities.

Therefore the review contributes to the cross cutting theme of **Improving the image of the town.**

### **3b. Five Year Plan Outcomes**

The report outlines the requirement to conduct the review of the policy under the 2005 Act. In doing so this contributes toward the Five Year Plan with the specific outcome of:

- All people who live and work in Slough feel safe.

### **4. Other Implications**

#### **(a) Financial**

There are no financial implications of the proposed action.

#### **(b) Risk Management**

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
For the report to be noted	The Council will not be able to properly control gambling premises without the policies being fully reviewed.	The review and consultation are a 3 yearly statutory requirement.

#### **(c) Human Rights Act and Other Legal Implications**

There are no direct Human Rights Act or other implications.

#### **(d) Equalities Impact Assessment**

The Equality Impact Assessment has been reviewed following the formal Consultation and the conclusions are that there are no adverse or negative impacts on equality for one group or any other group.

### **5. Supporting Information**

- 5.1 The Gambling Act 2005 placed the responsibility for the regulation of gambling on the Gambling Commission, and local authorities. In brief, the function of the Gambling Commission is to regulate the operators of gambling premises and to issue codes of practice and guidance. The functions of the Council are to: license premises for gambling activities; consider notices for temporary use of premises for gambling; grant permits for gaming and gaming machines in clubs and miners welfare institutes; regulate gaming and gaming machines in alcohol licensed premises; grant permits to family entertainment centres for the use of certain lower stake gaming machines; grant permits for prize gaming; consider occasional use notices for betting at tracks; and register small societies lotteries.

- 5.2 The Council is required under the Gambling Act to put in place a policy, which is called a Statement of Principles, which they propose to apply when exercising their functions under the Act. The Act requires that the policy is reviewed every three years. The policy has been fully reviewed this year and subject to the statutory consultation, and therefore must be adopted by 7<sup>th</sup> January 2016. The revised Statement of Principles has been based on and in accordance with the Gambling Commissions “Guidance to Licensing Authorities 4th Edition (September 2012) as well as consideration given to the proposed revised draft Guidance (June 2015).

This Statement is first and foremost subject to the three licensing objectives under the Gambling Act 2005, which are:

- Preventing gambling from being a source of crime and 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.
- 5.3 The Gambling Act requires that there is a consultation on the draft Statement of Principles and a consultation was carried out between 3<sup>rd</sup> August 2015 and 4<sup>th</sup> September 2015. The consultation has included press releases, placing the draft Statement with information about the consultation on the Council's website and writing to the persons or organisations listed in *Appendix “D”* of the new draft policy and all elected member of this Council.
- 5.4 There has been very little feedback from the consultation. The reasons for this are thought to be that:
- The draft Statement is very comprehensive and in line with the legislation and Gambling Commission guidance and consultees are generally in agreement with it
  - The feature of the Gambling Act which causes public concern relates to casinos. Provisions for regulation of casinos are not included in the draft Statement of Principles as the Council has decided previously, that casinos will not be allowed in the Borough. The ‘No Casino’ policy has been subject of a separate consultation.
- 5.5 The Responses to the consultation are attached at **Appendix B, C, D** and **E** respectively. The revised draft policy taking account of some of the comments of the responses to the consultation is attached at **Appendix A**.
- 5.6 The Committee are asked to recommend the adoption of the revised policy document to full Council, following which the policy must be published locally and to take effect no later than 7<sup>th</sup> January 2016.

## 6. **Conclusion**

Members, having considered the draft policy, are requested to recommend the draft amended Statement of Principles to Council for adoption.

## **7. Appendices**

Appendix A – Gambling Act 2005: Review of ‘statement of licensing principles’ policy.

Appendix B – Consultation response - Ladbrokes

Appendix C – Consultation response - Luxury leisure

Appendix D – Consultation response – Coral

Appendix E – Consultation response – Power Leisure Bookmakers

## **8. Comments of Other Committee**

On 22<sup>nd</sup> July 2015 the Licensing Committee resolved to approve the commencement of consultation on the review of the Statement of Principles policy.

## **9. Background Papers**

The current Gambling Act 2005 Slough Statement of Principles (2012).

‘No Casino Policy’ (2012)

Gambling Commission Guidance to Local Authorities (September 2012)

Revised proposed draft - Gambling Commission Guidance to Local Authorities (March 2015)