

**GAMBLING ACT 2005 – REVIEW OF STATEMENT OF PRINCIPLES**

Relevant Portfolio Holder	Councillor A D Kent
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

The Council's current Statement of Principles under the Gambling Act 2005 took effect on 31<sup>st</sup> January 2019. In accordance with the provisions of the Act, the Council is required to prepare and publish a Statement of Principles every three years. Therefore, a new Statement of Principles must be published by 31<sup>st</sup> January 2022.

As part of the process of preparing a Statement of Principles for the three-year period beginning on 31<sup>st</sup> January 2022, the Licensing Committee are now asked to approve a draft revised Statement of Principles for the purpose of consultation with relevant parties.

**2. RECOMMENDATIONS**

**Members are asked to RESOLVE;**

**To approve the revised draft Statement of Principles shown at Appendix 1 for the purpose of consultation with relevant parties.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The costs involved in carrying out the consultation would be met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 Section 349 of the Gambling Act 2005 requires that the licensing authority produce, consult on and publish a Statement of the Principles that it proposes to apply when exercising its functions under the Act.

- 3.3 The Act also requires that the Statement of Principles should be kept under review and must be re-published at least every three years.
- 3.4 When revising its Statement of Principles, the Council is required to consult with:-
- the Chief Officer of Police for the Authority's area;
  - one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and
  - 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 this Act.

**Service / Operational Implications**

- 3.5 Bromsgrove District Council is a licensing authority in accordance with the provision of the Gambling Act 2005.
- 3.6 Each licensing authority is required before each successive three-year period, to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during that period. This document is commonly referred to as the authority's Statement of Principles.
- 3.7 The Council's current Statement of Principles took effect on 31<sup>st</sup> January 2019 and therefore a new Statement of Principles must now be prepared and published ready to take effect on 31<sup>st</sup> January 2022.
- 3.8 The last revision of the Statement of Principles during 2018 involved the Council significantly enhancing the content of the statement to provide more comprehensive information on how the Council approaches its roles and responsibilities in relation to the various permits and small society lotteries that it is responsible for administering and monitoring.
- 3.9 Since the Statement of Principles was revised during 2018, there have been no significant amendments to the provisions of the Gambling Act 2005. Nor have there been any major changes made to the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) that licensed operators have to comply with or the Gambling Commission's statutory Guidance to Licensing Authorities (GLA).
- 3.10 In light of this, only minor revisions have been included in the draft Statement of Principles that can be seen at **Appendix 1**.

- 3.11 These minor revisions include updating the introduction section of the Statement to reflect the current Council Plan and the strategic purposes and priorities it identifies. The introduction section has also been updated to reflect more recent estimates on the population of the District.
- 3.12 The draft Statement has also been revised to nominate the Worcestershire Safeguarding Children Partnership as the body competent to advise the Council on matters relating to the protection of children from harm. This is because the Worcestershire Safeguarding Children Partnership has replaced the previously nominated Worcestershire Safeguarding Children Board.
- 3.13 The list of consultees shown at Appendix B of the Statement has also been updated to reflect changes to some of the Gambling Trade Associations and to include additional organisations involved in working with people who experience problems with gambling.
- 3.14 Consultation on the revised draft Statement of Principles will take place with all relevant parties including:
- The Chief Officer of West Mercia Police
  - The Gambling Commission
  - All other responsible authorities identified under the Act
  - Relevant Trade Associations
  - Public Health
  - Organisations working with people who are problem gamblers
  - Parish Councils
  - The general public
- 3.15 The consultation will also be made available for comment via the Council's website and publicised via social media and also through the local press. Given that the proposed revisions to the existing Statement of Principles are very minor, it is proposed that consultation take place over a period of 6 – 8 weeks.
- 3.16 Any responses received during the consultation exercise will be reported back to the Licensing Committee later this year.

#### **4. RISK MANAGEMENT**

- 4.1 Failing to prepare and publish a new Statement of Principles by 31<sup>st</sup> January 2022 would leave the Council in a position where it was failing to comply with its duties as a licensing authority under the provisions of the Gambling Act 2005.

**5. APPENDICES**

Appendix 1 – Draft Revised Statement of Principles

**AUTHOR OF REPORT**

Name: Dave Etheridge – Senior Practitioner (Licensing)  
Worcestershire Regulatory Services

E Mail: [dave.etheridge@worcsregservices.gov.uk](mailto:dave.etheridge@worcsregservices.gov.uk)

Tel: (01905) 822799