

BROMSGROVE DISTRICT COUNCIL

CABINET

4th NOVEMBER 2009

STATEMENT OF GAMBLING PRINCIPLES

Responsible Portfolio Holder	Councillor P. Whittaker
Responsible Head of Service	Head of Planning and Environment Services

1. SUMMARY

- 1.1 To seek approval to publish the Council's draft Statement of Gambling Principles in accordance with the Gambling Act 2005.

2. RECOMMENDATION

- 2.1 That Members recommend to Council that they approve the attached draft Statement of Gambling Principles.

3. BACKGROUND

- 3.1 The Gambling Act 2005 requires the Council to carry out a review of its Statement of Gambling Policy, which is used to determine all applications made under the terms of the Act, every three years.
- 3.2 Further to its initial adoption in January 2007, it is now necessary to carry out a review of the current document by consulting with all interested parties, ensuring that it continues to reflect the local balance between the commercial interests of the licensed trade and the communities they serve and impact upon. The consultation period commenced on 29th June and closed on 21st September 2009.
- 3.3 During the consultation process, the following bodies were consulted:
- All Responsible Authorities, namely, the Police Authority, the Fire and Rescue Service; local Planning Authority, Environmental Health, Worcestershire Safeguarding Children Board; HM Customs and Excise;
 - District Councillors;
 - Parish Councils;
 - Premises Licence Holders under Licensing Act 2003;
 - Club Premises Certificate Holders under Licensing Act 2003;
 - Representatives of the Gaming Industry, including suppliers of Gaming facilities;

- Existing permit holders; and
- Details were also placed on the Council's Website.

3.4 Attached is a copy of the draft revised Policy document, which has been updated to reflect the revised Guidance issued by the Gambling Commission. The Council has also worked with the other Council's in the County in reviewing this policy to produce a joint policy so that a consistent approach across the County is taken, and the draft revised Policy reflects that joint approach.

3.5 During the consultation period, only one minor comment has been received from an interested party. This has been accepted as a valid comment and paragraph 8.10 of the Policy has been updated to reflect this.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications.

5. LEGAL IMPLICATIONS

5.1 The Council's Legal, Equalities and Democratic Services Department have been consulted on the proposed Policy and their comments have been incorporated.

5.2 Section 349 of the Act requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the three year period to which the policy applies.

5.3 The Statement of Policy will last for a maximum of three years, but can be review and revised by the authority at any time. The statement must be produced following consultation with those bodies and persons set out in subsection (3) of section 349 of the Act. An order of the Secretary of State means that licensing authorities have to publish their second statement of policy by 14th January 2010.

5.4 In addition to the requirements set out by the regulations, the Guidance issued by the Gambling Commission set out certain information that the Commission considers should be included in all licensing authority Statements of Policy.

5.5 Before publishing a revision of the policy, the regulations require authorities to publish a notice of their intention to publish a revised statement of policy in a local newspaper and on the Council's website at least four weeks before it takes effect.

6. COUNCIL OBJECTIVES

6.1 The policy will contribute to the Council's objectives "Economic Development" and "Improvement".

7. RISK MANAGEMENT

7.1 The main risk associated with the detail included in this report is:

- To ensure that the Council has effective policies in place to assist in decision-making and to maintain the consistency of any decisions made.

7.2 This risk is being managed as follows:

Risk Register: Planning and Environment Services

Key Objective Ref No. 6

Key Objective: Effective, efficient and legally compliant Licensing Service

8. CUSTOMER IMPLICATIONS

8.1 The revised policy will be made available on the Council's website.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 An Equality Impact Assessment has been undertaken.

10. VALUE FOR MONEY IMPLICATIONS

10.1 There are no value for money implications.

11. OTHER IMPLICATIONS

Procurement Issues None
Personnel Implications None
Governance/Performance Management None
Community Safety including Section 17 of Crime and Disorder Act 1998 None
Policy
Environmental None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No

Executive Director (Partnerships and Projects)	No
Executive Director (Services)	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

All wards are affected.

14. APPENDICES

Appendix A Draft Revised Statement of Gambling Policy

15. BACKGROUND PAPERS

Revised Guidance issued by the Gambling Commission

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