

CAMBRIDGE CITY COUNCIL

REPORT OF: Jas Lally
Head of Refuse and Environment

TO: Licensing Committee 08/10/2012

WARDS: All

REVIEW OF STATEMENT OF GAMBLING PRINCIPLES

1 INTRODUCTION

- 1.1 Section 349 of the Gambling Act 2005 requires that before each successive period of three years, the Licensing Authority must prepare and publish a statement of principles that it proposes to apply in exercising its functions under the Act during that three year period.
- 1.2 The Council last published its Statement of Principles on 21 December 2009 and it has proved extremely satisfactory in guiding applicants, officers and Members in the consideration and determination of applications. However, a statutory review of the policy must be undertaken and a revised policy published for the next 3 year period.
- 1.3 As there had been no legislative changes that affected the policies set out in the Statement of Principles, no revised guidance had been published by the Gambling Commission and no challenges had been made to any of the policies, the Committee resolved on 25 June 2012 to:

Commence the statutory consultation process on the existing Statement of Principles
- 1.4 A 12 week consultation process took place between 26 June 2012 and 17 September 2012 but no responses were received. The unamended draft Statement of Gambling Principles (save for the list of consultees) is therefore attached to the report as Appendix A.

- 1.5 The final Statement must be published no later than 21 December 2012 so that it comes in to effect no later than 18 January 2013 in order for the Council's statutory duty to be fulfilled.

2. RECOMMENDATIONS

- 2.1 Members are recommended:

To endorse the post-consultation draft Statement of Gambling Principles shown in Appendix A and recommend to full Council that it is published on 21 December 2012, to come in to effect on 18 January 2013.

3. BACKGROUND

- 3.1 The Gambling Act 2005 came fully in to effect on 1 September 2007. It created a new system of licensing and regulation for commercial gambling in this country. Amongst other changes, it gave Local Authorities new and extended responsibilities for licensing premises for gambling, some of which were transferred to the Local Authorities from the local licensing justices.
- 3.2 The Act gives Licensing Authorities a number of important regulatory functions in relation to gambling. The main functions are to:
- license premises for gambling activities;
 - consider notices given for the 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
- 3.3 In addition, section 349 of the Gambling Act 2005 requires that the Council prepares and publishes a Statement of Principles that it proposes to apply in exercising its function under the Act, before each successive period of three years. The existing Statement of Principles under the Gambling Act 2005 was adopted by the Council on 22 October 2009 and published on 21 December 2009. It is therefore necessary for the Council to prepare its third Statement of Gambling Principles for the next three year period.

- 3.4 The Statement of Principles must be formulated in accordance with Regulations and Guidance issued by the Gambling Commission. The Final policy must be published, following approval by full Council, no later 21 December 2012.

4. CONSULTATIONS

- 4.1 Consultation on the draft policy took place between 26 June 2012 and 17 September 2012 but no responses have been received.
- 4.2 The draft policy that was considered by the Committee on 25 June 2012 has been unaltered, save for updating the list of consultees. This is attached to the report as Appendix A.

5. OPTIONS

- 5.1 The Committee may resolve to:
- 5.1.1 To endorse the post-consultation draft Statement of Gambling Principles shown in Appendix A and recommend to full Council that the policy is published on 21 December 2012 for it to come in to effect on 18 January 2013; or
- 5.1.2 Amend the draft Statement of Principles and recommend to full Council that the policy is published on 21 December 2012 for it to come in to effect on 18 January 2013.

6. CONCLUSIONS

- 6.1 Cambridge City Council has a duty to determine and publish a Statement of Principles no later than 21 December 2012. The policy must therefore be referred to full Council for adoption to fulfil the Council's statutory duty.

7. IMPLICATIONS

(a) **Financial Implications**

The review of the Statement of Principles is a statutory function, covered by the fees paid by Licence and permit holders.

(b) **Staffing Implications**

Existing staff resources will apply the policy once finalised.

(c) **Equal Opportunities Implications**

This is a statutory policy and it promotes equal opportunities. The policy does not prohibit any person from making an application or objecting to an application where they have a statutory right to do so.

(d) **Environmental Implications**

There are no apparent environmental implications that result from the draft policy.

(e) **Community Safety**

The Statement of Principles will ensure that in carrying out its statutory duties, the Licensing Authority will promote the licensing objectives:

- (i) preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- (ii) ensuring that gambling is conducted in a fair and open way; and
- (iii) protecting children and other vulnerable persons from being harmed or exploited by gambling.

APPENDICES

Appendix A

Draft Statement of Principles.

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

- [Gambling Act 2005](#)
- [Guidance Published by the Gambling Commission in May 2009](#)
- [Existing Statement of Gambling Principles published on 21 December 2009](#)

The author and contact officer for queries on the report is Yvonne O'Donnell on extension ****.

Report file:

Date originated: 28 September 2012

Date of last revision: 28 September 2012