

Committee: Council

Date:

Title: Gambling Policy – Statement of Principles

Tuesday, 4
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**Report
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Summary

1. The revised Statement of Principles to be applied by the Council in relation to its functions under the Gambling Act completed its period of public consultation on 13 August 2018. The outcome of the consultation was reported to the Environment and Licensing Committee on 12 September 2018.
2. The purpose of the report is to recommend that Members adopt the revised Statement of Principles to take effect on 31 January 2019. The Gambling Commission have requested all authorities review these statements with a view to a common adoption date of 31 January 2019.
3. The Licensing & Environmental Health Committee on 12 September 2018 recommended that the amended Statement of Principles under the Gambling Act be adopted by full Council to come into effect on 31 January 2019.

Recommendations

4. That the Council adopts the amended Gambling Act Statement of Principles attached to this report, to come into effect on 31 January 2019.

Financial Implications

5. None arising from this report

Background Papers

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
7. Revised Statement of Gambling Principles 2018-2021 (showing proposed changes)
8. Minutes of the Licensing & Environmental Committee on 12 September 2018.

Impact

- 9.

Communication/Consultation	Details of consultation are set out in paragraphs 10 and 11 of the report.
Community Safety	The purpose of the Gambling Act 2005 and the Council's Licensing Policy is to ensure that gambling takes place in a legal and responsible manner.
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	Across all wards in Uttlesford
Workforce/Workplace	None

Situation

10. The Gambling Act requires all licensing authorities to prepare and publish a statement of licensing principles that they propose to apply in exercising their functions under the Act, commonly known as a statement of policy. The Act Statement of Principles allows the Council, as Licensing Authority to outline the considerations it will make in determination of Gambling Act applications. The revised draft Statement of Principles proposes only minor changes (as the current Statement was recently revised in 2017). It was therefore subject to a 6 week consultation period.
11. The public consultation, as approved by the Licensing and Environmental Committee on 27 June 2018 was conducted between 2 July and 13 August 2018. Information was published on the council's website, and letters or emails sent to all statutory consultees, Director of Public Health, all premises & club licence holders, local businesses, Gamblers Anonymous, all District Councillors and town and parish clerks.
12. One response has been received to the consultation. This was from William Hill stating they did not agree with a full variation being required on the installation of privacy screens around gaming machines – section 22.4 in the draft Statement of Principles (Appendix A). At the meeting on 12 September the Licensing and Environment Committee took into account this representation alongside Officers comments and agreed to leave the Policy as it stood, meaning a full variation would be required. (Minute LIC49.)
13. A copy of the revised Statement of Principles (showing proposed changes) is attached as Appendix A. Members are asked to approve the revised Statement of Principles. This will then be advertised in local paper(s) covering

the District of Uttlesford and on our website for 4 weeks from 13 December 2018 to 10 January 2019. The policy will then come into effect on 31 January 2019.

Risk Analysis

14.

Risk	Likelihood	Impact	Mitigating actions
<p>The Council is under an obligation to review the Gambling Act Statement of Principles every 3 years and ensure that the processes are followed in accordance with the legislation and guidance. Failure to achieve the timescale or demonstrate that appropriate consideration has been given to responses received during the consultation process could result in Judicial review. Although this policy was only reviewed in 2017, The Gambling Commission has requested all authorities review them again now to fall in line with the date of set date of 31 January 2019.</p>	1	2	<p>The failure of the Council to give appropriate consultation responses could result in the imposition of sanctions upon the council.</p>

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.