Subject: Strategic Report – Statement of Principles - Gambling Act 2005   **Status:** For Publication

Report to: O & S (Policy) Committee   **Date:** 1st December 2009

Report of: Environmental Health Manager

Portfolio Holder: Environmental Services

Key Decision: Yes

Forward Plan   [✓]   General Exception   [ ]   Special Urgency   [ ]

1. PURPOSE OF REPORT

1.1 To inform members of the Statement of Principles required under the Gambling Act 2005 and made in accordance with section 349 of the Act.

2. CORPORATE PRIORITIES

2.1 The matters discussed in this report impact directly on the following corporate priorities:-

- Delivering quality Services to our customers

The Statement of Principles embeds our customer promise by making clear the statement of principles the licensing authority will use under the Gambling Act 2005.

3. RISK ASSESSMENT IMPLICATIONS

3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- There is a risk of non compliance with the requirements under Section 349 of the Gambling Act 2005 if the Statement of Principles is not approved.

4. BACKGROUND AND OPTIONS

4.1 Section 349 of the Gambling Act 2005 requires that the licensing authority prepare and publish a three-year licensing statement of principles.

4.2 The current statement comes to an end on 30th January 2010 and is appended at Appendix A.

4.3 A revised Statement of Principles was drafted and put out to consultation. This document is appended at Appendix B.

4.4 The consultation period began on 1st August 2009 and ended on 31st October 2009. The documents were available online, at Rawtenstall Library, at the Council Offices and by request for hard copies.

4.5 The Summary of the changes made is appended at Appendix C.

4.6 With the exception of a few grammatical and spelling errors, there were no comments or observations received on the draft Statement of Principles. The consideration document is appended at Appendix D.

4.7 It is in the Council's interest to approve the Statement of Gambling Policy as it is a statutory requirement and will provide clarity to licensing customers on the principles to be applied under the Gambling Act 2005.

4.8 The revised Statement of Principles must be published on or before 3rd January 2010 in order to come into effect on 31st January 2010.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 Any financial implications will be included in budget considerations currently underway for 2009/10.

6. MONITORING OFFICER

6.1 The Statement of Principles will provide clarification of the Council's approach to gambling within the Borough. The Council is required by the Gambling Act 2005 to prepare such a statement.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 No specific HR implications.

8. CONCLUSION

8.1 Section 349 of the Gambling Act 2005 requires that the licensing authority prepare and publish a three-year licensing policy.

9. RECOMMENDATION(S)

9.1 It is recommended that O & S note the report and recommend the approval of the Statement of Gambling Policy to Council.

10. CONSULTATION CARRIED OUT

10.1 The parties consulted are contained within the Statement of Principles at Appendix A.

11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required   Yes

Is a Community Impact Assessment attached   Yes

12. BIODIVIERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required   No

Is a Biodiversity Impact Assessment attached   No

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Background Papers	
Document	Place of Inspection
Current Statement of Principles	Appendix A
Revised Statement of Principles	Appendix B
Summary of Changes	Appendix C
Consideration Document	Appendix D
Community Impact Assessment	Appendix E