

AGENDA ITEM

REPORT TO COUNCIL

12 DECEMBER 2018

REPORT OF CORPORATE MANAGEMENT TEAM

REVIEW OF THE STATEMENT OF PRINCIPLES FOR GAMBLING PREMISES IN STOCKTON

SUMMARY

The Authority is required, by the Gambling Act 2005, to publish a Statement of Principles that it proposes to apply when exercising its functions under the Act, in the form of a Gambling Policy. This Policy statement must be published every three years. The Council's current statement was in effect from 31 January 2016 and is now due for review.

RECOMMENDATIONS

1. That Council note the gambling statement of principles has been reviewed in accordance with the Gambling Act 2005 and the revised statement of principles reflects legislative changes and those comments received during consultation.
2. That Council agree the revised statement of principles which would then come into effect on the 1 January 2019.

DETAIL

1. At the Licensing Committee Hearing on 10 July 2018, it was agreed that the licensing department carries out a consultation on the draft statement of principles with relevant stakeholders.
2. The consultation included stakeholders such as the Gambling Commission, trade associations, licensees, children's services and local residents groups. The consultation was published on the website and a notice was placed on the public notice board in the customer service centre.
3. Positive comments were received from the Regional Compliance Manager at the Gambling Commission, who also suggested as Primary Authority Schemes can change during the length of the statement, it would be better to omit the detail of the schemes and instead provide a link to the Gambling Commission site where up to date information can be found.
4. Primary Authority Schemes allows businesses to be involved in their own regulation. It enables them to form a statutory partnership with one local authority, which then provides robust and reliable advice for other local regulators to take into account when carrying out inspections or addressing non-compliance.
5. In addition the Gambling Commission suggested that local area risk assessments which are completed by the licensee should be held on the premise for inspection and as such will be incorporated into the Licensing Services inspection criteria and requested during annual inspections.

6. The gambling policy has been reviewed in accordance with the Gambling Act 2005 and the revised statement reflects legislative changes and those comments received during consultation. A copy of the final draft statement of principles is attached as **Appendix 1** (Available on the SBC agenda website under Councillors and Council Meetings – Council Meetings and Papers – Council – 12 December 2018) and a copy of the minute extract from the meeting of Cabinet held on 15 November 2018 is attached at **Appendix 2**.

FINANCIAL IMPLICATIONS

7. The cost of licensing gambling premises and issuing gaming permits and lottery registrations will be met from the fees paid by applicants. The fee structure, in terms of the application / renewal fees to be charged, will be determined with a view to full cost recovery.

LEGAL IMPLICATIONS

8. The Gambling Act 2005 requires the Licensing Authority to prepare a statement of principles every three years. The Council's current Policy statement was in effect from 31 January 2016 and is now due for review.
9. The adoption of the Policy will assist members and officers when considering applications and businesses intending to submit applications. It will give a clear outline of the Authority will consider when assessing applications. A Statement of Principles can be challenged by way of judicial review.

RISK ASSESSMENT

10. This matter is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COUNCIL PLAN THEMES

Environment and Housing

11. Steps to promote the licensing objectives, especially the prevention of public nuisance, will have a positive effect on the environment in which people live.

Safer Communities

12. One of the licensing objectives in the Gambling Act is to prevent gambling from being a source of or being associated with crime and disorder. The policy will seek to support this objective.

Children and Young People

13. One of the licensing objectives in the Gambling Act is to protect vulnerable persons from being harmed or exploited by gambling. A key aim of the policy is to prevent children accessing gambling premises.

Health and Wellbeing

14. One of the licensing objectives in the Gambling Act is to protect vulnerable persons from being harmed or exploited by gambling. A key aim of the policy is to reduce the impact of the potential harmful aspects of gambling.

EQUALITIES IMPACT ASSESSMENT

15. This report is not subject to an Equality Impact Assessment because this is a review of an existing policy. No remedial actions are therefore required.

CONSULTATION INCLUDING WARD/COUNCILLORS

16. Consultation on the revised statement was commenced in August 2018, a public notice was placed in the customer service centre, and a draft copy of the statement was placed on the council website. The link to the website was emailed to stakeholders including responsible authorities, trade bodies and residents associations. Members of the licensing committee and the Cabinet Member have also considered the draft policy.

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Education related? No

Background Papers Licensing Committee Report 10 July 2018 & 2 October 2018

Ward(s) and Ward Councillors:
Not specific to Wards

Property
None