

Report sponsor: Samantha Dennis, Director of  
Public Protection & Streetpride  
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Licensing

## **Gambling Act 2005**

### **Statement of Principles Consultation**

#### **Purpose**

- 1.1 Derby City Council is the designated Licensing Authority under the Gambling Act 2005 (the Act) and is required to produce a Statement of Principles (the Statement) which sets out how it will exercise its functions under the Act.
- 1.2 The Statement also informs individuals making application for a licence, of the Authority's standards and values in promoting the licensing objectives within the framework of the Act and approved guidance issued by the Gambling Commission under the Act.

#### **Recommendation(s)**

- 2.1 To approve the attached Draft Statement of Principles for release for consultation purposes (Appendix 1).

#### **Reason(s)**

- 3.1 It is a statutory requirement under the Gambling Act 2005 that the Council prepare and approve a Statement of Principles to cover each three-year period. The approved Statement of Principles relating to gambling will come into effect from 31<sup>st</sup> January 2022.
- 3.2 It is proposed that the outcome of the consultation process and any amendments made to the Statement as a result are reported to the Committee later in the year.

#### **Supporting information**

- 4.1 Under the Gambling Act 2005, the Council is required to prepare, consult and publish a Statement of Principles which sets out how it will exercise its functions under the Act.
- 4.2 The Gambling Act Statement of Principles was first published in October 2006 and reviewed every three years thereafter with the last review being 2018.

- 4.3 A further review is needed this year and before determining or revising its content, the Authority must consult widely with at least the following persons as defined in the Act:
- The Chief Officer of Police
  - One or more persons who appear to the authority to represent the interest of persons carrying on gambling businesses in the authority's area; and
  - One or more persons who appear to the authority to represent the interest of persons who are likely to be affected by the exercise of the authority's functions under this Act.
- 4.4 As the amendments are minor and limited to demographics, it proposed that the document undergoes an 8 week consultation period to enable comments to be received from the general public, stakeholders and partners
- 4.5 Responses to the consultation will be considered by the Head of Licensing and the Licensing Manager and referred back to the Licensing Committee before the end of the year to agree a final statement which will subsequently be referred to Full Council for ratification.
- 4.6 There may also be some legislative changes prior to the document being submitted to this Committee post consultation. Any such changes will be included in the final Statement where possible.
- 4.7 The final revised Statement of Principles should be published by the end of December 2021.

### **Public/stakeholder engagement**

- 5.1 8 week consultation with the relevant parties as defined in the Gambling Act 2005.

### **Other options**

- 6.1 None – statutory requirement.

### **Financial and value for money issues**

- 7.1 The fees levied for the regime are intended to include the cost of the review of the Statement as well as delivering the service.

### **Legal implications**

- 8.1 The requirement to revise the guidance, and the principles within which the related consultation will be undertaken, are governed by Section 349 of the Gambling Act 2005. This report, its recommendations and the processes followed in their preparation secure compliance by the Council with its statutory obligations.

### **Climate implications**

9.1 None directly arising from this report.

### Other significant implications

10.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Lucie Keeler, Solicitor	05/03/21
Finance		
Service Director(s)		
Report sponsor	Samantha Dennis, Service Director	08/03/21
Other(s)	Michael Kay, Head of Service	05/03/21

Background papers:	Gambling Act 2005
List of appendices:	Guidance to Licensing Authorities – Gambling Commission
	Appendix 1 - Draft Statement of Principles 2022 - 2025