

### **Subject: Gambling Act 2005 Statement of Principles**

Report of the Licensing Officer

**For Decision : NO**

**Environment and Neighbourhood Quality Portfolio: Councillor Wilson**

**Key Decision: N/A**

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#### **1.0 Purpose of Report**

1.1 The purpose of this report is to seek the approval of the Licensing Committee of the draft revised Statement of Principles under the Gambling Act 2005, following a twenty-eight day consultation period, prior to its submission to Full Council for approval.

#### **2.0 Recommendations**

2.1 That the proposed Statement of Gambling Policy 2017 (see Appendix A) will be put to Full Council for its approval for publication.

#### **3.0 Summary**

3.1 The Gambling Act 2005 requires Havant Borough Council (as the licensing authority) to publish its Statement of Principles every three years.

#### **4.0 Subject of Report**

4.1 The current Statement of Principles has now been revised and with the Committee's approval sent out for consultation as required under the Act to the following:-

- The Police.
- Representatives of gambling businesses in the area.
- Representatives of persons likely to be affected by the exercise of the Authority's functions under the act.

4.2 The period of consultation closed on 26<sup>th</sup> October 2017, one response was received (see Appendix B).

4.3 In the four years since the statement of principles was last reviewed no complaints have been received regarding any of the premises licensed under the Gambling Act 2005.

## **5.0 Implications**

### **5.1 Resources:**

5.1.1 Havant Borough Council has budgeted to receive approximately £22,000 in 2017-18 from the administration of Licences and Permits under the Gambling Act 2005. This contributes towards the costs of the department.

### **5.2 Legal:**

5.2.1 The Gambling Act 2005 requires Havant Borough Council (as the licensing authority) to publish its Statement of Principles every three years. The statement must be published before the authority can carry out licensing functions.

### **5.3 Strategy:**

5.3.1 When dealing with licensing matters to which this policy relates, and in so far as they are relevant to the licensing objectives, the Authority will also take the following into consideration:

- A. Havant Borough Council Corporate Strategy 2017 – 2022
- B. Havant Borough Council Licensing Policy (LA 2003)

### **5.4 Risks:**

5.4.1 None

### **5.5 Communications:**

5.5.1 Consultation is critical to ensure any changes to the Statement of Principles are clear and transparent for businesses, responsible authorities and the public.

5.5.2 The legislation specifies those persons and groups that the Council has a duty to consult with.

### **5.6 For the Community:**

5.6.1 This review of the existing Statement of Principles has not in any way altered the Authority's position regarding equality under the Gambling Act 2005.

5.6.2 Following approval of the Statement of Principles, it will be published as required by the Act on the Authority's website and made available for public inspection

- 5.6.3 A consultation was conducted with the Police, representatives of gambling businesses in the area and representatives of persons likely to be affected by the exercise of the Authority's functions under the act. One response to the consultation was received.
- 5.6.4 As a result minor amendments have been made to the draft statement as detailed in the report containing the statutory consultees and officers responses which were published on 10 November 2017 (see Appendix C).

## **Annexes**

**Appendix A** – Draft copy of Gambling Act 2005 Statement of Principles.

**Appendix B** – Letter from Gosschalks Solicitors dated 20 October 2017

**Appendix C** – Report of consultees responses

Agreed and signed off by:

Legal Services: Nick Leach 20/11/2017

Head of Neighbourhood Support: Natalie Meagher 11/11/2017

Financial Services: Andy Radford 20/11/2017

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