

TITLE	Review of Statement of Gambling Principles
FOR CONSIDERATION BY	Licensing and Appeals Committee 27 June 2018
WARD	Non-specific
DIRECTOR	Sean Murphy - Public Protection Manager

OUTCOME / BENEFITS TO THE COMMUNITY

Section 349 of the Gambling Act 2005 ('the Act') requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act ('Statement'). The Statement will last for a maximum of three years and can be reviewed and revised by the authority at any time.

The present Statement was published to take effect from the end of January 2016 and therefore must undergo a review and be re-published to take effect by the end of January 2019.

RECOMMENDATION

That the Committee notes the consultation responses and provides any comments on the proposed amendments as set out within the report.

SUMMARY OF REPORT

This report details the results of the consultation exercise carried out as required by legislation. The responses received are attached as annexes to the report. The report further details the proposed actions to address the comments, for discussion and consideration.

Background

The Statement must be produced following consultation with those bodies and persons set out in subsection (3) of section 349 of the Act. This includes the Chief Officer of Police, persons who represent the interests of persons carrying on gambling businesses in the area and persons who represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act. The views of all consultees should be given appropriate weight when the policy is determined.

The response from Gamcare at Annex B, although not being specific to Wokingham, has been noted and will be taken into account for the final draft of the Statement. In particular, officers will look to draft a Local Area Profile for any applicants to use when considering the content of their applications. This will be a stand-alone document so that it can be kept up to date to reflect any local changes or concerns.

In addition to the need to update a couple of old references, the response from the ABB at Annex C makes three suggestions. The following table outlines these and confirms the proposed actions to address these comments in the second column.

Suggestion	Proposed amendment
Removing the suggestion that the authority may implement a policy that there may be specific areas where gambling premises should not be located.	This will be replaced by a reference to the Council's Local Area Profile. This document should detail any areas of concern that should be taken into account by any applicant and addressed within their application as appropriate. Each application is to be considered on its own merits.
Make it clear that premises licences are subject to mandatory and default conditions and any additional conditions will only be imposed where there is evidence of a need in the circumstances of a particular case.	The Statement will be updated accordingly.
Ensure there is a clear distinction between betting machines and gaming machines.	A clarification will be added to confirm that premises are entitled under the legislation to make up to 4 gaming machines available for use.

The intention is to bring a final version of the Statement to the Committee on 11 September, prior to it being referred to Council for approval in November.

Analysis of Issues

The statement of principles must, by law, be revised and re-published to take effect from the end of January 2019.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	No impact	N/A	N/A
Next Financial Year (Year 2)	No impact	N/A	N/A
Following Financial Year (Year 3)	No impact	N/A	N/A

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications (how does this decision impact on other Council services, including properties and priorities?)

There are no implications arising from the recommendation in this report.

List of Background Papers

Statement of Gambling Principles (Nov 2015)

Contact Laura Driscoll	Service Public Protection Partnership
Telephone No 01344 352517	Email laura.driscoll@westberks.gov.uk
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