



## **Alcohol and Entertainment Licensing Committee**

**24 October 2018**

### **Statement of Principles 2019-2021 [Gambling Act 2005]**

#### **Report of the Executive Manager - Neighbourhoods**

**Deputy Leader and Cabinet Portfolio Holder for Community and Leisure,  
Councillor Debbie Mason**

#### **1. Purpose of report**

- 1.1 The Council's current Statement of Principles made under the Gambling Act 2005 was adopted in 2015.
- 1.2 Rushcliffe Council is a Licensing authority under the Gambling Act 2005. As a Licensing authority the Council must determine and publish its statement of principles every 3 years.
- 1.3 In determining the Policy, the Council must carry out the statutory consultation as provided by the Act.
- 1.4 Once the revised policy has been reviewed and published it will be valid until January 2021.

#### **2. Recommendation**

It is RECOMMENDED that the Statement of Principles be supported and referred to Full Council for final approval.

#### **3. Supporting Information**

- 3.1 Each licensing authority is required before each successive three-year period, to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during that period. This document is commonly referred to as the authority's Statement of Principles
- 3.2 There are three licensing objectives set out in the Act, as follows:
  - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
  - Ensuring that gambling is conducted in a fair and open way;
  - Protecting children and other vulnerable people from being harmed or exploited by gambling;

- 3.3 The Statement of Licensing Policy is prescribed by central government in its guidance to Local Authorities. The policy has to comply with guidance issued by central government. The current policy is compatible with this advice and guidance.
- 3.4 The Draft Statement of Principles has been subject to an extensive consultation with members of the trade, responsible authorities, current licence holders and Members.
- 3.5 A list of amendments is attached at Appendix 1, and the response to the Draft Statement of Principles is attached at Appendix 2 of this report.
- 3.6 The timetable for the draft statement of principles is:

Date	Process
July 2018	Licensing committee consulted on revised policy [via email]
July/August 2018	Public / statutory consultation
August 2018	Consultation feedback reviewed
October 2018	AELC approval
December 2018	Full Council Approval

- 3.7 I can report that we received no comments from consultees.

#### **4. Risks and Uncertainties**

- 4.1. The Council will be at risk of legal challenge if a properly consulted and adopted Statement of Principles 2019-2021 is not in place by January 2019.

#### **5. Implications**

##### **5.1. Financial Implications**

- 5.1.1. There are no financial implications arising from this report. The cost of the service is met by the fees received from licences.

##### **5.2. Legal Implications**

- 5.2.3 Section 349 of the Gambling Act 2005 states:

A Licensing Authority shall before each successive period of three years

- a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and
- b) publish it.

##### **5.3. Equalities Implications**

5.3.1. In its consideration of this Report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty).

#### 5.4. **Section 17 of the Crime and Disorder Act 1998 Implications**

5.4.1. One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The policy supports and assists with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences.

#### 6. **Link to Corporate Priorities**

This report links to the following Corporate Strategy key themes of:

- Maintaining and enhancing our residents' quality of life

#### 7. **Recommendation**

It is RECOMMENDED that the Statement of licensing policy be supported and referred to Full Council for final approval.

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<b>Background papers available for Inspection:</b>	None.
<b>List of appendices:</b>	Appendix 1: Summary of Changes Appendix 2: Statement of Principles 2018-2021