



Council

Thursday, 2 December 2021

**Gambling Act 2005 - Draft Statement of Licensing Principles
2022-2025**

Report of the Director – Neighbourhoods

Cabinet Portfolio Holder for Environment and Safety, Councillor R Inglis

1. Purpose of report

- 1.1. The Council's current Statement of Principles made under the Gambling Act 2005, was approved in 2018. Rushcliffe Borough Council is a Licensing Authority under the Gambling Act 2005. As a Licensing Authority, the Council must determine and publish its statement of Licensing Principles every three years.
- 1.2. In determining the Policy, the Council must carry out the statutory consultation as provided by the Act. Once the revised policy has been approved and published it will be valid until January 2025.

2. Recommendation

It is RECOMMENDED that Council approves the Statement of Licensing Principles 2022 - 2025.

3. Reasons for Recommendation

The Council is required to produce a Gambling Act 2005 Statement of Principles upon which it will base its decisions. If approved the final policy will be published by no later than 3 January 2022.

4. Supporting Information

- 4.1. 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.
- 4.2. 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; and
 - Protecting children and other vulnerable people from being harmed or exploited by gambling.

- 4.3. The Statement of Licensing Principles is prescribed by central government in its guidance to Local Authorities and this latest revision is compatible with all such advice and guidance.
- 4.4. The current policy document, prepared in 2018, reflected the legislation and Government Guidance at that time. Since that date, there have been some minor changes to the legislation, along with updated versions of the Government Guidance, which have been issued, the latest being in April 2021.
- 4.5. The Draft Statement of Principles has been subject to an extensive consultation with members of the trade, responsible authorities, current licence holders and Councillors.
- 4.6. The Draft Statement of Principles has been fully considered and endorsed by the Council's Licensing Committee at its meeting on the 4 November 2021.
- 4.7. A list of amendments and responses to the consultation on the draft Statement of Principles is attached at Appendix B to this report.

5. Risks and Uncertainties

The Council will be at risk of legal challenge if a properly consulted and adopted Statement of Principles 2022-2025 is not in place by January 2022.

6. Implications

6.1. Financial Implications

There are no financial implications arising from this report. The costs of the service are broadly met by the fees received from licences.

6.2. Legal Implications

Our current statement expires on 3 January 2022, and it is necessary that the Council adopts and publishes a revised Statement of Principles by this date. If the Council fails to do this, then it will be unable to fulfil its statutory duties, with possible additional financial and legal consequences arising as a result.

6.3. Equalities Implications

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).

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

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.

7. Link to Corporate Priorities

Quality of Life	Ensuring the safety of residents and supporting the reduction of crime and disorder
Efficient Services	None
Sustainable Growth	None
The Environment	None

8. Recommendation

It is RECOMMENDED that Council approves the Statement of Licensing Principles 2022 - 2025.

For more information contact:	Geoff Carpenter Service Manager - Public Protection Tel: 0115 9148438, gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Full Council 6 December 2018 'Statement of Licensing Principles' Report to Licensing Committee 4 November 2021
List of appendices:	Appendix A: Statement of Principles 2022-2025 Appendix B: List of changes following consultation