

Committee: Licensing Committee

Date: 12 June 2018

Wards: All.

Subject: Update of the Council's Statement of Principles under the Gambling Act 2005.

Lead officer: Chris Lee, Director of Environment and Regeneration.

Lead member: Councillor Nick Draper, Cabinet Member for Community and Culture.

Forward Plan reference number: N/A

Contact Officer: Barry Croft, Licensing Manager, London Boroughs of Merton and Richmond upon Thames Joint Regulatory Services Partnership and Guy Bishop Acting Assistant Head of Law – Litigation & Licensing Litigation, Housing & Planning Team

Recommendations:

- A. The Licensing Committee to approve the recommended amendments to the revised Statement of Principles under the Gambling Act 2005 (Gambling Policy) before the start of the public consultation processes.
-

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 There is a statutory requirement under section 349 of the Gambling Act 2005 for the Council, as the Licensing Authority, to review and republish its Statement of Principles under the Gambling Act 2005 every three years.

2. DETAILS.

- 2.1 There is a statutory requirement under section 349 of the Gambling Act 2005 for the Council, as the Licensing Authority, to review its Statement of Principles under the every three years. The Council's current Statement of Principles under the Gambling Act 2005 will expire on **31 January 2019**.
- 2.2 In this update proposed changes have been made to include current legislation and Gambling Commission guidance updates, and to start the twelve week public consultation process on **Monday 25 June 2018** and finish on **Monday 17 September 2018**.
- 2.3 As part of the work already undertaken legal and licensing amendments arising from legislative changes have been made to the draft Statement of Principles under the Gambling Act 2005, which is attached at **appendix "A"**. The draft document contains track changes for members to consider and approve before the start of the public consultation processes.
- 2.4 The Licensing Authority does not propose to distribute paper copies of the draft Statement of Principles under the Gambling Act 2005, but it will be available in electronic format on the Council's website.

2.5 The following Responsible Authorities, various organisations and individuals will be written to notifying them of the draft revised Statement of Principles and the consultation processes. Details of those to be contacted are as follows:

- The local Chief Officer for the Metropolitan Police;
- The London Fire and Emergency Planning Authority;
- The local Planning Authority;
- The Director of Public Health;
- The local Children’s Safe Guarding Board;
- The Manager of the local Environmental Health Team;
- The Manager of the local Trading Standards Team;
- Safer Merton;
- The British Transport Police;
- All local Ward Councillors;
- Local area forums;
- The Musician’s Union and Equity;
- Persons/bodies representing local holders of premises licenses;
- Persons/bodies representing local holder of club premises certificates;
- Persons/bodies representing local businesses; and
- Local residents associations.

2.6 Electronic submissions of responses to the consultation for the revised Statement of Principles under the Gambling Act 2005 will be encouraged. This will ensure the process is cost efficient, and it should save time for local residents, businesses, responsible authorities and any person wishing to make comment of the proposed changes.

2.7 Following the end of the public consultation period, which it is proposed will end at midnight on **Monday 17 September 2018**; officers of the Licensing Authority will collate comments received. Details of the comments received and any suggested changes to the draft Statement of Principles under the Gambling Act 2005 will be made available to members for open discussion at a meeting before the Licensing Committee on **Wednesday 10 October 2018**.

2.8 Following this meeting, if Committee members agree to the proposed amendments to the draft Statement of Principles under the Gambling Act 2005, the Licensing Committee shall recommend adoption by Full Council. It is proposed to take the final draft of the Statement of Principles under the Gambling Act 2005 to a Full Council meeting scheduled to take place on **Wednesday 21 November 2018** for formal adoption.

3. **Alternative options.**

3.1 None for the purposes of this report.

- 4. Consultation undertaken or proposed.**
- 4.1 A twelve week (three month) public consultation to be undertaken on the proposed revisions the revised Statement of Principles under the Gambling Act 2005.
- 5. Timetable.**
- 5.1 Public consultation for the revised Statement of Principles under the Gambling Act 2005 to start on **Monday 25 June 2018** for a twelve week period and to finish on **Monday 17 September 2018**.
- 5.2 Comments received during the public consultation period and the final draft of the Statement of Principles under the Gambling Act 2005 to be submitted before the Licensing Committee on **Wednesday 10 October 2018**.
- 5.3 Statement of Principles under the Gambling Act 2005 to go to Full Council meeting for adoption on **Wednesday 21 November 2018**.
- 6. Financial, resource and property implications.**
- 6.1 None for the purposes of this report.
- 7. Legal and statutory implications.**
- 7.1 None for the purposes of this report.
- 8. Human rights, equalities and community cohesion implications.**
- 8.1 These are statutory functions and are applied globally.
- 9. Crime and Disorder Implications.**
- 9.1 The service has a statutory duty to contribute to the reduction of crime and disorder within the London Borough of Merton under Section 17 Crime and Disorder Act 1988.
- 10. Risk management and health and safety implications.**
- 10.1 All risk and health and safety implications have been considered when compiling this report. None are apparent.
- 11. Appendices – the following documents are to be published with this report and form part of the report.**
- 11.1 Appendix “A” Draft revised Statement of Principles under the Gambling Act 2005 showing proposed changes using track changes.
- 12. Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report.**
- 12.1 The Gambling Act 2005; and
- 12.2 Gambling Commission Guidance to Local Authorities 5th Edition dated September 2015/16.

This page is intentionally left blank