

# Gambling Act 2005 Draft Statement of Principles

Date: 8 November 2018  
Contact Officer: Sarah Bradley  
Tel Number: 01543 308138  
Email: Sarah.bradley@lichfielddc.gov.uk  
Key Decision? YES NO (delete as appropriate)  
Local Ward Members n/a

## REGULATORY AND LICENSING COMMITTEE

### 1. Executive Summary

- 1.1 This report seeks approval from committee members for consultation to begin on the draft Statement of Principles 2019 – 2022 attached at Appendix A.
- 1.2 The Statement outlines the principles Lichfield District Council will apply when exercising its functions under the Gambling Act 2005.

### 2. Recommendations

- 2.1 It is recommended that Members approve for consultation the draft Statement of Principles.
- 2.2 That the Chairman of Regulatory and Licensing Committee together with the Head of Regulatory Services, Housing & Wellbeing consider any responses to the consultation, before submitting to Full Council for adoption.

### 3. Background

- 3.1 Under the Gambling Act 2005 the Council, as the Licensing Authority, is responsible for issuing and enforcing licences, permits and notifications under the Act.
- 3.2 Section 349 of the Gambling Act 2005 requires that the Licensing Authority shall, before each successive period of three years, prepare a Statement of Principles that they propose to apply in exercising their functions under the Act and they must publish that statement.
- 3.3 Lichfield District Council's current Statement of Principles has effect until 2019. The draft Statement has been reviewed and updated to produce a draft revised statement of principles. There have been no major changes in the legislation and no issues in Lichfield District since the last review 3 years ago. Therefore only minor revisions have been made to the statement, in line with the current guidance issued by the Gambling Commission.
- 3.4 The Act states that in preparing the Statement, the Licensing Authority shall consult with the Police, persons representing persons carrying on gambling businesses and those affected by such businesses.
- 3.5 The draft policy is compliant with the requirements of Section 349 of the Gambling Act 2005 and The Gambling Act 2005 (Licensing Authority Policy Statement (England and Wales) Regulations 2005, as well as the statutory guidance.

3.6 Section 154 of the Act provides that the function of revising the Statement may not be delegated to a Committee. This means that the decision to adopt a revised Statement must be made by full Council.

Alternative Options	<ol style="list-style-type: none"> <li>1. The Committee could consider not consulting on the proposed draft policy; however this would not accord with good governance or best practice.</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. If approved for consultation, the proposed new policy would be issued to the following agencies as detailed in the draft policy for consideration.</li> <li>2. The policy would also appear on the Lichfield District Council website for public consultation.</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. The policy includes details of the fees charged for the issuing of licenses which take into account the cost of processing, administering and compliance costs associated with the licence.</li> <li>2. The fees are set by the Council under guidance issued by the Home Office with the approval of the Treasury and are reviewed annually.</li> </ol>
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. The policy will support objectives contained within the District Council's Strategic Plan 2016 -20. In particular, a vibrant and prosperous economy and healthy and safe communities.</li> </ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. An equality Impact Assessment will be undertaken once the consultation process is complete.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. The policy will assist the Local Authority in exercising its duties and responsibilities under the Gambling Act 2005 together with the Gambling Commission.</li> </ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A			State if risk is Red (severe), Yellow (material) or Green (tolerable) as determined by the Likelihood and Impact Assessment.
B			
C			
D			
E			

**Background documents**  
Appendix A – Draft Statement of Principles 2019 - 2022

**Relevant web links**  
<https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx>