



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	Licensing Committee: Friday 28 May 2021
Report Number	Agenda Item No. 5
Subject	Gambling Act 2005 Statement of Principles (Policy) Review 2021
Wards affected	All
Accountable member	Councillor Norman MacRae, Cabinet Member for Environment Email: norman.macrae@westoxon.gov.uk
Accountable officer	Michelle Bignell, Service Leader (Licensing) Tel: 01285 623000 Email: michelle.bignell@publicagroup.uk
Summary	The report details the statutory requirement to review the current Policy and provides the Committee with a draft document for consultation.
Annexes	Annex A – Copy of draft Statement of Principles Annex B – Copy of current Statement of Principles
Recommendations	a) That the Committee considers the draft Statement of Principles at Annex A; and b) That, subject to any further amendments, a consultation exercise to seek the views of the trade and relevant stakeholders on the revised Policy be approved.
Corporate priorities	A Vibrant District Economy Strong Local Communities
Key Decision	N/A
Exempt	No
Consultees/ Consultation	A 12 week consultation will follow – see paragraph 2.5 below

I. BACKGROUND

- I.1. The Council is the Licensing Authority for the purposes of the Gambling Act 2005 ("the Act").
- I.2. The Act sets out the regulatory system that governs the provision of all gambling in Great Britain, other than the National Lottery. The Act requires the Council to prepare a Statement that it proposes to apply in exercising its functions under the Act.
- I.3. The Statement is a Licensing Policy which sets out the general approach the Council will take when carrying out its regulatory role under the Act.
- I.4. As of September 2007, Licensing Authorities were granted powers to licence gambling premises within their area as well as undertaking functions in relation to lower stake gaming machines and clubs and Miners' Welfare Institutes.
- I.5. The Act contains three licensing objectives, which underpin the functions that the Gambling Commission and Council will perform. These Objectives are central to the regulatory regime created by the Act. They are:-
 - Preventing gambling from being a source of Crime and Disorder.
 - Ensuring that gambling is conducted in a fair and open way and;
 - Protect children and other vulnerable persons from being harmed or exploited by gambling.
- I.6. Section 349 of the Act requires the Council to prepare and publish a Statement of Principles that it proposes to apply in exercising its functions under the Act. This should be kept under review and must be re-published every three years.
- I.7. The current Statement of Principles is due to expire in January 2022 and a new Statement of Principles must be in place by 31 January 2022.

2. MAIN POINTS

Draft Policy Document

- 2.1. As the legislation and statutory guidance have remained unchanged, there have been no major changes to the draft policy at **Annex A**. The only changes made are the removal of a reference to shared partnership working so that the draft document is solely for West Oxfordshire District Council.

Gambling Commission Guidance to Local Authorities

- 2.2. The Gambling Commission publishes Guidance to Local Authorities and this is revised on a regular basis.
- 2.3. The review consultation was carried under the 4th edition of the Guidance published on 1 April 2021.

Consultation

- 2.4. It is proposed to carry out a full consultation for a period of 12 weeks. Comments will be reported back to the Licensing Committee later in 2021, with a view to a recommendation being made to the Council to adopt the Policy at its meeting on 27 October 2021.

2.5. Licensing will consult with:

- All current licence holders
- Ward members
- Town/Parish Councils
- Authorities e.g. Thames Valley Police
- Any other relevant parties e.g. GamCare
- The review will be published on the Council's website

3. FINANCIAL IMPLICATIONS

3.1. None

4. LEGAL IMPLICATIONS

4.1. Should the Licensing Authority fail to carry out a review it will fail to meet its statutory obligations.

5. CLIMATE CHANGE IMPLICATIONS

None.

6. ALTERNATIVE OPTIONS

6.1. None

7. BACKGROUND PAPERS

7.1. Gambling Commission's Guidance to Licensing Authorities April 2021