

# **Cherwell District Council**

## **Licensing Committee**

**2 November 2015**

<p><b>Gambling Act 2005 Statement of Licensing Principles 2016-19</b></p>
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### **Report of Interim Public Protection and Environmental Health Manager**

This report is public

#### **Purpose of report**

To note the Gambling Act 2005 Statement of Licensing Principles 2016-19.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To note the Gambling Act 2005 Statement of Licensing Principles 2016-19

#### **2.0 Introduction**

- 2.1 The Committee is asked to consider the statement of licensing principles following the review required by the Gambling Act 2005 and propose any changes before formal adoption.

#### **3.0 Report Details**

- 3.1 The Gambling Act 2005 passed the responsibility for the licensing of premises used for gambling to local authorities.
- 3.2 Section 349 of The Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Act and in particular the following 3 licensing objectives:
  - Keeping gambling crime free
  - Making sure that gambling is fair and open
  - Protecting children and vulnerable adults
- 3.3 The statutory period for the statement is three years. The last statement was approved 17 December 2012 and came into effect on 31 January 2013. A new

statement must be prepared and published with a view to it coming into effect on 31 January 2016.

3.4 In the course of preparing the statement the Council is obliged to consult with:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the business interests of persons carrying on gambling business in the authority's area.
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

3.6 A wide-scale consultation process took place between the 21 September and 2 November 2015.

3.7 The new statement can be found at Appendix A to this report.

3.8 The new statement is unchanged and the Gambling Commissions Guidance document is still under review.

## **4.0 Conclusion and Reasons for Recommendations**

4.1 The committee is recommended to consider and comment on the matters outlined in the report before the policy goes to Full Council.

## **5.0 Consultation**

5.1 There has been no consultation in relation to this report.

## **6.0 Alternative Options and Reasons for Rejection**

6.1 The following alternative options have been identified and rejected for the reasons set out below.

None identified.

## **7.0 Implications**

### **Financial and Resource Implications**

7.1 There are no financial implications arising directly from this report.

Comments checked by Brian Wallace, Service Accountant, 01295 221737,  
[brian.wallace@cherwellandsouthnorthants.gov.uk](mailto:brian.wallace@cherwellandsouthnorthants.gov.uk)

## 7.2 Legal Implications

The council is required to prepare and publish a Statement of Principles for the purpose of exercising its functions under the Gambling Act 2005. The Statement must be prepared, published and reviewed in accordance with the relevant legislation. Failure to comply with the relevant legislation in the preparation, publishing or review of the Statement of Principles may result in any challenge to the Statement of Principles or the means by which it was published and/ or reviewed being successful.

Comments checked by Matt Marsh, Solicitor, 01295 221691,  
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## 8.0 Decision Information

### Wards Affected

All CDC wards

### Links to Corporate Plan and Policy Framework

GA2005 Statement of Licensing Principles

### Lead Councillor

Councillor Tony Ilott, Lead Member for Public Protection

### Document Information

Appendix No	Title
A	GA 2005 Statement of Licensing Principles
Background Papers	
None	
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