

Agenda Item No: **6**

Report No: **11/13**

Report Title: **Updating of Lewes District Council's Gambling Statement of Principles**

Report To: **Licensing Committee.** Date: **15 January 2013**

Wards(s) Affected: **All**

Report By: **Director of Planning and Environmental Services**

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Purpose of Report

To consider and approve the amended Gambling Statement of Principles revised after the statutory three year period.

Officers' Recommendation

- That the Licensing Committee receives and considers the revised Gambling Statement of Principles.
- That the Licensing Committee recommends to Council the adoption of the Statement of Principles made under S349 of the Gambling Act 2005.

1. Reasons for Recommendations

To comply with the provisions of the Gambling Act 2005 (the Act), to enable the proper discharge of the Council's responsibilities for the regulation of gaming, betting and lotteries under the Act.

2. Information

- 2.1** The Gambling Act 2005 requires the Licensing Authority (for the purpose of this report, Lewes District Council) to prepare and publish for a three year period, a Statement of Principles for their area which we propose to apply when exercising our functions under the Act.
- 2.2** The current Statement of Gambling Policy was approved by this Council, and came into effect on 1 March 2010.
- 2.3** The Act further requires Licensing Authorities to constantly keep their statement of principles/policy under review, which must be adopted and republished every three years.

2.4 Lewes District Council has formulated its new draft Statement of Principles, taking advice from: the Local Authorities Coordinators of Regulatory Services (LACORS); any updated Gambling Commission guidance; other local authorities; and consulting with responsible authorities and other interested parties, including existing licensed operators.

3. Changes

3.1 We have not received any legal challenge to our existing Policy Statement, nor have we received any adverse comments from the gambling trade or legal profession with regard to our Policy.

3.2 There has been no substantial change in the current legislation and the revised Statement of Principles has simply been updated to include several minor and texting amendments since our current Policy was published in March 2010.

3.3 The amended Statement of Principles is attached as Appendix 1 to this report and illustrates in bold, italic text the recommended changes to the Policy.

4. Consultation

4.1 The new draft Statement of Principles has been subject to a period of statutory consultation as required by legislation. We have consulted with all other responsible authorities, the trade, local stakeholders and other interested groups and have provided an online consultation facility available to the public residents and businesses.

4.2 The consultation period of three months commenced on 24 September 2012 and concluded on 24 December 2012.

4.3 We have received one written response to the formal consultation and this response, together with the relevant document, is attached as Appendix 2.

4.4 The response to the draft Statement of Principles was from the Racecourse Association Limited covering three points relating to The Statement and these have been noted and acted upon where appropriate.

5. Timetable

5.1 Having completed the period of public consultation, the following timetable remains to allow for the legal implementation of the new Gambling Statement of Principles.

Consideration by Licensing Committee	15 January 2013
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Consideration by Council	27 February 2013
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Publication of Policy	1 March 2013
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6. Financial Appraisal

There are no additional financial implications to this report.

7 Environmental Implications

The Environmental Implications Checklist has been completed. Adoption of the new Gambling Statement of Principles will not have any adverse implications or environmental concerns within the District.

8. Risk Management

The following risks will arise if the recommendations are not Implemented:

- Lewes District Council will not have a three year Statement of Principles as required under the Gambling Act 2005.
- No new risks will arise if the recommendations are implemented.

9. Equalities Implications

I have completed the Equalities Implications questionnaire and there are no significant effects as a result of these recommendations

10. Appendices

Appendix 1 – Revised draft Gambling Statement of Principles

Appendix 2 – Response received from The Racecourse Association Limited.