

port of	Meeting	Date
Director (Planning and Development) (Introduced by Executive Member (Planning and Development))	Council	Tuesday 15 th November 2022

Revision of Statement of Principles under the Gambling Act 2005

Is this report confidential?	No
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Is this decision key?	No
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Purpose of the Report

- To approve the revision of the Statement of Principles (the Principles) under the Gambling Act 2005 (the Act).

Recommendations

- That the Council adopts and publishes the revised Principles under the Gambling Act 2005.
- That the Council determines that the Statement of Principles shall come into force 4 weeks after their publication

Reasons for recommendations

- The Act requires a licensing authority to revise the Principles every 3 years. The Principles are due for revision this year.

Other options considered and rejected

- No other options were considered. It is a statutory duty to revise the Principles.

Corporate priorities

- The report relates to the following corporate priorities:

Involving residents in improving their local area and equality of access for all	A strong local economy
Clean, safe and healthy communities	An ambitious council that does more to meet the needs of residents and the local area

Background to the report

7. The Gambling Act 2005 (the Act) is concerned with the regulation of casinos, bingo, gaming machines, lotteries, betting and remote gambling.
8. Chorley Council has responsibilities under the Act to issue premises licences, permits and notices in respect of premises where it is proposed that gambling should take place. The Council is also responsible for the registration of small society lotteries.
9. Section 349 of the Act requires all licensing authorities to prepare and publish a Statement of Principles (the Principles) that they intend to apply in exercising their functions under the Act. These Principles will last for a maximum of three years but can be reviewed and revised by the Authority at any time during that period.
10. The Council last reviewed its Principles in 2019 and so a revision is now due.

Amendments to the Statement of Principles

11. The revised draft Statement of Principles is appended at [Appendix 1](#) of the report. The changes in this revision are largely to update some of the information which has become out of date and to improve and clarify any issues in the existing document. There are no major legislative changes which have been included in this revision.
12. A summary of the changes is appended at [Appendix 2](#).
13. The Licensing and Public Safety Committee considered the revised Principles at the meeting on 4th October 2022. The Committee determined that a consultation exercise be carried out and that the Director (Planning and Development) be authorised to make such minor changes to the Principles as may be appropriate following this consultation.
14. Consultation took place between 6th October 2022 and 3rd November 2022. During this consultation exercise, no responses were received.

Climate change and air quality

15. The work noted in this report does not have an impact on the Council's Carbon emissions and the wider Climate Emergency and sustainability targets of the Council.

Equality and diversity

16. The work noted in this report does not have an impact on equality and diversity. An equality impact assessment is appended as [Appendix 3](#).

Risk

17. There is a risk of litigation if the authority fails to comply with its statutory duty to have the Principles. Decisions made by the authority would be at greater risk of challenge if the authority could not demonstrate that its Principles had been published in accordance with the legislation. Litigation comes with it the risk of costs being awarded against the authority.
18. The authority could be exposed to reputational risk if it failed to publish its principles in accordance with the Act.

Comments of the Statutory Finance Officer

19. There are no direct financial implications to the report.

Comments of the Monitoring Officer

20. The duty to review the policy every three years is addressed in the body of the report. When determining applications made under the Gambling Act 2005 the Council must have regard to any codes of practice and guidance issued by the Gambling Commission, the licensing objectives and the Statement of Principles, so the latter is necessary when decisions are made.

Appendices

Appendix	Description
Appendix 1	Draft Revised Statement of Principles
Appendix 2	Summary of Changes
Appendix 3	Equality Impact Assessment

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