To: Renfrewshire Licensing Board

On: 17th September 2018

Report by Clerk to the Licensing Board

The Gambling Act 2005: Review of Licensing Board's Statement of Principles

1. Summary

1.1 In terms of section 349 of the Gambling Act 2005 ("the Act"), Renfrewshire Licensing Board ("the Board") require to publish a Statement of Principles that they propose to apply in exercising their functions under the Act for each three year period. The first Statement of Principles agreed by the Board covered the three year period from 31 January 2007. Further Statements of Principles were published in January 2010, 2013 and 2016. A Statement of Principles will now have to be agreed and published for the three year period commencing on 31st January 2019.

1.2 The Statement of Principles must incorporate the statutory licensing objectives and must comply with the Gambling Commission's Guidance. A draft updated Statement is attached hereto as Annexe A. The Gambling Commission has not issued new statutory guidance since the Board published its last Statement in 2016, although it has updated Chapters of the Guidance relating to casinos and bingo and betting premises. The draft Statement has been prepared having regard to the terms of the current Guidance.

1.3 Section 349(3) of the Act requires the Chief Constable to be consulted on the Statement of Principles along with one or more persons who appear to the Board to represent the interests of persons carrying on gambling businesses in the Board's area and one or more persons who appear to the Board to represent the interests of persons who are likely to be affected by the exercise of the Board's gambling functions. It is proposed that there now be formal consultation upon the terms of the draft Statement at Annexe A with those bodies and persons listed in Appendix 1 to the proposed Statement.

1.4 It is proposed that the draft Statement of Principles at Annexe A shall be circulated to those consultees and published on the Council's website to enable any proposed amendments and comments to be received prior to a final version of the draft Statement of Principles being submitted to the Board for consideration and approval.

2. Recommendation

2.1 The Board is asked to:

(i) agree the terms of the draft Statement of Principles at Annexe A for the purposes of formal consultation; and

(ii) authorise the Clerk to the Board to (i) consult the bodies and persons listed in Appendix 1 to the draft Statement of Principles on the terms of the draft and (ii) thereafter submit a further report to the Board with a final version of the Statement of Principles for consideration and approval.

3 Background

3.1 A Statement of Principles must incorporate the licensing objectives stated in section 1 of the Act, which are:-

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is being conducted in a fair and open way; and
- protecting children and other vulnerable adults from being harmed or exploited by gambling

3.2 The draft Statement at Annexe A refers to the current statutory Guidance from the Gambling Commission, some Chapters of which have been updated as noted above at Paragraph 1.2. The draft Statement has been revised from the Board's existing Statement of Principles with respect to the information contained in Appendices 3 and 4, following preliminary enquiries with Police Scotland, the Director of Public Health and the Alcohol and Drug Partnership. The section of the policy relating to local risk assessments has been extended and some other changes have been made which are either of a technical nature, provide further information to key stakeholders or reflect good practice. Any changes from the existing Statement are shown on the proposed draft as track changes, to allow these proposed changes to be highlighted during the consultation. This reflects a recent recommendation by the Gambling Commission, following a request by the gambling industry.

3.3 Should the Board agree the draft Statement of Principles as suitable for consultation, it is proposed that the persons and bodies listed in Appendix 1 to the draft Statement be consulted. The list of proposed consultees contains bodies representative of people with protected characteristics to allow any equality impacts to be identified and assessed. It is anticipated that the consultation period shall be from 17th September 2018 to 16th November 2018.

3.4 Following the conclusion of the consultation period, any responses received from those consulted, or other interested parties, will be considered and, if

appropriate, will be incorporated into a draft final version of the Statement of Principles. A report on the proposed final version will then be submitted to a further meeting of the Board for consideration and approval.

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Kenneth Graham
Clerk to the Licensing Board