

Committee(s):	Date(s):	
Licensing	22 October 2012	
Subject: Gambling Act 2005: Review of Statement of Licensing Principles	Public	
Report of: Director of Markets and Consumer Protection	For Decision	
<p><u>Summary</u></p> <p>The Gambling Act 2005 requires all licensing authorities to produce and publish a Statement of Licensing Principles. As prescribed by the statutory timetable the City Corporation produced its first such statement at the time the Act came into force in January 2007.</p> <p>The legislation requires that all authorities review their policy at three yearly intervals. This report was last reviewed in January 2010 and therefore is required to be reviewed by January 2013.</p> <p>Since the production of the current licensing statement three years ago the guidance issued to licensing authorities has been revised. Attached to this report is the current licensing statement with minor amendments to reflect the latest guidance.</p> <p>It is proposed that this updated document form the basis of the proposals sent for consultation to statutory bodies and persons representing those affected by the legislation and those persons carrying on gambling businesses in the City.</p> <p>Recommendations</p> <p>It is recommended that your Committee:-</p> <ul style="list-style-type: none"> • Agree the draft Licensing Principles text for consultation. • Agree the time table and methodology to determine the final text and adoption of the Statement of Licensing Principles. 		

Main Report

Background

1. The Gambling Act 2005 (the ‘Act’) requires licensing authorities to prepare and publish a statement of licensing principles (the ‘policy’) that they will apply in exercising their functions under the Act. The legislation further prescribes that the policy shall remain valid for a period of three years, after which it must be reviewed and re-published.
2. The current policy was published in January 2010. It is therefore now necessary for the City Corporation to prepare the publication of its policy to run for three years from January 2013.

3. In order to comply with the statutory process the Corporation must consult with the following:
 - The Chief Officer of Police for the City of London
 - Persons representing the interests of persons carrying on gambling businesses within the City
 - Persons representing the interests of persons who may be affected by the City exercising its functions under the Act
4. The City's current policy was largely based on a concise template drafted by the Local Authority Coordinating Body on Regulatory Services (now Local Government Regulation) with additions to specifically suit the City of London and amended to reflect Government changes to published guidance. By using this template the Corporation has ensured that the statutory requirements and inclusions recommended by the Guidance were adhered to.
5. During the period that the City's policy has been current there has been no evidence of any deficiency in its content. The amendments in the new policy being solely to reflect current Government guidance.

Current Position

6. Since the current policy was drafted the Gambling Commission has again rewritten its guidance (Guidance to Licensing Authorities 4th Edition) which it published in September 2012. The current policy has been updated to reflect the latest guidance albeit the changes have been minor. A copy can be seen as Appendix 1 with the changes from the 2010 policy listed in Appendix 2.
7. The Gambling industry as controlled by the Gambling Act 2005 has a relatively light impact on the City of London. The City is not permitted to have a casino and the majority of licences are for betting shops.

Premises licensed within the City are currently as follows:-

Betting Shops	42
Adult Gaming Centre	0
Alcohol licensed premises with two or less amusement machines (One time notification only)	86
Alcohol licensed premises with three or more amusement machines.	20

Proposals

8. It is proposed that the draft document at Appendix 1 form the basis of the paper that will be forwarded to consultees. It is brought to your Committee today for any amendments considered necessary at this stage. It is

proposed that the consultation period run for six weeks enabling all parties wishing to make comment to do so.

9. Once the consultation is complete the responses will be considered and the Statement of Licensing Policy further amended where considered appropriate. A copy of this amended policy will be sent to the Licensing Reference Sub-Committee for their comments and to finalise any text.
10. The final report will then go before this committee in January 2013 for final agreement and then be formally adopted by the Court of Common Council on 19 January 2013. This is a mandatory process to comply with statutory requirements.

Corporate & Strategic Implications

11. The proposals within this report will meet one of the overriding objectives contained within the service's business plans to meet the legal requirements of relevant legislation.

Implications

12. There are no direct financial or risk implications for the Corporation's services associated with this report. Costs for the publication of the new policy can be met within current budget.

Background Papers:

Previous Statement of Licensing Principles - January 2010

Guidance to licensing authorities 4th edition – September 2012 (Gambling Commission)

Appendices

Appendix 1: Statement of Licensing Principles – 2013

Appendix 2: Amendments to 2010 Statement of Licensing Principles

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