



## Report – Licensing Committee

# Gambling Act 2005 – Statement of Licensing Principles

*To be presented on Thursday, 17th January 2013*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

### SUMMARY

1. The Gambling Act 2005 (“the Act”) 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.
2. The legislation requires that all authorities review their policy at three yearly intervals. This report was last reviewed in January 2010 and is therefore required to be reviewed by January 2013.
3. Since the production of the current licensing statement three years ago the guidance issued to licensing authorities has been revised. The revised text had been sent out for consultation which finished on Wednesday 19 December 2012. Four responses were received albeit two of them having no comment to make. The remaining concerns and comments have been taken into account in the revised draft policy text attached to this report at Annex 1.

### RECOMMENDATION

4. Your Licensing Committee is considering the draft policy on 14 January 2013, any proposed changes or amendments made will be reported on orally to the Court. Subject to that we **recommend** that the revised Statement of Licensing Principles (Annex 1) be approved for adoption from 17 January 2013.

## **MAIN REPORT**

### **BACKGROUND**

5. 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.
6. 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.
7. 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.
8. During the period that the City's policy has been current there has been no evidence of any deficiency in its content. The text of the current Policy was amended to reflect minor legislative changes since its last adoption. The amended text was put before your Licensing Committee on 22 October 2012 and agreed for consultation.

### **CONSULTATION**

9. The consultation period ran from 7 November 2012 to 19 December 2012. During that period the licensing service received four responses. Three of the responses were from Members and one from a Responsible Authority. Two of the responses were 'no comment'.
10. The comments received have been examined and a revised text of the Statement of Licensing Principles 2013 has been produced to take into account their concerns and general points where felt necessary. A copy of the revised draft text, and that proposed to be agreed by this Honourable Court, is attached as Annex 1.
11. In order to comply with the statutory process the City 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

The City Corporation has fulfilled these statutory obligations as far as its area of jurisdiction is concerned.

## **CORPORATE & STRATEGIC IMPLICATIONS**

12. 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**

13. 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.

All of which we submit to the judgement of this Honourable Court.

DATED this 17<sup>th</sup> of January 2013.

SIGNED on behalf of the Committee.

**CHARLES EDWARD LORD OBE JP BA (HONS) DEPUTY  
Chairman**