



SHEFFIELD CITY COUNCIL Committee Report

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Report of: Chief Licensing Officer, Head of Licensing

Date: 31st May 2012

Subject: Gambling Act 2005
Statement of Principles (Policy) Consultation

Author of Report: Shimla Rani - 2037752

Summary: To notify and consult with Members of the Licensing Committee on the draft revised Statement of Principles (Policy) written by the Licensing Authority in accordance with section 349 of the Gambling Act 2005 (the 2005 Act).

Recommendations: That Members of the Licensing Committee note the contents of the report and comment on the revised Statement of Principles (Policy) document.

Background Papers: Draft Statement of Principles (Policy) which can be viewed following the link www.sheffield.gov.uk/gamblingpolicyupdate.

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER, HEAD OF LICENSING TO THE LICENSING COMMITTEE

Ref: 41/12

GAMBLING ACT 2005 - DRAFT STATEMENT OF PRINCIPLES (POLICY)

1.0 PURPOSE OF REPORT

1.1 To notify and consult with Members of the Licensing Committee on the draft revised Statement of Principles (Policy) written by the Licensing Authority in accordance with section 349 of the Gambling Act 2005 (the 2005 Act).

2.0 STATEMENT OF PRINCIPLES (POLICY)

2.1 Section 349 (1) of the 2005 Act states:

“A licensing authority shall before each successive period of three years-

- (a) prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and
- (b) publish the statement.”

2.2 Sheffield City Council’s first Statement of Licensing Principles (Policy) was published on 2nd January 2007 and then revised and published again in January 2010. The Licensing Authority is now in the process of revising the policy as required under section 349 (1) of the 2005 Act and will follow the same process as it did when consulting with previous policies.

2.3 Revisions have been made to the previous policy in all sections to ensure compliance of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006. The revised policy provides more detailed information for each of the processes. I have listed below the main changes to the policy:

- **Part 1 – Overview**
 - Inclusion of section 1.3 ‘*Summary of matters dealt with in this statement*’ to comply with the 2006 regulations.
 - Section 1.4 ‘*The Sheffield Area*’ updated to include Sheffield City Council’s Corporate Plan 2011-14.
- **Part 2 – General Principles**
 - Inclusion of ‘*Representations*’ at section 2.6.
 - Updates in local and nation strategies at section 2.8 ‘*Integrating Strategies*’.
- **Part 4 & 5**
 - More detailed information provided on all of the licensing functions.
- **Part 6 – Equality, Hearings and Conditions**
 - This part includes updates on equality issues and additional information on hearings and rights of an applicant.
- **Part 7 – Applications Reviews and Enforcement**
 - Inclusion of section 7.1 ‘*Applications*’ and 7.2 ‘*Fees*’.

- **Part 8 – Useful information and Contact Details**

- Inclusion of addition contacts

- **Inclusion of a ‘Glossary of terms’**

2.4 A link to the revised draft Statement of Principles (Policy) document has been circulated to all Members and a single copy will be available in the meeting if required. Should Members wish to view the document, please follow the link www.sheffield.gov.uk/gamblingpolicyupdate.

2.5 The document has been produced in accordance with the 2005 Act; the guidance issued by the Gambling Commission and guidance issued by LACORS and the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

3.0 WHAT DOES THE POLICY DEAL WITH

3.1 The policy deals with all forms of gambling that are governed by the Gambling Act 2005 these include;

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|--|-------------------------|
| - Casinos | - Bingo Halls |
| - Betting Shops | - Tracks |
| - Adult Gaming Centres | - Lotteries |
| - Family Entertainment Centres | - Club Gaming Machines |
| - Gaming Machines in Licensed Premises | - Temporary Use Notices |
| - Occasional Use Notices | |

3.2 The policy deals with all types of applications including the grant, variation and transfer of licences as well as the review of a licence.

3.3 The policy sets out how the Licensing Authority intends to deal with applications etc. under the Gambling Act and is also a guide to applicants, residents, responsible authorities, interested parties and the Licensing Committee.

3.4 It will provide new small businesses, current licensees and the residents of Sheffield with a reference document to assist them in understanding the Gambling Act processes.

3.5 It is intended that the Statement of Principles (Policy) will assist the Licensing Authority in carrying out its powers in a socially responsible manner, whilst promoting the three core objectives, which are:

- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open manner; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

4.0 CONSULTATION

4.1 The formal consultation process commenced on 2nd April 2012 and will last for twelve weeks, concluding at 5:00pm on the 25th June 2012.

4.2 Section 349 (3) of the 2005 Act states:

“In preparing a statement or revision under this section a licensing authority shall consult –

(a) either-

- (i) in England and Wales, the chief officer of police for the authority’s area, or
- (ii) in Scotland, the chief constable of the police force maintained for the police area comprising that area,

(b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area, and

(c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the authority’s functions under this act.”

4.3 Approximately 2,600 letters and emails (where possible) regarding the consultation have been sent out. The letters and emails have included a link to our website where the draft Statement of Principles (Policy) can be viewed. Consultees have the option of contacting the Licensing Service for a hard copy of the Policy if they do not have internet access, a hard copy is also available in the Town Hall, First Point for Business, Howden House and the Central Library.

4.4 All Members of the Council have been notified of the consultation and provided with a link to the website.

5.0 A BRIEF TIMETABLE FOR DETERMINATION OF THE STATEMENT OF PRINCIPLES (POLICY)

5.1 For the benefit of Members, I have set out below the key dates in the process of determining the revised Statement of Principles (Policy):

- Formal Approval by the Licensing Committee - July/August 2012
- Report to Executive Management Team (EMT) - September 2012
- Report to Leadership EMT - October 2012
- Report to Cabinet - November 2012
- Report to Full Council - December 2012

6.0 SO WHAT DOES THE POLICY DELIVER

6.1 The Statement of Principles (Policy) recognises the need of residents within the city for a safe and healthy environment, in which people want to live, learn, work, invest and visit. Also ensure licensees understand the importance of safe well run premises.

6.2 The document recognises the need to protect Children and the Vulnerable from gambling addiction etc. The Licensing Service is working closely with the Safeguarding Children Service and GAMCARE.

6.3 Whilst promoting inclusive, vibrant, safe and strong communities and supporting small businesses the Licensing Service will work closely with external partners to support the improvement of public health and wellbeing.

6.4 The revision of the document means that we can improve the content and design in a way that assists us in achieving our vision of “Doing the right things and doing things right, for our customers and the City, making Sheffield a Great Place to be”.

- 6.5 The work we are doing fits with many of our service objectives;
- Effective – customer satisfaction
 - Equitable – provision to all without disadvantaging anyone
 - Empowering – engaging customers and involving them
 - Enabling – helping make things happen

And also our design principles;

- Collaboration – working with customers, partners and other stakeholders
- Responsiveness – listening and acting in a timely fashion
- Openness – transparent and accountable
- Flexibility – making it easier for customers
- Learning – listening / learning and improving overtime

6.6 The overarching benefits are that the new Policy will assist in achieving the Place core strategic outcome of “Making Sheffield a Great Place to Be”.

By supporting the following outcomes;

- A Strong & Competitive Economy – working with businesses
- A Great Place to Live – place management / effective service delivery
- Vibrant City – night time economy / destination of choice
- Safe & Secure Communities – working with police, safer neighbourhood officers etc. around “Crime Prevention”
- Successful Young People – protect and promote the welfare of children

7.0 FINANCIAL IMPLICATIONS

7.1 The work on the revision of the Statement of Principles (Policy) has been undertaken within the current resources of the Licensing Service.

8.0 RECOMMENDATIONS

8.1 That Members of the Licensing Committee note the contents of the report.

8.2 That Members of the Licensing Committee comment on the revised Statement of Principles (Policy) document.

Stephen Lonnia,
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10th May 2012

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