

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE

25 JULY 2012

SUBJECT:	DRAFT STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005
WARD AFFECTED:	ALL WARDS
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

The purpose of this report is to seek Members approval of the Draft Statement of Principles under The Gambling Act 2005 in order that it may be circulated for consultation and a final Statement be presented to Council for approval on 17 December 2012.

2.0 BACKGROUND AND KEY ISSUES

2.1 Since 1 September 2007 the Council has been the Licensing Authority responsible for granting premises licenses in Wirral in respect of:

- Betting premises
- Bingo premises
- Family entertainment centres
- Adult gaming centres
- Casino premises

2.2 As the Licensing Authority, the Council also has responsibility for Gaming Machine Permits, Temporary Use Notices and Occasional Use Notices, as well as the registration of Small Society Lotteries.

2.3 The Gambling Act 2005 requires the Council to prepare and publish a statement of Licensing Principles that the Authority will apply when considering applications under the Act. It is a requirement that this Policy Document be reviewed every three years.

2.4 A revised Draft Statement of Licensing Principles, attached as Appendix 1, has been prepared having regard to the provisions of the Gambling Act 2005 and the Guidance issued by the Gambling Commission.

2.5 A list of consultees is attached in Appendix 2.

2.6 Members are asked to approve the draft document so that it may be circulated for the required three month consultation period. Should Members approve the draft for consultation, the consultation period will commence on 1 August 2012 and end on 31 October 2012.

3.0 RELEVANT RISKS

3.1 There are none arising directly from this report.

4.0 OTHER OPTIONS CONSIDERED

4.1 There is no provision for other options to be considered.

5.0 CONSULTATION

5.1 Should Members approve the draft Policy it will be circulated for consultation.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 There are no specific implications arising from this report.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 The costs incurred in undertaking this consultation will be recovered from Licence fees.

8.0 LEGAL IMPLICATIONS

8.1 The Council is required to undertake a review of its Statement of Principles every three years. A reviewed Policy must be published no later than 3 January 2013.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

Yes and impact review is attached.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no specific implications arising from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are no Planning implications arising from this report.

12.0 RECOMMENDATION

12.1 That the Draft Statement of Licensing Principles be approved as a document to be consulted upon so that a final statement can be considered by Council on 17 December 2012 for approval as the Statement of Principles to be applied under The Gambling Act 2005.

13.0 REASONS FOR RECOMMENDATION

13.1 It is a statutory requirement for the Council to review and consult upon a revised Statement of Principles every three years.

REPORT AUTHOR:

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APPENDICES

- Appendix 1 – Draft Statement of Principles
- Appendix 2 – List of Consultees

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Equality Impact Assessment Toolkit (from May 2012)

Section 1: Your details

EIA lead Officer: Margaret O'Donnell

Email address: margaretodonnell@wirral.gov.uk

Head of Section: Robert Beresford

Chief Officer: Surjit Tour

Department: Law HR and Asset Management

Date: 12 July 2012

Section 2: What Council proposal is being assessed?

Review of Statement of Principles in respect of Gambling

Section 2b: Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

Yes If 'yes' please state which meeting and what date

...Licensing Act 2003 Committee 25 July
2012.....

Please add hyperlink to where your EIA is/will be published on the Council's website (see your Departmental Equality Group Chair for appropriate hyperlink)

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- Services**
- The workforce**
- Communities**
- Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

✓ **None** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Does the proposal have the potential to maintain or enhance the way the Council (please tick relevant boxes)

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity
- Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

No (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 5:

Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications

Section 5a: Where and how will the above actions be monitored?

Section 5b: If you think there is no negative impact, what is your reasoning behind this?

Section 6: What research / data / information have you used in support of this process?

Section 7: Are you intending to carry out any consultation with regard to this Council proposal?

Yes / No – (please delete as appropriate)

If 'yes' please continue to section 8.

If 'no' please state your reason(s) why:

(please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 8: How will consultation take place and by when?

Before you complete your consultation, please email your preliminary EIA to equalitywatch@wirral.gov.uk via your Chief Officer in order for the Council to ensure it is meeting it's legal requirements. The EIA will be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for re-publishing.

Section 9: Have you remembered to:

- a) **Add appropriate departmental hyperlink to where your EIA is/will be published (section 2b)**
- b) **Include any potential positive impacts as well as negative impacts? (section 5)**
- c) **Send this EIA to equalitywatch@wirral.gov.uk via your Chief Officer?**
- d) **Review section 5 once consultation has taken place and sent your completed EIA to equalitywatch@wirral.gov.uk via your Chief Officer for re-publishing?**