

## Statement of Principles under the Gambling Act 2005

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### 1. Purpose of the Report

1.1 To advise the Licensing Committee that following the consultation process for the unamended Statement of Principles (Gambling Policy) no responses were received. It is therefore requested that Committee approve the unchanged Policy and agree to its referral for consideration and determination at Full Council at its meeting of 15 September 2022.

### 2. Public Interest

2.1 Section 349 of the Gambling Act 2005 requires that all licensing authorities prepare and publish a Statement of Principles that they propose to apply in exercising their functions under the Act. The policy must be revised every three years or sooner if revisions are considered appropriate.

2.2. It was determined to consult on the unamended policy, which was conducted between 29 June 2022 and 31 July 2022. The Gambling Act 2005 only requires consultation on any amendments that have been made. As the policy is unamended, the Authority determined to consult for a one-month period. No responses were forthcoming.

2.4 The Licensing Committee is asked to make a recommendation to Full Council for publishing prior to adoption.

### 3. Recommendations

3.1 The Licensing Committee is recommended to:

1. Consider and agree to the Gambling Act, Statement of Principles
2. Refer the Statement to Full Council for final approval and implementation

### 4. Background

4.1 This is the seventh Statement of Principles for South Somerset District Council. The unamended Policy, is attached at **Appendix A**.

## **5. Financial Implications**

5.1 The government indicates that they expect the centrally set fees of the Gambling Act 2005 to cover the cost to the council of administering the gambling regime, which would include the preparation of the revised policy, policy, consultation etc.

## **6. Legal implications (if any) and details of Statutory Powers**

6.1 The Licensing Authority is required to act in accordance with the:

- provisions of the Gambling Act 2005; and have regard to and
- Guidance issued by the Gambling Commission

In writing its own Statement of Principles (Gambling Policy) to consider and determine applications

6.2 The integrity of the Statement of Principles has the potential to directly impact upon the Council's determination of applications under the Act and as such decisions made could be the subject of judicial review or appeal.

6.3 The Licensing Authority in determining applications and taking enforcement action pursuant to the Gambling Act 2005 will also have regard to the provisions of the Human Rights Act 2010.

## **7. Council Plan Implications**

7.1 This revised policy supports the Council Plan themes, The Protecting Core Services and Environment Areas of focus

- Deliver a high quality, effective and timely service to our customers

## **8. Carbon Emissions and Climate Change Implications**

8.1 This policy is primarily focused on setting out how the Council will deliver its statutory function under the Gambling Act 2005 and does not have any implications for Carbon Emissions and Climate Change.

## **9. Equality and Diversity Implications**

9.1 A stage 1 Equality Analysis (EqA) has been carried out which does not identify any impacts on any persons with protected characteristics.

## **10. Privacy Impact Assessment**

10.1 The policy which is the subject of this report does not in itself involve the processing or handing of personal data. The processing of application forms in accordance with this policy currently involves the handling of personal data and no changes are being made to how that data is processed. The consultation process is likely to result in personal data being processed. The responses would be handled by SSDC and any responses would have any personal details removed before being published.



**South Somerset**  
District Council

## **Background Papers**

Gambling Act 2005  
Current Statement of Principles  
Gambling Commission Statutory Guidance