

CYNGOR SIR POWYS COUNTY COUNCIL

LICENSING COMMITTEE

REPORT AUTHOR: Sue Jones, Senior Licensing Officer

**SUBJECT: Consultation on Draft Statement of Principles,
Gambling Act 2005**

5th September 2018

UPDATE REPORT

1. SUMMARY

- 1.1 The reason for the update is that consultation on a Draft Statement of Principles under the Gambling Act 2005 presented to this committee on 16th July 2018 was completed on 24th August 2018. A copy of the original report is attached at Annex A
- 1.2 Following July's meeting a copy of the draft statement was shared with stakeholders including representatives from the Gambling industry, licence holders, the responsible authorities, and to the public via Community Councils. Notification of the consultation also appeared on the Council's website
- 1.3 Only one response was received making comment and that was from the local Gambling Commission compliance officer , Andrew Wright who made the following comments in respect of the policy content:

Just as a follow up to our conversation today based on my opinion and by way of an informal basis you may want to consider the following :

- 1. Local Risk Assessment stuff at section 19 you may want to consider including something on them keeping it on the premises*
- 2. Also in part 21 about machines in pubs the inference at para 21.6 is that only those with an alcohol licensed machine permit must comply with the [COP for machines in pubs](#), where as its actually also applicable to those with the automatic entitlement to 2 machines. So, you may want to consider the wording.*

Point 1 above is addressed by amending the wording from 'strongly advised' to 'must' at section 19

Operators **must** ensure that a copy of the current premises risk assessment is kept at the premises alongside the premises licence document and made available to staff

and the 2nd point has been addressed by including the wording ‘automatic entitlement notification’ so that para 21.6 reads:

It should also be noted that the holder of a permit **or automatic entitlement notification** must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine

A copy of the draft policy statement including these amends is attached at Annex B

- 1.4 As recommended in July’s report the revised draft policy will need to be referred to the full council meeting on 18th October with a recommendation that it be adopted in time for January 2019.

Recommendation:		Reason for Recommendation:	
To agree the amends to the policy as set out in the report following the consultation period and that the Statement of Principles made in accordance with The Gambling Act be recommended for approval by the Council at its meeting on 18th October for implementation on 1st January 2019		In accordance with the Gambling Act 2005 to prepare and publish a Licensing Policy to come into effect January 2019	
Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y
Relevant Local Member(s):	N/A		
Relevant Portfolio Holder	Cllr James Evans		
Person(s) To Implement Decision:	Sue Jones		
Date By When Decision To Be Implemented:	With immediate effect		
Contact Officer Name:	Tel:	Fax:	Email:
Sue Jones	01597 827389		Susan.jones@powys.gov.uk

Background Papers used to prepare Report: