



**EAST DUNBARTONSHIRE
LICENSING BOARD**

14 MARCH 2019

CLB 19/03

CLERK TO THE LICENSING BOARD

CONTACT OFFICER:

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SUBJECT TITLE:

**GAMBLING ACT 2005: STATEMENT OF
PRINCIPLES 2019 – 2022**

1.0 PURPOSE

- 1.1** The purpose of this Report is for the East Dunbartonshire Licensing Board (the “Board”) to consider the consultation responses received on the draft Statement of Principles 2019-2022 (the “Statement of Principles”) and to ask the Board to approve the final Statement of Principles in furtherance of its statutory obligation in terms of section 349 of the Gambling Act 2005 (the “Act”).

2.0 RECOMMENDATIONS

It is recommended that the Board:

- (a) approves the final Statement of Principles 2019-2022; and
- (b) otherwise notes the contents of the Report.

3.0 BACKGROUND/MAIN ISSUES

- 3.1** Section 349 of the Act requires the Board to prepare and publish a statement of the principles it proposes to apply in carrying out its gambling licensing functions under the Act. This must be done every three years.
- 3.2** On 20 December 2018, the Board approved a draft Gambling Act 2005 Statement of Principles and agreed to consult various parties on the draft Statement (**Appendix 1**). The consultee list was expanded to include other faith groups which it was felt may wish to respond to the consultation. In addition, the consultation was published on the Council’s consultation webpage and publicised through the Council’s social media accounts to allow for any other interested party to respond to the consultation.
- 3.3** Responses to the consultation were received from Police Scotland and the Council’s Community Protection Team (**Appendices 2 and 3**). The Board is asked to note that the consultees who responded are supportive of the draft Statement of Principles.
- 3.4** A request was also received from East Dunbartonshire Council Building Standards asking that they be included in the list of responsible authorities under the Act (**Appendix 4**). East

Dunbartonshire Building Standards was then included as a consultee but did not provide a response.

- 3.5** The Board is now required to decide in light of the consultation responses whether to approve the final Gambling Act 2005 Statement of Principles for the period 2019- 2022. Following approval, the final Gambling Act 2005 Statement of Principles 2019-2022 will be published on the Council's webpage.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

- 4.1** Frontline Service to Customers – The revised Gambling Act 2005 Statement of Principles will inform the Board when it exercises its licensing function under the Act.
- 4.2** Workforce (including any significant resource implications) – None.
- 4.3** Legal Implications – It is a requirement under the Act that the Board prepare and publish a Statement of Principles.
- 4.4** Financial Implications – None.
- 4.5** Procurement – None.
- 4.6** ICT – The finalised Gambling Act 2005 Statement of Principles 2019-2022 will be published on the Council's website.
- 4.7** Corporate Assets – None.
- 4.8** Equalities Implications – None.
- 4.9** Other – None.

5 MANAGEMENT OF RISK

The risks and control measures relating to this Report are as follows.

- 5.1** Publication of the Statement of Principles will fulfil the Board's statutory duties under the Act. The adoption of a revised Gambling Act 2005 Statement of Principles will allow the Board to undertake its regulatory function. Legal advice will be provided to the Board as required, to ensure that the statutory requirements are met at all times.

6 IMPACT

- 6.1 ECONOMIC DEVELOPMENT** – None.
- 6.2 EMPLOYABILITY** – None.
- 6.3 DELIVERING FOR CHILDREN & YOUNG PEOPLE** – None
- 6.4 COMMUNITY SAFETY** – None.

6.5 ADULT HEALTH & WELLBEING – None.

6.6 OLDER ADULTS & VULNERABLE PEOPLE HEALTH & SOCIAL CARE – None.

6.7 STATUTORY DUTY – In publishing the Statement of Principles 2019-2022, the Board will be complying with its statutory obligations under the Act.

7 POLICY CHECKLIST

7.1 This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8 APPENDICES

8.1 APPENDIX 1 – Draft East Dunbartonshire Licencing Board Statement of Principles 2019 – 2022.

8.2 APPENDIX 2 – Consultation Response East Dunbartonshire Community Protection.

8.3 APPENDIX 3 – Consultation Response Police Scotland.

8.4 APPENDIX 4 – Consultation Response East Dunbartonshire Council Building Standards.