



Report to: Full Council - 17 December 2024  
Relevant Committee Chair: Councillor Jean Hall, Licensing Committee  
Director Lead: Matthew Finch, Communities & Environment  
Lead Officer: Narelle Plowright, Senior Licensing Officer Ext. 5894

<b>Report Summary</b>	
<b>Report Title</b>	Review of Statement of Gambling Policy 2025-2027
<b>Purpose of Report</b>	To seek adoption by Full Council of the amended Statement of Gambling Policy.
<b>Recommendation</b>	That Full Council adopt the revised Statement of Gambling Policy 2025-2027 in order to allow licensing decisions to be made.
<b>Reason for Recommendation</b>	Section 349 of the Gambling Act 2005 requires that the Licensing Authority must in respect of each three-year period, determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy. The Statement of Gambling Policy 2025-2027 has been consulted upon and is to be considered at the meeting of the Licensing Committee to be held on 12 December 2024.

## **1.0 Background**

- 1.1 The Gambling Act 2005 requires the Council to have in place a Policy relating to the carrying out of its functions under that Act. In respect of carrying out its duties the Council is required to adopt and have in place a Statement of Gambling Policy relating to those duties. The Policy sets out the principles which the Council will apply in considering and granting licences under the Act.
- 1.2 The Gambling Act requires the Policy to be reviewed every three years. The current Policy was adopted in January 2022 and therefore needs to be reviewed and adopted before January 2025.
- 1.3 The purpose of the Statement of Gambling Policy is to assist the Licensing Authority in determining applications and to provide clarity for applicants, residents and members of the business community. This also provides information and guidance on the general approach that the Licensing Authority will take when assessing applications and sets out expected operating standards.

- 1.4 This Licensing Authority covers a variety of licensed premises undertaking a range of activities, including small society lotteries, family entertainment centres, bingo halls, betting shops, track betting and gaming machines in pubs and clubs. It is therefore important that the Gambling Policy is sufficiently flexible to reflect their differing needs and characteristics.
- 1.5 In September 2024 a draft copy of a revised Policy was presented to the General Purposes Committee and it was agreed that the draft should be released for consultation. Following a six-week consultation, we have received two consultation responses from the Fire Service and Councillor Roberts regarding the wording of parts of the Policy.
- 1.6 On 12 December Officers will submit, for consideration, an update report to the Licensing Committee detailing the results of the consultation. Subject to their approval, the proposed minor amendments will be recommended to full Council for adoption. The Policy is attached as an Appendix to the report.

## **2.0 Proposal/Options Considered**

- 2.1 Members should be aware that if we are unable produce a gambling policy statement in accordance with the Act and accompanying Regulations this will render the Authority susceptible to criticism and legal challenge. Without adoption of the Statement of Gambling Policy, the Licensing Authority is powerless to make decisions or exercise the licensing objectives in its locality.
- 2.2 Subject to the Licensing Committee's approval, Full Council are recommended to adopt the draft Statement of Gambling Policy as amended, for the period 2025 until 2027.

## **3.0 Implications**

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### **3.1 Legal**

Section 349 of the Gambling Act 2005 requires that Licensing Authorities have in place a Statement of Gambling Policy with respect to the exercise of its licensing functions and that this policy is reviewed at least every three years.

In preparing a statement or revision under section 349 of the Act a licensing authority is required to consult:

- a) the chief officer of police for the authority's 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 exercise of the authority's functions under this Act.

The Gambling Statement of Policy is part of the Council's Policy Framework and therefore final approval is a matter reserved for Full Council.

### **3.2 Financial**

The associated preparation and publication costs will be met in full from Gambling Act 2005 applications and annual fees income.

### **3.3 Safeguarding**

Protecting children and other vulnerable persons from being harmed or exploited by gambling is one of the licensing objectives underpinning the Gambling Act 2005.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Gambling Act 2005