

Committee Name and Date of Committee Meeting

Council – 29 November 2023

Report Title

Recommendation from Cabinet - Gambling Act 2005 Statement of Licensing Policy

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

Section 349 of the Gambling Act 2005 requires a licensing authority to prepare and publish a statement of its licensing policy at least every three years.

The Council's current Gambling Act Statement of Licensing Policy was adopted in 2020 and requires a review after three years.

The review process, which included a period of public consultation that commenced in July 2023, has now concluded and the outcome of the review consultation has informed a finalised Statement of Licensing Policy. The reviewed Policy was considered by Cabinet on 20th November 2023, and it was recommended that the policy be approved by Full Council at the meeting in November. This report outlines the review process and presents an unamended but reviewed policy to Council for approval.

Recommendations

1. That Council formally adopt the proposed Gambling Act 2005 Statement of Licensing Policy 2023 (attached as Appendix 1).

List of Appendices Included

- Appendix 1 November Cabinet Report - Gambling Act 2005 Statement of Licensing Policy
- Appendix 2 Gambling Act Statement of Licensing Policy 2023
- Appendix 3 Summary of Consultation Responses
- Appendix 4 Equalities Screening Assessment
- Appendix 5 Equalities Analysis
- Appendix 6 Carbon Impact Assessment

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Cabinet – 20 November 2023

Council Approval Required

Yes

Exempt from the Press and Public

No

Gambling Act Statement of Licensing Policy

1. Background

1.1 The Gambling Act 2005 introduced a new licensing regime for gaming and betting administered through a combination of the Gambling Commission and local Licensing Authorities.

1.2 The Act regulates the following sectors:

- Arcades
- Betting
- Bingo
- Casinos
- Gambling software
- Gaming machines
- Lotteries
- Remote gambling

1.3 Within the legislation, Licensing authorities are responsible for:

- Issuing gambling operators with premises licenses
- Issuing gambling operators with permits (which allow low stakes gambling in venues which are not primarily for gambling)
- Registering societies – allowing them to hold small lotteries
- Compliance and enforcement of the Gambling Act 2005 locally

1.4 Licensing authorities are required to review and publish a statement of the principles which they propose to apply when exercising their licensing functions, every three years.

1.5 The Gambling Act 2005 Statement of Licensing Policy (the Statement of Licensing Policy) was last published in 2020 and is therefore due for review and republication.

1.6 The current policy has been reviewed by licensing officers and it has been determined that it complies with all relevant requirements and therefore requires no amendment.

1.7 The Council has undertaken a consultation process outlined in Section 4 of the report to Cabinet in Appendix 1, with a particular focus on the appropriateness of the current requirements. The final unamended version of the policy was considered by Cabinet on 20th November 2023 and a recommendation made that it be brought before Council for adoption.

1.8 The proposed policy is attached to this report as Appendix 2.

2. Key Issues

2.1 The key issues are set out in Appendix 1.

3. Options considered and recommended proposal

3.1 The options are set out in Appendix 1.

3.2 The preferred option is Option 2, and the proposed Gambling Act Statement of Licensing Policy is attached at Appendix 2.

4. Consultation on proposal

4.1 Details of consultation have been set out in the relevant sections (section 4 of the Cabinet report in Appendix 1 and the Summary of Consultation Responses are in Appendix 3.

5. Timetable and Accountability for Implementing this Decision

5.1 If full Council adopt the policy, this would be implemented following the standard call-in period. It is proposed to implement the policy would come into effect at the earliest date allowed by legislation.

6. Financial and Procurement Advice and Implications

6.1 Financial implications are outlined within the Cabinet report listed in Appendix 1.

7. Legal Advice and Implications

7.1 Legal Advice and Implications are outlined within the Cabinet report listed in Appendix 1.

8. Human Resources Advice and Implications

8.1 Human Resources Advice and Implications are outlined within the Cabinet report listed in Appendix 1.

9. Implications for Children and Young People and Vulnerable Adults

9.1 Implications for Children and Young People and Vulnerable Adults are outlined within the Cabinet report listed in Appendix 1.

10. Equalities and Human Rights Advice and Implications

10.1 Details of any implications are listed within the Initial Equalities Screening Form (Part A) and Analysis (Part B) completed and included in Appendix 4 and Appendix 5.

11. Implications for CO2 Emissions and Climate Change

11.1 This report does not introduce any implications for CO2 emissions or climate change. A Climate Impact Analysis is attached as Appendix 6.

12. Implications for Partners

12.1 Implications for partners are set out in the main sections of the Cabinet report listed in Appendix 1.

13. Risks and Mitigation

13.1 Risks and mitigations are set out in the main sections of the Cabinet report listed in Appendix 1.

14. Accountable Officers

Alan Pogorzelec, Licensing Manager

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	20/11/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	17/11/23
Head of Legal Services (Monitoring Officer)	Bal Nahal	17/11/23

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