

**CABINET – 16 NOVEMBER 2021**

**GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES**

**REPORT OF THE EXECUTIVE DIRECTOR NEIGHBOURHOODS**

**1.0 PURPOSE OF THE REPORT**

- 1.1 To agree revision to appendix three under the Statement of Principles under the Gambling Act 2005, ("the Act").

**2.0 DESCRIPTION OF RECOMMENDATION**

- 2.1 To recommend to Council to approve the Statement of Principles in accordance with the Act which is set out at Appendix 3.

**3.0 BACKGROUND**

- 3.1 The Act requires all Gambling Act Licensing Authorities to prepare and publish a Statement of Principles that they propose to apply in exercising their functions with regard to gambling. The Council is a Gambling Act Licensing Authority.
- 3.2 The Council's current Statement of Principles was agreed at a Meeting of Council on the 21<sup>st</sup> November, 2018. It was published on the 31<sup>st</sup> December, 2018 and came into force on the 31<sup>st</sup> January, 2019. The Act requires this Statement to be reviewed by the Council every three years. Any revision of the Statement is subject to a consultation exercise. The parties who must be consulted are:
- The Chief Officer of Police;
  - One, or more persons who appear to the Council to represent the interests of persons carrying on gambling businesses in the Council's area; and
  - One or more persons who appear to the Council to represent the interests of persons who are likely to be affected by the exercise of the Council's functions under the Act.
- 3.3 On 26<sup>th</sup> April, 2021 the Licensing and Regulatory Committee authorised Officers to undertake the required consultation exercise. That consultation exercise was duly undertaken and was successfully completed.

## **4.0 CURRENT POSITION**

- 4.1 Following the consultation exercise one response was received from Gosschalks, Solicitors, on behalf of the Betting and Gaming Council, (“the BGC”). As Members will be aware, the BGC is the single industry body for UK betting and gaming. Their response is attached at Appendix 1 and contains suggested amendments to the Draft Statement.
- 4.2 Consideration has been given to the points raised by the BGC. Reference is made to the document shown in Appendix 2. The BGC’s comments are shown in the left hand column, while Officer responses to their comments are set out in the right hand column. Some of the points made by the BGC have been accepted, with commensurate amendments being made to the Draft Statement.
- 4.3 A revised Draft Statement, amended in line with the comments contained at Appendix 2, is attached at Appendix 3.
- 4.4 At its Meeting held on 6<sup>th</sup> September, 2021 the Licensing and Regulatory Committee, having considered a report concerning the outcome of the consultation exercise on the Council’s draft Statement of Principles under the Act, resolved as follows:

That the contents of the report be noted and approval be given to the submission of the draft Statement of Principles to Council for approval under the relevant provisions of the Gambling Act 2005 at its Meeting on 17<sup>th</sup> November, 2021.

- 4.5 On 12<sup>th</sup> October 2021, the Economic Prosperity Scrutiny Committee considered a Report concerning the outcome of the consultation exercise on the Council’s draft Statement of Principles and resolved that the outcome be noted and agreed.

## **5.0 REASONS FOR DECISION**

- 5.1 To enable the Council to comply with its statutory obligations under the Gambling Act 2005 to publish a revised Statement of Principles by the 31<sup>st</sup> December, 2021 and for it to be in force from the 31<sup>st</sup> January, 2022.

## **6.0 ALTERNATIVE OPTIONS**

- 6.1 There are no alternative options. The Council is under a statutory duty to publish a Statement of Principles under the Act.

## **7.0 IMPACT ANALYSIS**

- 7.1 **Equalities** – No impact
- 7.2 **Privacy Impact Assessment** - No impact
- 7.3 **Sustainability** – No impact

- 7.4 **Reduction of Crime and Disorder** – No impact. One of the objectives of the Act is “*preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime*”. The Statement of Principles takes this objective into account.

## 8.0 OTHER RELEVANT CONSIDERATIONS/CONSULTATIONS

- 8.1 **Financial Implications** – There are no additional financial implications arising as a result of this report.
- 8.2 **Legal implications** - The Assistant Director of Law and Governance advises that the Council is under a legal duty to publish a Statement of Principles under the Act.
- 8.3 **The Public / External Bodies** - Statutory consultees have been consulted.

## 9.0 LIST OF APPENDICES

- 9.1 Appendix 1 – Consultation Response – Betting and Gaming Council;  
Appendix 2 – Responses to Consultation on Revised Draft Statement of Principles 2021; and  
Appendix 3 – Gambling Act 2005 Revised Draft Statement of Principles.

## 10.0 BACKGROUND PAPERS

- 10.1 [Gambling Act 2005](#);  
10.2 [Gambling Commission's Guidance to Licensing Authorities \(5<sup>th</sup> Edition\)](#);  
10.3 [Report to Licensing and Regulatory Committee – 6<sup>th</sup> September, 2021 : Gambling Act 2005 – Statement of Principles](#); and  
10.4 [Report to Economic Prosperity Scrutiny Committee – 12<sup>th</sup> October, 2021: Gambling Act 2005 – Statement of Principles](#)

