

COUNCIL – 8TH NOVEMBER 2021

Report of the Licensing Committee

Part A

ITEM 6.1 GAMBLING STATEMENT OF PRINCIPLES 2019-2022

Purpose of Report

To consider a revised Statement of Principles made under the Gambling Act 2005 following consideration by the Licensing Committee and public consultation.

Recommendation

1. That the Statement of Principles made under the Gambling Act 2005, set out in Annex A to this report, be approved and adopted with effect from 31st January 2022.
2. Subject to Recommendation 1, that the Head of Regulatory Services be given delegated authority to make minor amendments and alterations to the Statement of Principles in consultation with the Chair of the Licensing Committee.

Reason

1. To ensure that, under Section 349 of the Gambling Act 2005, the Council has an up to date Statement of Principles to adhere to which sets the Council's policy in respect of meeting the licensing objectives and responsibilities under the Gambling Act 2005.
2. To ensure the relevant minor changes can be made to the Statement of Principles without the requirement for submission to Full Council.

Policy Justification and Previous Decisions

A role of the Licensing Committee is to make recommendations in respect of the Council's Statement of Principles made under the Gambling Act 2005 prior to submission to Full Council for approval.

At its meeting on 15th September 2021, the Licensing Committee considered a report of the Head of Regulatory Services seeking approval for a draft Statement of Principles that would be the subject of consultation prior to submission to Full Council.

The following extract from the minutes of that meeting details the consideration and decisions of the Committee:

REVIEW OF THE GAMBLING STATEMENT OF PRINCIPLES 2022 - 2025

Considered a report of the Head of Regulatory Services seeking the Committee's approval of the draft Council's Statement of Principles made under the Gambling Act 2005 for consultation prior to submission to Full Council for approval (item 5 on the agenda filed with these minutes).

The Head of Regulatory Services introduced the report and stated that no significant changes had been made since the previous Statement of Principles had been approved. A full list of consultees was attached at Appendix A. It was important to note that the Council was responsible for certain aspects of the licensing provision for gambling. It does not include licensing operators for betting premises and in relation to online gambling.

In response to questions, it was noted that once approved at this meeting the Statement would be circulated for consultation for 4 weeks. Unless significant changes were recommended during the consultation, the Statement of Principles would proceed to full Council without being re-considered by this Committee.

Reference was made to Section 3.7.1 of the Statement, and that the Planning and Licensing Services of the Council liaised closely with regard to betting offices' obtaining planning permission. Betting office operators were still required to apply for a Premise License, and this would proceed through the usual processes by a Licensing Sub-committee.

RESOLVED

- 1. That the draft Statement of Principles made under the Gambling Act 2005, is approved for consultation and then submission to Full Council for final approval;*
- 2. Subject to Recommendation 1, that, following the consultation, the Head of Regulatory Services be given delegated authority to make minor amendments and alterations to the Statement of Principles in consultation with the Chair of the Licensing Committee, prior to submission to Full Council.*

Reasons

- 1. To ensure that, under Section 349 of the Gambling Act 2005, the Council has an up to date Statement of Principles to adhere to which sets the Council's policy in respect of meeting the licensing objectives and responsibilities under the Gambling Act 2005.*
- 2. To ensure the relevant minor changes can be made to the Statement of Principles, prior to submission to Full Council for implementation in January 2022.*

The Statement of Principles submitted to the Council for approval is attached at Annex A. This version of the Statement of Licensing Policy incorporates the changes that have been made to the draft Statement following consultation under

the delegation granted to the Head of Regulatory Services by the Committee. These changes are described in Part B of this report.

Implementation Timetable including Future Decisions

Once agreed by Council, the licensing authority is required to publish a notice of their intention to publish a revised Statement of Principles. The notice must be published for at least four weeks before it comes into effect:

- in a local newspaper circulating in the area covered by the statement;
- a local notice board in or near the principle office of the Local authority;
- a public notice board on the premises of public libraries in the area covered by the statement.

Once it is in effect, the Statement of Principles must be published on the Council's website and be made available at reasonable times to members of the public at the Council's offices and local libraries within the area covered by the statement.

It is intended that the revised Statement of Principles would come into effect on 31st January 2022.

Report Implications

The following implications have been identified for this report.

Financial Implications

None.

Risk Management

No specific risks have been identified in relation to this decision.

Equality and Diversity

A review of the existing Equality Impact Assessment (attached) has been undertaken and no significant issues have been found that need incorporating into the existing assessment.

Background Papers: [Licensing Committee 15 September 2021](#)

Gambling Commission Guidance to licensing authorities, Published 1st April 2021:
<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

Officers to Contact: Alan Twells
Head of Regulatory Services
01509 634650
alan.twells@charnwood.gov.uk

Grace Dowson
Licensing Manager
(01509) 632597
grace.dowson@charnwood.gov.uk

Background

1. Under the terms of the Gambling Act 2005 the Council is required to carry out a review of its Statement of Principles, which is used to determine all applications made under the terms of the Act, every three years.
2. The existing Statement of Principles was adopted by the Council in 2019 and will expire on 31 January 2022. A new statement must be consulted on and approved by full Council.
3. A copy of the proposed 2019–2022 Statement of Principles is attached as Annex 1. The Gambling Commission has suggested that the published consultation copy of the Statement of Principles has ‘tracked changes’. This style has been retained for the final version submitted with this report for approval. The Gambling Commission Guidance to licensing authorities, Published 1st April 2021 has been considered as part of the development of the new Statement of Principles.

Changes to the Draft Revised Statement of Principles Following Consideration by the Licensing Committee and Public Consultation

A report was submitted to the Licensing Committee on 15th September 2019 setting out a draft revised Statement of Principles. At its meeting the Licensing Committee approved the draft revised Statement of Licensing Policy for consultation in Part A above.

1. The consultation period for the draft revised Statement of Principles commenced on Friday September 24th 2021 and closed on Friday 22nd October 2021.
2. During the consultation process, the consultees listed below were consulted;
 - Association of British Bookmakers
 - British Amusement Catering Association
 - British Casino Association
 - Bingo Association
 - British Greyhound Racing Board
 - Chief Officer of Police
 - Club & Institute Union
 - Gamcare
 - Gamblers Anonymous
 - Help The Aged

- Existing Holders of, permits and registrations who will be affected by the provisions of the Act.
- Lotteries Council
- Responsible Authorities - HM Revenue and Customs, Gambling Commission, Police, The Fire Authority, Planning Department, Environment Health Department (Environmental protection), Occupational Health and Welfare Department.
- Responsibility in Gambling Trust
- Leicestershire County Council – Trading Standards, Education and Public Health
- East Midlands Chamber (Leicestershire Office)
- Federation of Small Business
- Loughborough Chamber of Trade and Commerce

The consultation was also featured on the Council's website.

3. One response was received within the consultation period, from HMRC.

HMRC acts as a Responsible Authority in respect of the Gambling Act and are consulted upon by the applicants for new applications. HMRC have advised of a change of address, telephone number and email address. The Responsible Authority List on the Councils website has been updated to show this change.

Annexes

Annex A – Revised Statement of Licensing Principles

Annex B – Equality Impact Assessment