

<b>Title of Report</b>	Draft Statement of Principles for Gambling
<b>For Consideration By</b>	Licensing Committee
<b>Meeting Date</b>	25 March 2024
<b>Classification</b>	Open
<b>Ward(s) Affected</b>	All wards
<b>Group Director</b>	Rickardo Hyatt, Group Director Climate Homes and Economy

## 1. Summary

- 1.1 This report provides the Licensing Committee with relevant information on the Gambling Act 2005 (“the Act”) and the proposed review of the Gambling Statement of Principles (“Statement”).

## 2. Recommendation(s)

- 2.1 Note the proposed approach to the review of the Statement.
- 2.2 Provide an opinion on whether to recommend to Council that the ‘no casino’ resolution remain for a further three years given the characteristics of the borough.

## 3. Background

- 3.1 Section 349 of the Act states that each Licensing Authority must prepare and publish a statement of principles that it proposes to apply in exercising its functions under the Act during the three year period to which the statement applies. The statement must be kept under review during the period and be republished where it is revised. The statement must be in place before the authority can determine any application.
- 3.2 The statement sets out the basis of decisions made by the authority regarding gambling premises and in issuing a range of permits to authorise other gambling facilities in the area. For example:
- Adult gaming centre premises licences
  - Betting premises licences
  - Bingo premises licences
  - Family entertainment centre premises licences
  - Gaming Machine Permits
  - Temporary Use Notices

- 3.3 The review of the statement must take account of the Gambling Commission Guidance and be subject to statutory consultation with prescribed stakeholders including the holders of licences and the Police, as well as other stakeholders including representatives of gambling businesses, local residents, social services and child protection.
- 3.4 Under section 166(1) of the Act, a Licensing Authority can make a resolution not to issue casino licences for a period up to 3 years. This Council has previously made such a resolution which was subsequently reaffirmed since the Act commenced in 2007. Therefore, a decision on whether or not to reaffirm this resolution will be required.

#### **4. Proposed Timetable**

- 5.1 Should the Licensing Committee determine that further works is warranted, the following timetable is proposed:
- April - June 2024 - Public consultation
  - July 2024 - Licensing Committee consider consultation report and make recommendations to Cabinet and Full Council
  - September 2024 - Cabinet considers consultation feedback and makes a recommendation to Full Council
  - November 2024 - Full Council consider consultation feedback and approve Statement for publication
  - December 2024 - Statutory notice of intent to publish the Statement appears in local press
  - December/January 2025 - Statement is published
  - 31 January 2025 - Statement effective

#### **5. Comments of the Interim Group Director Finance**

- 5.1 This report requests that the Licensing Committee note the proposed approach to the review of the Gambling Statement of Principles. It also seeks the Committee's view on whether to recommend to Council that the 'no casino' resolution remain for a further three years given the characteristics of the borough.
- 5.2 Costs will be incurred in reviewing the Statement including consultation costs relating to printing, publishing and placing notifications in the press. These costs will be met from within existing service budgets.

#### **6. Comments of the Acting Director of Legal, Democratic and Electoral Services**

- 6.1 The requirement to have a Gambling Statement of Principles is set out in Section 349(1) of the Gambling Act 2005 ('the Act') and lasts for a three year period. The first Statement was approved at Full Council on 29 November

2006. The Licensing Authority is required by the Act to publish a revised Statement at least four weeks before it takes effect.

- 6.2 The Licensing Authority has a duty to consult on the statement with its statutory consultees under section 349(3) of the Act.
- 6.3 Approving the statement is a shared function and as such cannot be the sole responsibility of the Executive. Therefore, both the Executive and Council must decide whether to adopt the proposed statement as set out in The Local Authorities (Functions and Responsibilities) (Amendment (England) Regulations 2006.
- 6.4 After adopting the revised statement the Council will still need to publish a statutory notice of intent in the local press at least four weeks before the statement takes effect.
- 6.5 Section 166 of the Act requires the Council to include in its statement any resolution passed not to issue a casino premises licence. In passing such a resolution the authority may take into account any principle or matter, not just the gambling licensing objectives.
- 6.6 Section 153 of the Act states that any 'no casino' resolution must be approved by Council.

## Appendices

Appendix 1 - Draft Statement of Principles for Gambling

## Exempt

Not applicable.

## Background Papers

None

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