

STATEMENT OF GAMBLING POLICY

REPORT OF: Judy Holmes, Deputy Chief Executive.
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Wards Affected: ALL
Key Decision: No
Report to: Council
7th December 2022

Purpose of Report

1. Following consideration and endorsement by the Scrutiny Committee for Community, Leisure and Parking this report seeks the Council's approval of the Statement of Principles (Gambling Act) Policy 2023 at Appendix 1.

Recommendations

2. The Council is required to review the Statement of Principles (Gambling Act) Policy every three years (or sooner if appropriate). The Policy was last reviewed in 2018 and adopted on 31 January 2019. However, due to pressures caused by the Covid pandemic, review of this policy was delayed to 2022.
3. The reviewed Policy reflects a number of regulatory and legislative changes and statutory guidance. In September a draft of the policy was approved for public consultation by the Scrutiny Committee for Community, Leisure and Parking. This report includes the outcome of that consultation.

Recommendations

4. The Council approves the Statement of Principles (Gambling Act) Policy at Appendix 1 for implementation on 1st January 2023.
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Background

5. This Council currently licences:
 - 2 Adult Gaming Centres (Pease Pottage Services)
 - 7 Betting Shops
 - 69 premises with Gaming Machines that are licensed to sell alcohol and that have an automatic entitlement to have 2 gaming machines provided they have notified us
 - 9 premises with 3 or more Gaming machines
 - 8 Club Gaming Machine Permits (Registered Clubs) - larger prize money
 - 1 Club Gaming Permits allows certain gaming and larger prize money machines
 - 77 Small Society Lotteries are registered (these register annually to allow raffles, sale of tickets etc.)
6. The Council currently has an adopted Statement of Principles (Gambling Act) Policy. The Policy states that it will be reviewed every three years, which reflects the requirements in section 349 of the Gambling Act 2005. The revised policy reflects both legislative changes and updates. A draft policy was considered and endorsed for consultation by Scrutiny Committee for Community, Leisure and Parking at its meeting on 28th September 2022.

7. The Policy is not intended to be used to limit gambling establishments but to protect the public, using the following three objectives:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way;
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Consultation Responses

8. Following a 6 week consultation the Council received no responses

Policy Context

9. The Statement of Principles (Gambling Act) Policy is produced in accordance with the provisions of The Gambling Act 2005 (Licensing Authority Policy Statement England and Wales) Regulations 2006, which places a duty on the Council to carry out its licensing functions in respect to the licensing, inspection and enforcement of such premises.

Financial Implications

10. None

Risk Management Implications

11. The Council is required to review its Policy every three years or sooner if appropriate. Failure of a Council to review their Policy could be open to a legal challenge. The policy was last reviewed in 2018 and adopted on the 31st January 2019.

Equality and Customer Service Implications

12. An equality impact assessment was carried out in the development of this Statement and did not identify any negative impacts for customers and those protected by equalities legislation. The Statement is intended to protect the public and through our consultation with a range of stakeholders, including the Police, we will ensure that any relevant issues are identified.

Sustainability Implications

13. None for the purposes of this report.

Background Papers

Appendix 1 - Statement of Principles (Gambling Act) Policy 2022