

# GAMBLING ACT 2005 -STATEMENT OF PRINCIPLES

Cabinet member for Regulatory, Housing & Health

Date:	14 December 2021
Agenda Item:	12
Contact Officer:	Susan Bamford
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Key Decision?	NO
Local Ward Members	If any Wards are particularly affected insert the name of the Ward Members and their Ward. Ensure that the Ward Members have been consulted.



**COUNCIL**

## 1. Executive Summary

- 1.1 The statement sets out the principles the council will apply when exercising its functions under the Gambling Act 2005. The Act requires that the council, as the Licensing Authority prepares this statement every three years.
- 1.2 This report seeks approval of the Statement of Principles 2022-2025.

## 2. Recommendations

- 2.1 That Council approves the Gambling Act 2005 - Statement of Principles 2022-2025.

## 3. Background

- 3.1 Lichfield District Council, as the Licensing Authority is required to discharge its responsibilities in relation to the Gambling Act 2005 with a view to promoting the three licensing 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.
- 3.2 In order for the Licensing Authority to discharge its licensing functions it is required to draw up a Statement of Principles in relation to the Gambling Act 2005. This policy is to be reviewed every three years and be subject to a consultation process.
- 3.3 In formulating the statement, the Authority must have regard to the Gambling Act guidance issued by the Gambling Commission (last updated in May 2021) and the responses from those consulted on the policy.
- 3.4 A six week consultation on the draft statement took place from 22 October 2021 to 3 December 2021. There were no responses to the consultation.
- 3.6 The Council's current Gambling Act policy statement came into effect on the 31 January 2019 and will cease to have effect on the 30 January 2022. The statement has been reviewed and updated to produce a draft revised statement of principles. There have been no major changes in the legislation and no issues in Lichfield District since the last review 3 years ago. Therefore only minor revisions have been made, in line with the current guidance issued by the Gambling Commission.

3.7 Officers have taken the opportunity to improve the layout and style of the statement to improve its accessibility and make easier to understand. References that don't apply within the district- e.g. airports and cruise vessels have been deleted and some duplication has been removed.

Alternative Options	1. There is a legal requirement under the Gambling Act 2005 to prepare a Statement of Principles following consultation, therefore no alternative options were considered.
Consultation	1. The consultation period ran from 22 October until 3 <sup>rd</sup> December 2021 following approval for consultation from Regulatory and Licensing Committee 27 September. 2. When preparing its statement, the Council is required to consult the Police, persons representing Gambling businesses and persons representing the interests of the people likely to be affected by Gambling.
Financial Implications	1. There are no additional financial implications arising from this report.
Approved by Section 151 Officer	Yes
Legal Implications	1. The Council is required under the Gambling Act 2005 to prepare a statement of principles in relation to the exercise of its functions under the Gambling Act 2005. 2. The adoption of a revised statement of principles by 1 <sup>st</sup> January 2022 is a statutory requirement.
Approved by Monitoring Officer	Yes
Contribution to the Delivery of the Strategic Plan	1. This statement makes a contribution to the enabling people priority from the District Council's Strategic Plan 2020 to 2024.
Equality, Diversity and Human Rights Implications	1. The statement of principles recognises the need to protect children and vulnerable people, including people with learning disabilities from the potential harm of gambling.
Crime & Safety Issues	1. The statement impacts positively on our duty to prevent Crime and Disorder within the District (Section 17 of the Crime and Disorder Act, 1988).
Environmental Impact	1. There is no environmental impact from this decision.
GDPR / Privacy Impact Assessment	1. The statement recognises the need to exchange information in accordance with GDPR.

Risk Description & Risk Owner	Original Score	How We Manage It	Current Score
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		(RYG)		(RYG)
A	not having a robust and up to date policy	Yellow	Statement checked against guidance	Green
B	consultation not meeting requirements	Yellow	A wide number of consultees were contacted directly and the consultation was advertised on the Council's website	
C				
D				
E				

	<b>Background documents</b> Any previous reports or decisions linked to this item
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	<b>Relevant web links</b> Gambling Commission – Guidance to Licensing Authorities 5th Edition.  <a href="https://www.gamblingcommission.gov.uk/guidance-to-licensing-authorities">Guidance to licensing authorities (gamblingcommission.gov.uk)</a>
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