

<b>Report to:</b>	<b>COUNCIL</b>
<b>Date:</b>	24 May 2022
<b>Reporting Officer:</b>	Ian Saxon, Director of Place
<b>Subject:</b>	<b>REVISED GAMBLING ACT STATEMENT OF PRINCIPLES 2022 – 2025</b>
<b>Report Summary:</b>	<p>Licensing authorities are required to develop, consult on, and publish a Statement of Principles every three years that sets out the principles they propose to apply in exercising their functions under the Gambling Act 2005.</p> <p>This report presents the Council's proposed statement of principles for 2022-2025.</p>
<b>Recommendations:</b>	That Council adopt the Gambling Statement of Principles set out herein.
<b>Corporate Plan:</b>	<p>The proposals contained in this report will support the delivery of the Corporate Plan;</p> <p>Starting Well – Reduce the impact of adverse childhood experiences.</p> <p>Living Well – Reduce levels of anti-social behaviour, victims of crime/fear of crime.</p>
<b>Policy Implications:</b>	There is a statutory requirement for the Council to review the policy statement every 3 years. This proposal would replace the existing Gambling Statement of Principles.
<b>Financial Implications:</b>	There are no direct financial implications arising from the report.
<b>(Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	<p>However, Members should note that the licence fees that apply to all parties which require a gambling licence to exercise their functions under the Gambling Act 2005, are approved by the Council within the annual Council budget report.</p> <p>The licence fees that apply to the 2022/23 financial year were approved at the 22 February 2022 Council meeting.</p>
<b>Legal Implications:</b>	The Council has reviewed its Statement of Principles in line with legislation. Members will need to consider the consultation process carried out, together with the Equality Impact Assessment before agreeing the revised Statement, in line with its equality duty, to ensure there is no challenge to its lawfulness, and the Council's duty to protect vulnerable persons. This decision is required to be made by Full Council.
<b>(Authorised by the Borough Solicitor)</b>	
<b>Risk Management:</b>	<p>This review of the Statement of Principles is a key document in relation to the Council's position in continuing to implement the Gambling Act's objectives and consideration of subsequent licensing applications.</p> <p>Failure to properly consult on these proposals could result in a legal challenge from the trade or their representatives through a judicial review. This risk has been managed by carrying out an extensive consultation as outlined in the report.</p>

**Background Information:**

The background papers relating to this report can be inspected by contacting Sharon Smith, Head of Regulatory Services and Public Protection.



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## 1. INTRODUCTION

- 1.1 The Council as the Licensing Authority has a statutory duty to review its Statement of Principles under the Gambling Act 2005 (the Act) at least every three years. The current Statement was adopted at Full Council and came into effect on 21 May 2019 and the revised Statement will cover the period of 2022 – 2025.
- 1.2 The Act is based on the promotion of three licensing objectives:
- a) Preventing gambling from being a source of crime and disorder;
  - b) Ensuring that gambling is conducted in a fair and open way; and
  - c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 The Act provides that Authorities should aim to permit gambling in so far as they think it is:
- a) in accordance with issued codes of practice;
  - b) in accordance with guidance issued by the Gambling Commission;
  - c) reasonably consistent with the licensing objectives; and
  - d) in accordance with the Policy Statement.
- 1.4 The Council will refer to its Statement, the Gambling Act 2005, promotion of the licensing objectives, and the Statutory Guidance to Licensing Authorities when considering applications in respect of the following:-
- Premises licences (this includes casinos, bingo halls, adult gaming centres, family entertainment centres, race tracks and betting shops)
  - Permits (licensed premises gaming machine permits, club permits, prize gaming permits, notifications of two or less machines)
  - Lotteries (small society lotteries, incidental non-commercial lotteries, private lotteries and customer lotteries)
  - Temporary use notices and occasional use notices for short-term gambling events).
- 1.5 The Gambling Commission is responsible for granting operating licences and personal licences to commercial gambling operators and people working in the industry. It also regulates certain lottery managers and promoters.
- 1.6 In preparing the Statement the Authority has to have regard to codes of practice and guidance issued by the Gambling Commission.
- 1.7 This Statement reflects collaboration across Greater Manchester with, for the first time, a joint Statement of Gambling Principles approved at local level. The aim of this is to provide a more consistent policy position across Greater Manchester; we have a shared aim to prevent and reduce the negative impacts of gambling on individuals, families and communities.
- 1.8 A copy of the proposed Gambling Statement of Principles is attached at **Appendix 1**.

## 2. CONSULTATION

- 2.1 A consultation exercise was carried out in accordance with the Act and Statutory Guidance. The 8 week consultation period took place between 29 November 2021 and 24 January 2022.
- 2.2 The consultation was circulated widely, national trade bodies, interested parties and all premises licence holders were written to, directing them to a consultation page on the Council's website. In addition, the Council used its social media accounts to publicise the consultation.
- 2.3 Copies of the draft Statement were made available for the public to view electronically online

and a hard copy was kept at the Licensing Office.

- 2.4 A total of three responses were received. A response was received from Greater Manchester Police which was in support of the draft Statement being approved, this is attached at **Appendix 2**.
- 2.5 Trade responses were received from Power Leisure Bookmakers Limited, this is attached at **Appendix 3** and Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited, attached at **Appendix 4**.
- 2.6 A table evaluating the consultation responses and detailing the changes to the draft Statement is attached at **Appendix 5**. An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community. The EIA form is attached at **Appendix 6**.

### **3. RECOMMENDATIONS**

- 3.1 As set out at the front of the report.