

<b>28 September 2021</b>		<b>ITEM: 9</b>
<b>Licensing Committee</b>		
<b>Gambling Act Statement Of Principles</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Paul Adams, Licensing Manager		
<b>Accountable Assistant Director:</b> Leigh Nicholson, Assistant Director Planning, Transport and Public Protection		
<b>Accountable Director:</b> Julie Rogers, Director of Public Realm		
<b>This report is:</b> Public		

## **Executive Summary**

The Gambling Act 2005 (the Act) requires all local authorities to produce a statement of the principles, which they propose to apply when exercising their functions under the Act.

The Act also requires that any statement is kept under review and must be reviewed at least every 3 years. The current Statement of Principles came into effect 6 January 2016. This is now overdue for review and requires publication to come in with effect as soon as possible.

This report considers the response to the consultation.

### **1. Recommendation(s)**

#### **1.1 That the Committee –**

- (a) Agrees the reviewed Gambling Act Statement of Principles as attached at Appendix A, and recommends to Full Council that it be adopted and implemented with immediate effect.**

### **2. Introduction and Background**

2.1 Section 349 of the Gambling Act 2005 (the Act) requires a council, as the licensing authority, to produce, consult upon and publish a statement of the principles it intends to apply when exercising its function under the Act. A licensing authority's function under section 349 may not be delegated by the authority.

2.2 This statement must be kept under review and be re-published at least every three years.

2.3 The current Statement of Principles first came into effect in 6 January 2016. The statement is now overdue for review, and requires publication as soon as possible.

### **3. Issues, Options and Analysis of Options**

3.1 The Council as a Licensing Authority is obliged to have a Statement of Principles in place. The current Policy expired on 6 January 2019. It is therefore imperative that the Council adopts a reviewed Policy as soon as possible.

3.2 A reviewed policy has been prepared, consulted on and is attached as **Appendix A**.

3.3 The reviewed policy has included the legislative changes in the following areas:

- Changes to the incidental non-commercial lottery made by the Legislative Reform (Exempt Lotteries) Order 2016)
- Updates to Travelling fairs, unlicensed (permit) Family entertainment centres
- Changes to the FOBT's in betting shops.
- Inclusion of Area Profile

3.4 The transitional arrangements relating to the conversion licences under the old gaming legislation, to the current regime under the Gambling Act 2005 have been removed where relevant as the time period for conversion of licences has now passed.

3.5 Following Consultation, one response has been received to the revisions, from Gamble Aware, that was not specific to our policy, but provided information on tools that they provide that will be of use to local Authorities, signpost route to their organisations and government guidance. A copy of their response is attached at **Appendix B**.

### **4. Reasons for Recommendation**

4.1 Adoption of the policy is a Full Council function.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 A consultation on the reviewed draft policy has been undertaken. All premises licensed under the Gambling Act 2005 and Licensing Act 2003 licensed by Thurrock Council was written to inviting them to view the draft policy, and to make any comments via Thurrock Council's online consultation portal. Consultation has also been undertaken with Responsible Authorities. The draft policy has also been published on the Council's online portal for public comment.

5.2 The consultation period ran from 6 August 2021 to 12 September 2021.

## **6. Impact on corporate policies, priorities, performance and community impact**

6.1 Thurrock's Statement of Statement of Principals in relation to the Gambling Act 2005 underpins the Authority's administration of the licensing regime. It should accord with the general principles in the Guidance issued by the Gambling Commission and promote the licensing objectives.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Laura Last**  
**Management Accountant**

There are no direct financial implications associated with the report

### **7.2 Legal**

Implications verified by: **Simon Scrowther**  
**Principal Lawyer**

The Review of Statement of Gambling Policy conforms with the relevant legislation and guidance. Under the Local Authorities (Functions and Responsibilities) (England) Regulations the final Policy can only be approved by full Council.

### **7.3 Diversity and Equality**

Implications verified by: **Roxanne Scanlon**  
**Community Engagement and Project Monitoring Officer**

There are no diversity implications arising from this report. The Gambling Act 2005 requires local authorities to review their Statement of Principals.

### **7.4 Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

**8. Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Gambling Act 2005
- Guidance to Licensing Authorities, 3<sup>rd</sup> edition, issued by the Gambling Commission

**9. Appendices to the report**

- **Appendix A** – Consultation draft statement of principles
- **Appendix B** – Response from GambleAware

**Report Author:**

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