

Report to Council

Report Title	Gambling Act 2005 Policy Statement Review
Date of Meeting	Wednesday 29 January 2025
Report Author	Paul Adams, Licensing Manager
Corporate Director	Daniel Fenwick – Executive Director of Corporate Services
Lead Cabinet Member(s)	Cabinet Member for Place & Environment
Wards Affected	None
Identify exempt information and exemption category	Choose an item. N/A
Appendices (if any)	Appendix A - Revised Statement of Gambling Licensing Policy

1. Executive Summary

The Gambling Act 2005 requires local councils to review their Gambling Policy Statement every three years. A reviewed Gambling Policy Statement has been produced consulted upon and considered by both the Licensing Committee and Cabinet and is ready for adoption by full Council.

2. Recommendations

- 2.1 Agree to adopt the Statement of Gambling Policy as attached as Appendix A and for it to take effect from the 31 January 2025.

3. Commissioner's Comments

- 3.1 Commissioners have been consulted on the content of this report and agree with the recommendations made.

4. Proposals – the rationale and evidence for the recommendations

Introduction and Background

- 4.1 The Gambling Act 2005 required the Council as a Licensing Authority to produce a Statement of Principles (its policy statement). The legislation further requires the Council to review, determine and publish its policy statement with respect to the exercise of its licensing functions every three years.

- 4.2 In compliance with the requirement to review the policy, a draft of the reviewed Licensing Policy Statement has been prepared and is attached as **Appendix A**.
- 4.3 The Government introduced a gambling white paper in April 2023 following a call for evidence between December 2020 to March 2021 which generated 16,000 submissions. The white paper set out the Government's plans for modernising the regulation of the gambling sector, particularly in the light of increased online gambling and an identified need for more robust checks on the financial vulnerability of customers. Once this review is concluded it is likely that there will be changes to the Gambling Commission's Guidance issued to Local Authorities which in turn will have an impact on the Council's Gambling Policy.
- 4.4 The Gambling Commission have informed Local Authorities in Essex, through a meeting of the Essex Joint Licensing Officers Forum, and in national communications that the conclusion of the national review is likely to fall during the consultation or determination periods of the Council's policy review which presents an unintended clash. There is however no intention to provide any national dispensation for this consequence.
- 4.5 The Council is unable to extend the existing Gambling Act Policy until the national review has concluded and must review its existing Policy within the statutory period. A light touch review has been undertaken to ensure the Authority meets its legal obligations to publish its revised Policy by 31st January 2025. A more comprehensive review following publication of the Gambling Commission's updated guidance. This review is likely to take place in 2025/26, although it is not possible to predict a formal timetable at this time and will depend upon the level of change required as a result of the national review.
- 4.6 Council as a Licensing Authority is obliged to have a Licensing Policy Statement in place. The current Gambling Licensing Policy Statement was published in July 2022. This policy must be revised by 31 January 2025 to meet the statutory deadline.
- 4.7 As we are awaiting the Gambling Commission's review of the Guidance for Local Authorities, there have been no changes made to the previous policy other than the amending the date of the policy effect. A further review will be undertaken once the guidance has been published.

5. Alternative options considered

- 5.1 There are no other alternatives to be considered.

6. Consultation

- 6.1 The statutory consultation has been undertaken, and the revised policy has been considered by both the Licensing Committee and Cabinet.
- 6.2 The adoption of the final policy is a Council function.
- 6.3 Consultation has been undertaken in accordance with Section 349(3), Gambling Act 2005, that requires licensing authorities to consult with the following on their policy statement or any subsequent revision:

- the chief officer of police for the authority's area
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

6.4 There were no significant responses to the consultation.

7. **Financial Implications**

7.1 There are no direct financial implications associated with the report.

Implications Verified by Rob Chimani, Finance Manager

Date 16 October 2024

8. **Risk Implications**

There are no risk associated with this report.

9. **Legal and Governance Implications**

The Council will not be able to undertake its role as a Licensing Authority after the 31 January 2025 unless it has approved and published its revised Gambling Policy Statement of Principles.

Implications Verified by Godwin Mangse, Interim Principal Lawyer Housing & Litigation – Legal Services

Date 21 October 2024

10. **Equality and Diversity Implications (including the public sector equality duty)**

10.1 All information regarding Community Equality Impact Assessments can be found here: <https://intranet.thurrock.gov.uk/services/diversity-and-equality/ceia/>

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

Implications Verified by Natalie Smith, Head of Community Development

Date 21 October 2024

11. **Other Relevant Implications**

11.1 There are no other implications that are relevant to this report.

12. **Background Documents**

12.1 None

Relevance Check

Budget Reduction/Service Area:

Service Lead

Date:

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service that you provide?

N/A

Is a Customer Impact Assessment needed? No