



AGENDA ITEM: 5

SUMMARY

Report for:	Licensing, Health & Safety and Enforcement Committee
Date of meeting:	29th June 2021
PART:	I
If Part II, reason:	

Title of report:	Review of Gambling Act 2005 Statement of Principles
Contact:	Nathan March – Licensing Team Leader, Corporate and Contracted Services
Purpose of report:	To present draft revisions to the Council’s Statement of Principles under the Gambling Act 2005.
Recommendations	That officers commence consultation with responsible authorities, representatives of licence-holders and other persons on the proposed revisions to the Statement of Principles under the Gambling Act 2005, and report the results to a future meeting of the Committee.
Corporate objectives:	<ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Delivering an efficient and modern council • Building strong and vibrant Communities • Ensuring economic growth and prosperity
Implications:	<p><u>Equalities</u> A Community Impact Assessment will be presented with the consultation results.</p> <p><u>Financial / Value for Money / Risk / Health & Safety</u> None arising.</p>
Consultees:	This is a pre-consultation report. If the recommendation is approved, the results of public consultation will be reported to a future meeting of the Committee.

Background papers:	Draft Statement of Principles 2022-2025 (version showing track changes has been circulated separately to members due to system issues preventing this being possible as part of the published agenda)
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. Non-remote gambling activities such as betting, prize gaming (including bingo and poker), provision of gaming machines and promotion of lotteries under the Gambling Act 2005 (the Act) is one of the major regulatory regimes under which the Council has statutory responsibilities.
- 1.2. The Act requires licensing authorities (district councils or unitary authorities) to publish a written policy, setting out how they intend to exercise the licensing and enforcement powers conveyed to them, the principles that they will follow, and their expectations of licensees. The policy must be periodically reviewed, so as to ensure that they reflect the current legislation, and are relevant to the issues arising in the authority's area.
- 1.3. Dacorum last reviewed its policy in 2018 and it is due for review and replacement by January 2022, in order to satisfy the statutory requirements in the Act, which requires that this is done every 3 years.
- 1.4. A revised policy has been produced to take into account changes to the statutory guidance produced by the Gambling Commission.
- 1.5. The Committee are asked to approve consultation on the revised policy. The Act specifies a number of requirements for consultation on policy change, including lists of the categories of people who should be consulted, and the consultation on the revised policies will be carried out with regard to these requirements, and to the Government's consultation principles.
- 1.6. A short consultation has been advised as suitable by the Gambling Commission, given the nature of the changes to policies being minor. Therefore a four week consultation period is proposed, and the results of this consultation will be brought back to the Committee later in the year.
- 1.7. The final decision to adopt or revise a Gambling Statement of Principles policy under the Act must be made by Full Council. Following consultation, the Committee will be asked to resolve to recommend the adoption of the revised policy (with any additional revisions after considering the consultation responses) by the Council later this year.
- 1.8. The adopted Statement of Principles must be published at least 4 weeks before it comes into effect.

2. CHANGES TO STATEMENT OF PRINCIPLES (GAMBLING ACT 2005)

- 2.1. There have not been any significant changes made as part of the revision of the Statement of Principles. Changes that have been made have reflected changes made to the statutory guidance that is provided by the Gambling Commission which was published 1 April 2021 and updated 13 May 2021. The full guidance is 140 pages, so has not been included with this report, but is available at [Guidance to licensing authorities \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/guidance-to-licensing-authorities), and this includes a list of changes that have been made. To assist the Committee, a list of the revisions has been provided as Appendix 2
- 2.2. The new draft Statement of Principles is attached as Appendix 1. As it is not possible to show track changes within Committee reports, a versions of the draft policy has been circulated to the Committee separately.
- 2.3. All changes to the document can be categorised as clarifications, rather than any changes to the Council's approach to this licensing regime.

3. RECOMMENDATION

- 3.1. That officers commence consultation with responsible authorities, representatives of licence-holders and other persons on the proposed revisions to the Council's Statement of Principles under the Gambling Act 2005, and report the results to a future meeting of the Committee.**