



AGENDA ITEM:

SUMMARY

Report for:	Licensing, Health & Safety and Enforcement Committee
Date of meeting:	21 September 2021
PART:	I
If Part II, reason:	

Title of report:	Review of Gambling Act Statement of Principles
Contact:	Nathan March – Licensing Team Leader, Corporate and Contracted Services
Purpose of report:	To report the results of consultation on draft revisions to the Council's Gambling Act 2005 Statement of Principles
Recommendations	1. That the Committee endorse the revised draft Statement of Principles under the Gambling Act 2005 for the period 2022 – 2025, and refer it to Full Council for approval and adoption.
Corporate objectives:	<ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Building strong and vibrant communities • Ensuring economic growth and prosperity
Implications:	<p><u>Equalities Implications</u> A Community Impact Assessment was produced and agreed for this policy in 2018. This has been reviewed and the review of the policy has not impacted on this.</p> <p><u>Financial / Value for Money / Risk / Health And Safety Implications</u> None identified.</p>
Consultees:	The draft policy was published on the Council's website and comments invited for a four week period in July and August. Notifications were sent directly to responsible authorities, local

	<p>community groups, licensed trade representative bodies, and representatives of licence-holders and parish and town councils. Comments were also invited via messages on the Council's social media accounts.</p> <p>Four responses were received, which are reproduced at Annex A.</p>
Background papers:	Draft Statement of Principles 2022-2025, and Local Area Profile, attached as Appendix 1 and Appendix 2 respectively
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 is one of the major regulatory regimes under which the Council has statutory responsibilities.
- 1.2. The Gambling 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 under the Act, the principles that they will follow, and their expectations of licensees. This 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 Gambling Policy in 2018. The policy is due for review and replacement by January 2022, in order to satisfy the statutory requirements in the Act.

2. CONSULTATION RESULTS

- 2.1. At the Committee's meeting on 29 June 2021, consultation was approved on draft versions of the policy documents. The report considered at that meeting detailed the changes made to the policy.
- 2.2. Consultation took place over a four week period between July and August 2021. Notification was sent by email to: the responsible authorities, town and parish councils, local community groups, licence-holders, representative trade bodies, licensing-focussed legal firms, and voluntary sector organisations that provide gambling support.
- 2.3. The consultation was also publicised via the Council's website.
- 2.4. A total of four written responses were received to the consultation, all of which are reproduced at Annex A. The responses break down as follows:
 - One from the Council's Planning Enforcement team

- One from the Council's Planning team
- One from a gambling trade representative body
- One from a gambling support charity

2.5. A small number of further changes have been made to the draft policy documents after considering the consultation responses, and these are detailed within Annex A, after each response.

2.6. The final decision to adopt or revise a licensing policy under this Act must be made by Full Council. The Committee is now asked to resolve to recommend the adoption of the revised policy, as revised following consultation, by Full Council.

3. Local Area Profile

3.1. The Gambling Commission in their statutory guidance for licensing authorities advise it is useful for councils to have their own local area profile, this assists applicants and other parties to understand the make-up of the council's area.

3.2. Whilst this is not a requirement on local authorities, the Council maintains a local area profile. This has been reviewed and updated with current figures for licensed premises. It is attached to this report as Appendix 2 for information.

4. RECOMMENDATION

4.1. That the Committee endorse the revised draft Statement of Principles under the Gambling Act 2005 for the period 2022 – 2025, and refer it to Full Council for approval and adoption.

Annex A – Consultation responses

Janet Marron

Betting & Gaming, Excise Processing Teams

Good Morning,

Thank you for sending us details of your draft gambling policy.

As one of your named Responsible Authorities , I thought I should let you know our new email address is NRUBettingGaming@hmrc.gov.uk

Kind Regards

Janet (Marron)
Excise Processing Team
HM Revenue & Customs
BX9 1GL
United Kingdom

Officer comments

The suggested change has been incorporated.

Olivia Stapleford
Assistant Team Leader – Planning Enforcement

Thanks for the email regarding your Gambling Act consultation. Find below my comments which relate to grammatical/spelling errors in the updated text:

Para 3.2 ('unless permitted' is written twice):

a card game taking place in premises) or virtual events. Persons providing opportunities for gambling must hold appropriate licences or permissions, authorising them to do so.

~~3.1.3.2. The overall approach of the Act is to state that gambling is unlawful in Great Britain, unless permitted unless permitted by a relevant Act, therefore, the Council strongly recommends advice is sought prior to commencing any activity which may constitute gambling.~~

Para 4.9 (premises spelt wrong):

~~4.8.4.9. In addition to the measures suggested in 4.8, all premises holding licences (except those must offer a self-exclusion scheme to customers requesting these.~~

Para 11.8 ('there' requires a capital T and does 'category' need a capital C or not – conflicting in this sentence):

~~11.6.11.8. Only 20% of machines within Adult Gaming Centres can be Category B. there is the number, or percentage of category C or D machines.~~

Many thanks,

Olivia Stapleford
Assistant Team Leader – Planning Enforcement
Specialist Services
Dacorum Borough Council

Officer comments

The suggested corrections have been incorporated.

Philip Stanley
Team Leader - Specialist Services (Planning)

Hi Nathan,

This e-mail is to confirm receipt and that Planning wishes to make no comments.
We note and appreciate the reference to Planning in para 5.5.

Kind regards,

Philip.

Philip Stanley MRTPI
Team Leader - Specialist Services (Planning)
Dacorum Borough Council.

Officer comments

No changes required

Dear Nathan,

Thank you for consulting us on your draft Statement of Principles under the Gambling Act 2005.

Due to resource constraints on a small charity, we are not able to offer specific feedback on your policy. However, you may find GambleAware's recently published [interactive maps](#) useful, which have been designed for use by local authorities. The maps show the prevalence of problem gambling severity in each local authority and ward area as well as usage of, and reported demand for, treatment and support for gambling harms.

GambleAware also strongly commends two publications by the Local Government Association which set out the range of options available to local authorities to deal with gambling-related harms using existing powers:

- <https://www.local.gov.uk/tackling-gambling-related-harm-whole-council-approach>
- <https://www.local.gov.uk/gambling-regulation-councillor-handbook-england-and-wales>

GambleAware is also fully supportive of local authorities which conduct an analysis to identify areas with increased levels of risk for any reason. In particular we support those who also include additional licence requirements to mitigate the increased level of risk. Areas where there are higher than average resident or visiting populations from groups we know to be vulnerable to gambling harms include children, the unemployed, the homeless, certain ethnic-minorities, lower socio-economic groups, those attending mental health (including gambling disorders) or substance addiction treatment services.

Finally, GambleAware is a leading commissioner of prevention and treatment services for gambling harms. It provides these functions across England, Scotland and Wales and its work is underpinned by high quality research, data and evaluation. We encourage all local authorities to signpost people to the **National Gambling Helpline on 0808 8020 133** and also www.begambleaware.org. Both are part of the **National Gambling Treatment Service** and offer free, confidential advice and support for those who may need it.

Best regards,
Natalie

Natalie Simpson
Company Secretary

GambleAware®

Officer comments

No changes required for policy, but information to be provided on the Council's Website