

**TITLE: GAMBLING ACT 2005 – LICENSING STATEMENT OF PRINCIPLES
(THREE YEAR REVIEW)**

Committee: Licensing Committee

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1.0 Issue

- 1.1 To approve the revised version of the Council's Gambling Act 2005 - Statement of Principles for Licensing for Council adoption.

2.0 Recommendations

- 2.1 That Members consider the content of this report and approve the revised version of the Gambling Act 2005 - Statement of Principles for Licensing, subject to such amendments that they consider appropriate having considered the content of this report.
- 2.2 That Members recommend the approved Gambling Act 2005 - Statement of Principles for Licensing to full Council for adoption to come into effect on 31 January 2025 following a period of publication to be not less than 28 days.

3.0 Background/Options

- 3.1 The draft Statement of Principles of Licensing (**Appendix 1**) was prepared and approved for formal public consultation by Members of the Licensing Committee on 19 June 2024.
- 3.2 The formal consultation took place between 16 July 2024 and the 27 August 2024. No consultee responses were received.
- 3.3 The consultation document removed capitalised headings in order to comply with accessibility standards, updated the figure relating to the population of the District, and replaced date references to the reflect the correct dates; these are shown as tracked changes in **Appendix 1**. No other changes were made at this review point.

4.0 Arguments/Conclusions

- 4.1 Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a Statement of Principles for Licensing that they propose to apply in

exercising their functions under the 2005 Act during the three-year period to which the policy statement applies.

- 4.2 Regulations and the Statutory Guidance to Licensing Authorities, issued by the Gambling Commission specifies the scope and content of the Statement of Principles for Licensing.
- 4.3 The attached draft Statement of Principles for Licensing at **Appendix 1** is in line with these requirements.
- 4.4 Failure to approve a revised policy before 31 January 2025 will result in the inability to determine applications under the 2005 Act until such time as a policy is approved and published.
- 4.5 The consultation exercise did not attract any positive or adverse comments, and for that reason, Members are recommended to recommend Council to adopt these changes in their entirety, as per the consultation document.

5.0 Additional Implications Assessment

5.1 In the table below, please put Yes or No in each box:

Financial Implications	Legal Implications	Human Resources (HR) Implications
Yes	Yes	No
Equality Impact Assessment (EIA)	Carbon Impact Assessment (CIA)	Data Protection Impact Assessment (DPIA)
Yes	No	No

Financial and legal implications

- 5.2 There is a cost incurred by the Council due to the costs of convening the necessary hearings to determine this statutory process, and the cost of running the necessary consultation, however, this cost is largely recovered via the licence fees paid by those holding and applying for licences.
- 5.3 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149(7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil

partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 5.4 Further to paragraph 5.3, an Equality Impact Assessment has been completed, and there are no identified impacts created by the recommendations in this report.

6.0 Appendices

- 6.1 Appendix 1 – Draft 2025 Statement of Principles of Gambling

7.0 Background documents

Gambling Act 2005

5th Edition: Gambling Commission Statutory Guidance for Licensing Authorities