

Report of the Chief Executive

Review of the Gambling Act Statement of Principles 2025-2027

1. Purpose of Report

To advise Members of the response to the consultation on the Council's draft revised Gambling Act 2005 Statement of Principles for 2025-2027.

2. Recommendation

The Committee is asked to RECOMMEND to full Council that the Statement of Principles be approved for adoption for publication on 3 January 2025 and implementation on 31 January 2025 by full Council on 11 December 2024.

3. Detail

Members approved the content of the draft Statement of Principles on 11 June 2024 for statutory consultation between 17 June 2024 and 28 July 2024.

A number of comments have been received following the consultation and a schedule of the comments and the proposed response together with any proposed amendments to the Statement of Principles as attached at **Appendix 1**.

Members are therefore asked to approve the Statement of Principles attached at **Appendix 2** and recommend that it be approved by full Council on 11 December 2024.

The Equality Impact Assessment which accompanied the report on the draft Statement of Principles is attached at **Appendix 3** and a change table is attached at **Appendix 4**.

The Council is required to publish the Statement by 3 January 2025 and implement the policy on 31 January 2025.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no anticipated financial implications for the Council's approved budget.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The relevant legislation is set out in the report, Section 349 of the Gambling Act

2005 (The Act) requires the Council in its role as Licensing Authority to prepare and publish a statement of the principles they propose to apply in exercising their functions under the Act. The statement of licensing policy must be reviewed and if necessary revised every three years with the Statement of Licensing Policy then being published.

The form of the statement of licensing policy or any revision is a matter for the Council however, this is subject to Regulations 4 to 6 of the Gambling Act 2005 (Licensing Authority Policy Statement) (England & Wales) Regulations 2006.

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All consultation responses should be fully considered when forming the statement of licensing policy, this is in order to minimise the risk of legal challenge. In accordance with the Act, the Council must publish a statement of licensing policy. A failure to adopt and publish a statement of licensing policy will leave the Council open to a significant risk of challenge, including potential judicial review. The Council must also ensure that all aspects of the legislative process, as outlined above, are followed. Pursuant to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 the Council's Gambling Policy is required to be part of the Council's policy framework and adoption of that Policy is within the remit of Licensing and Appeals.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

7. Union Comments

The Union comments were as follows:

Not applicable.

8. Climate Change Implications

The climate change implications are contained within the report.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no data protection issues in relation to this report.

10. Equality Impact Assessment

As this is a change to policy an equality impact assessment is included in **Appendix 3** to this report.

11. Background Papers

Nil.

REFERENCE