

AGENDA ITEM

REPORT TO CABINET

20 JANUARY 2022

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION

Access Communities & Community Safety Lead Cabinet Member – Cllr Steve Nelson

REVIEW OF THE STATEMENT OF PRINCIPLES FOR GAMBLING PREMISES IN STOCKTON

SUMMARY

The Authority is required, by the Gambling Act 2005, to publish a Statement of Principles that it proposes to apply when exercising its functions under the Act, in the form of a Gambling Policy. This Policy statement must be published every three years.

REASONS FOR RECOMMENDATIONS

The Council's current statement was in effect from 31 January 2019 and is now due for review.

RECOMMENDATIONS

1. The Cabinet note the gambling statement of principles has been reviewed in accordance with the Gambling Act 2005 and the revised statement of principles reflects legislative changes and those comments received during consultation.
2. The Cabinet recommend that Council agreed the revised statement of principles which would then come into effect on the 31 January 2022.

DETAIL

3. Gambling is regulated in two ways. The Gambling Commission regulate the individuals who provide gambling, carrying out a fit and proper test on licensed operators. The Local Authority issue premise licences to those operators ensuring the premises where gambling is carried out meets legislation and guidance.
4. Gambling has changed in recent years, traditional methods such as betting shops are being replaced with online gambling. The Gambling Commission regulate online gambling. The numbers of betting shops have reduced by 12 over the past 6 years, in addition a further 2 premises although still licensed, have not reopened since the pandemic.

Policy Review Date	No. of licensed betting shops
2015	37
2018	28
2021	25

5. The main source of statistical data is from the Gambling Commission website. The most

recent gambling prevalence survey key facts suggest:

- In year to September 2021, overall participation in any gambling activity (in the last four weeks) has remained stable at 42%.
- In year to September 2021, the online gambling participation rate is 25% (an increase of 2 percentage points on year to September 2020), whilst in person participation is down 5 percentage points to 24%. It should be noted that much of the online increase can be explained by increasing proportions of respondents playing National Lottery draws online.
- The overall problem gambling rate has decreased significantly (0.3%, compared to 0.6% in year to September 2020).
- The moderate risk rate has also decreased significantly to 0.7% (year to September 2021) compared to 1.2% in year to September 2020.

www.gamblingcommission.gov.uk/statistics-and-research/publication/statistics-on-participation-and-problem-gambling-for-the-year-to-september

6. The Local Authority have a role to play in minimizing the harmful effects of gambling and produce a Gambling Act 2005 Statement of Principles, commonly known as the Gambling Policy. This policy is reviewed every 3 years.
7. As well as the Gambling Act 2005, the Gambling Commission Guidance for Local Authorities details how the local authority should exercise its functions when licensing premises for gambling. More information can be found at: www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities
8. There are few changes to the draft Gambling Policy as there have been no legislative changes in the last three years. Any changes or additional information is indicated in red, and a copy of the draft policy document can be found at: www.stockton.gov.uk/our-people/licensing/current-applications-and-consultations/
9. The draft Gambling Policy was published for a four-week public consultation. The consultation included stakeholders such as the Gambling Commission, trade associations, licensees, children's services, local residents' groups, responsible authorities including police and public health, and all members.
10. The consultation was also published on the website and a notice was placed on the notice board of all public libraries. No further comments on the draft policy document were received.

COMMUNITY IMPACT IMPLICATIONS

11. One of the licensing objectives in the Gambling Act is to prevent gambling from being a source of or being associated with crime and disorder. The policy will seek to support this objective. One of the licensing objectives in the Gambling Act is to protect vulnerable persons from being harmed or exploited by gambling. A key aim of the policy is to reduce the impact of the potential harmful aspects of gambling. Steps to promote the licensing objectives, especially the prevention of public nuisance, will have a positive effect on the environment in which people live. This report is not subject to an Community Impact Assessment because this is a review of an existing policy. No remedial actions are therefore required.

CORPORATE PARENTING IMPLICATIONS

12. One of the licensing objectives in the Gambling Act is to protect vulnerable persons from being harmed or exploited by gambling. A key aim of the policy is to prevent children accessing gambling premises.

FINANCIAL IMPLICATIONS

13. The cost of licensing gambling premises and issuing gaming permits and lottery registrations will be met from the fees paid by applicants. The fee structure, in terms of the application / renewal fees to be charged, will be determined with a view to full cost recovery.

LEGAL IMPLICATIONS

14. The Gambling Act 2005 requires the Licensing Authority to prepare a statement of principles every three years. The Council's current Policy statement was in effect from 31 January 2019 and is now due for review.
15. The adoption of the Policy will assist members and officers when considering applications and businesses intending to submit applications. It will give a clear outline of the Authority will consider when assessing applications. A Statement of Principles can be challenged by way of judicial review.

RISK ASSESSMENT

16. This matter is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

WARDS AFFECTED AND CONSULTATION WITH WARD/COUNCILLORS

17. Consultation on the revised statement was commenced in November 2021, a public notice was placed in all public libraries, and a draft copy of the statement was placed on the council website. The link to the website was emailed to stakeholders including responsible authorities, trade bodies, members and residents associations. Members of the licensing committee and the Cabinet Member have also considered the draft policy.

BACKGROUND PAPERS

Licensing Committee Report 23 November 2021

www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities

www.stockton.gov.uk/our-people/licensing/current-applications-and-consultations/

www.gamblingcommission.gov.uk/statistics-and-research/publication/statistics-on-participation-and-problem-gambling-for-the-year-to-september

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