

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: **Gambling Act 2005 – Statement of Principles 2024**

Meeting/Date: Licensing Committee – 16 October 2024
Council - 11 December 2024

Executive Portfolio: Executive Councillor for Resident Services and Corporate Performance – Councillor S W Ferguson

Report by: Michelle Bishop – Licensing Manager

Ward(s) affected: All

Executive Summary:

The Council is required to produce a Gambling Act 2005 Statement of Principles on which it will base its decisions. The production of the policy document requires the Council to undertake a period of public consultation which ended on 25 September 2024. This report provides the Licensing Committee with a draft of the final revised document and seeks the recommendation for approval of the Committee on the document, followed by the approval and adoption by Full Council.

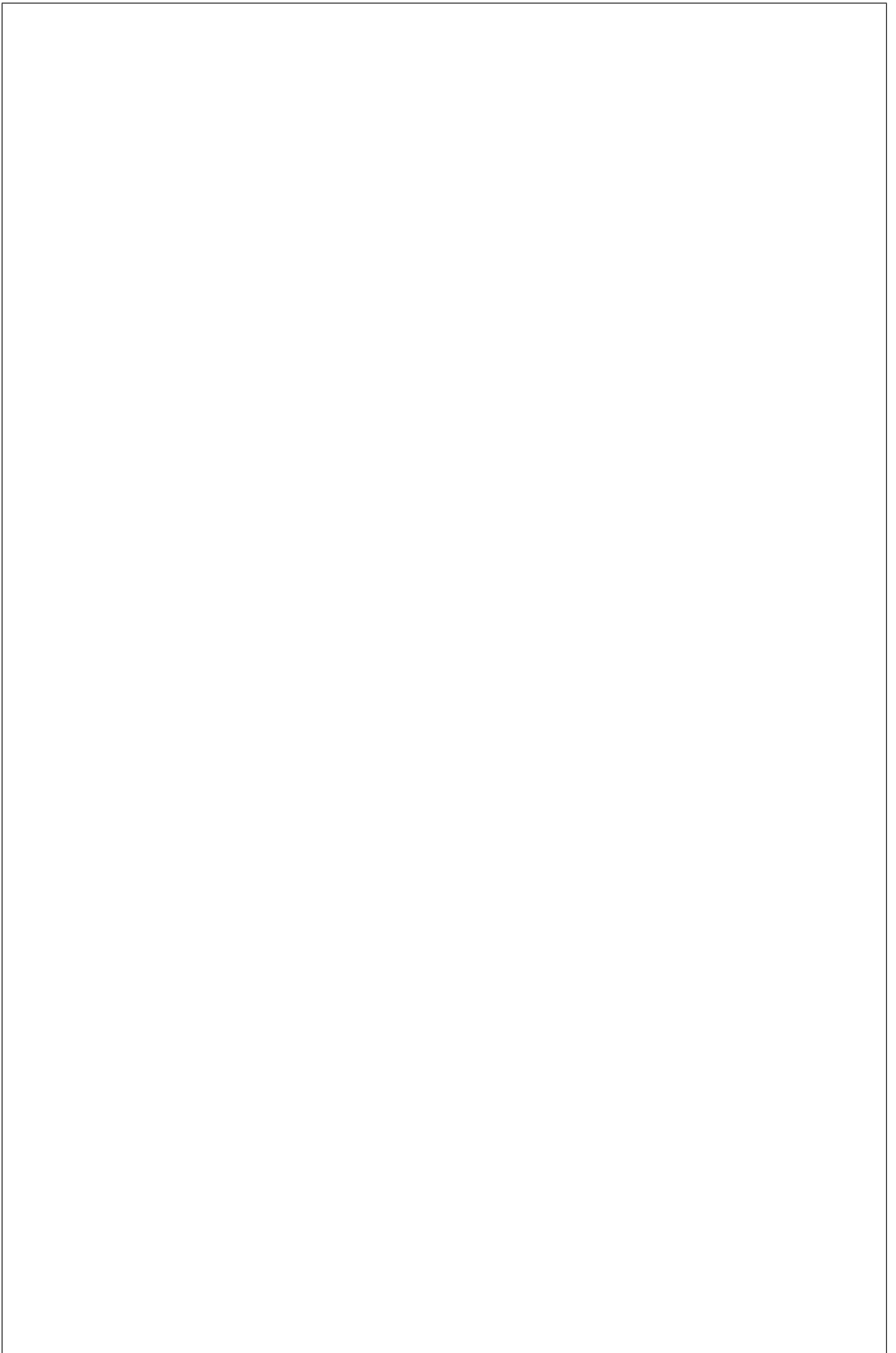
Recommendation(s):

The **Licensing Committee** is recommended to:

- consider the draft policy document and the responses received during the public consultation and approve the Gambling Act – Statement of Principles Policy 2025 – 2028
- to delegate authority to the Community Services Manager to make minor amendments to the policy and
- recommend that the Statement of Principles be referred to Council for approval.

The Council is recommended to:

- **approve and adopt the Gambling Act 2005 – Statement of Principles 2025 - 2028.**



1. PURPOSE OF THE REPORT

- 1.1 The Gambling Act 2005 (the Act) requires the Council to prepare and publish a 'Statement of Principles' stating how it will exercise its statutory duties, having firstly undertaken public consultation and considered any feedback. Our current statement expires on 30 January 2025, so we must draw up, adopt and publish a further statement of principles before its coming into effect on 31 January 2025. If the Council fails to do this, then it will be unable to fulfil its statutory duties, with possible additional financial and legal consequences arising as a result. It is vital therefore that we progress the approval and endorsement of the revised draft document to enable us to meet the statutory timeframe.
- 1.2 The purpose of this report is to invite Members to recommend approval of the revised draft, having undertaken public consultation and considered all comments received.

2. BACKGROUND INFORMATION

- 2.1 The Council is the Licensing Authority for the purposes of the Act, taking over licensing responsibilities when it came into effect in September 2007. Section 349 of the Act requires the Licensing Authority to prepare and publish a 'Statement of Principles' that it proposes to apply in exercising its functions under the Act. The statement of principles must be kept under review and reviewed at least every three years.
- 2.2 The current statement was approved by full Council in 2021 and came into effect on 31 January 2022 and therefore expires on 30 January 2025.
- 2.3 The current statement of principles was drawn up from templates issued by the Local Government Association and by the Gambling Commission.
- 2.4 Attached at **Appendix A** is a revised draft 'Statement of Principles', which has been reviewed to consider any relevant updates.
- 2.5 The revised policy remains largely unchanged; changes are limited to
- updating email and contact details and
 - updating policy dates and consultation period.

3. CONSULTATION

- 3.1 Section 349 of the Act requires that the Council consults with a range of persons including the police, persons representing the interests of people carrying on gambling businesses in the area and persons likely to be affected by the exercise of the authority's functions under the Act.
- 3.2 Four weeks' consultation took place between 27 August 2024 and 25 September 2024, in accordance with Cabinet Office guidelines. Wide consultation was undertaken in accordance with the legislation by a variety of means, including our website, responsible authorities and key contacts.
- 3.3 Approval of the 'Statement of Principles' is reserved to Full Council. Approval by the Council at their meeting on 11 December 2024 will be in

time to publish the statement four weeks before it comes into effect on 31 January 2025

- 3.4 No responses were received as part of the consultation process.
- 3.5 The statement was prepared using the most current Edition of the Gambling Commission's Guidance to Licensing Authorities.

4. OPTIONS

- 4.1 The Council has a statutory duty to approve and publish a Statement of Principles before 3rd January 2025, four weeks before it comes into effect on 31st January 2025 in order to fulfil its legal obligations under the Act

5. LEGAL IMPLICATIONS

- 5.1 Should the Council fail to have a policy in place by 31 January 2025, then it will be unable to fulfil its licensing duties under the Act. The Gambling Act sets out key principles of:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- ensuring that gambling is conducted in a fair and open way;
- protecting children and other vulnerable persons from being harmed or exploited by gambling, with possible additional financial and legal consequences arising as a result.

The Gambling Act 2005, Section 349 places a statutory obligation on the Council to prepare its Statement of Principles

6. RESOURCE IMPLICATIONS

- 6.1 The cost of implementing the Statement is covered from the fees income generated under the Gambling Act 2005.

7. BACKGROUND PAPERS

- Guidance - [Guidance to licensing authorities \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/guidance-to-licensing-authorities)
- Gambling Act 2005 - [Gambling Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2005/19)

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