

TITLE OF REPORT: Gambling Statement of Principles 2022 – 2025**REPORT OF: Peter Udall, Strategic Director Economy, Innovation and Growth**

Purpose of the Report

1. To seek Cabinet's approval to undertake a public consultation on a draft Statement of Principles, by which the Council will make decisions when exercising its responsibilities under the Gambling Act 2005.

Background

2. Under the Gambling 2005, licensing authorities are required to prepare and publish, every three years, a Statement of the Principles that they propose to apply when exercising their functions. In preparing such a statement, licensing authorities must follow the procedure set out in the Act and guidance issued by the Gambling Commission.
3. This draft Statement of Principles contains minor proposed revisions but remains largely the same as the 2019-2022 version, continuing to seek to recognise gambling related harm and the impact that this can have on both individuals and on the broader wellbeing of the community.
4. An executive summary of the draft Statement of Principles is attached in Appendix 2 and a schedule of proposed changes is attached in Appendix 3. The draft Statement of Licensing Principles is available at <http://www.gateshead.gov.uk/>, in the agenda folder for this meeting and in the Members Room.

Proposal

5. It is proposed to conduct a widespread consultation exercise with partner agencies and the public on the draft Statement of Principles, and to ask that the results of that consultation be considered by a Policy Advisory Group in November before returning to Cabinet with a final statement for approval by Council on 14 December 2021.

Recommendations

6. It is recommended that the draft Statement of Principles be consulted upon for a 6 week period following this meeting, and that a Policy Advisory Group be asked to consider the results of that consultation and give their comments to Cabinet so that a final version of the Statement of Principles can be recommended to Council for approval.

For the following reason

- (i) There is a legal requirement to prepare and revise every three years a Statement of Principles under the Gambling Act 2005.

Policy Context

1. The adoption of the Statement of Principles will allow the Council to carry out its duties as a Licensing Authority under the Gambling Act 2005. The Statement of Principles plays an important role in realising Gateshead Strategic Partnership's vision of making Gateshead a place where everyone thrives.

Background

2. The Gambling Act 2005 was fully implemented in September 2007. It transferred the responsibility for the licensing of gaming premises from the Magistrates to Local Authorities and introduced for the first time, a unified regulator for gambling, the Gambling Commission, replacing the Gaming Board for Great Britain.
3. Under the Act, the Council is responsible for issuing premises licences for casinos, bingo halls, betting offices, adult gaming centres and licensed family entertainment centres as well as permits for gaming and gaming machines and registering small society lotteries.
4. The Act contains three licensing objectives, which underpin the functions that the Gambling Commission and Councils perform. These objectives are:
 - 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; and
 - protecting children and other vulnerable persons from being harmed or exploited by gambling;
5. Licensing authorities are required to prepare and publish, every three years, a Statement of the Principles that they propose to apply when exercising their functions. In preparing such a statement, licensing authorities must follow the procedure set out in the Act as well as the accompanying guidance.
6. This draft Statement of Principles contains minor revisions but remains largely the same as the 2019-2022 version, continuing to seek to recognise gambling related harm and the impact that this can have on both individuals and on the broader wellbeing of the community.
7. An executive summary of the draft Statement of Principles is attached in Appendix 2 and a schedule of changes is attached in Appendix 3. The draft Statement of Licensing Principles is available at <http://www.gateshead.gov.uk/>, in the agenda folder for this meeting and in the Members Room.

Consultation

8. The Licensing Authority must consult all those involved directly with the gambling industry as well interested parties including, local partnership groups, residents' associations, faith groups and youth organisations. Although the draft document is aimed mainly at the industry, including those that operate licensable activities, the views of all Council Members, members of the public, interested parties and

regulatory agencies will be sought.

Alternative Options

9. There is a legal requirement under the Gambling Act 2005 to prepare a Statement of Principles following a widespread consultation. Therefore no alternative options were considered.

Implications of Recommended Option

10. **Resources:**
- a) **Financial Implications** – The Strategic Director, Corporate Resources, confirms that there are no additional financial implications arising from this report.
 - b) **Human Resources Implications** – There are no human resource implications arising directly from this report.
 - c) **Property Implications** - There are no property implications arising directly from this report
11. **Risk Management Implication** - There are no risk management implications arising directly from this report
12. **Equality and Diversity Implications** - An Equality Impact and Needs Assessment of this statement of principles has indicated a neutral impact.
13. **Crime and Disorder Implications** – There are no crime and disorder implications arising directly from this report.
14. **Health Implications** - There are no health implications arising directly from this report
15. **Climate Emergency and Sustainability Implications** - There are no climate emergency and sustainability implications arising directly out of this report.
16. **Human Rights Implications** - There are no human rights implications arising directly out of this report.
17. **Area and Ward Implications** - This report affects all wards equally.

Background Information

These documents that have been considered in preparation of the report:

Gambling Act 2005

Gambling Commission Guidance to Licensing Authorities 1 April 2021

Draft Statement of Gambling Principles 2022 - 2025

Executive Summary

Gateshead Council has a statutory duty to prepare publish, every three years, a Statement of the Principles that will be applied when exercising its functions under the Gambling Act 2005.

This Statement of Principles provides information and guidance to applicants, responsible authorities and interested parties on the overall approach that Gateshead Council will take to applications, compliance and enforcement under the Gambling Act 2005.

It sets out what this Licensing Authority expects of the people that it authorises to carry out Gambling activities in the Borough.

The Statement of Principles seeks to achieve the three licensing objectives of the Gambling Act 2005, namely –

- 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; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling;

and sets out the issues that are of particular relevance or concern within Gateshead and the approaches that the Licensing Authority would expect responsible licensees to take into account in order to promote these objectives.

Review of Gambling Act 2005 Statement of Principles 18.1.2022 – 17.1.2025
DRAFT FOR CONSULTATION - SCHEDULE OF PROPOSED CHANGES

Section	Change
1 Introduction and Consultation	Update 1.3 to refer to the most recent version of the Gambling Commission's Guidance to licensing authorities Insert the date on which the 2022-2025 is approved by Full Council
2 Strategic Context	Update to refer to Thrive: Update Gateshead's strategic approach
4 Local Context	Update to include the most recent data from the Health Survey for England and the Faculty of Public Health
13 Responsible Authorities	Amend the body, designated in writing by the Licensing Authority as competent to advise the authority about the protection of children from harm from Local Safeguarding Children Board to Gateshead Safeguarding Children Board
33 Enforcement	Review the current Primary Authority arrangements between business operators and local authorities to ensure that the SOP reflects any changes since 2019
37 Complaints about premises/activities	Update the contact details to reflect organisational changes
39 Contact details	Update the contact details to reflect organisational changes
Whole document	Review the document to reflect any relevant changes required further to the publication of the Gambling Commission Guidance to Licensing Authorities 1 April 2021