

REVIEW OF THE COUNCIL'S STATEMENT OF GAMBLING PRINCIPLES

Report of: Chief Officer Planning & Regulatory Services

Status: For Decision

Key Decision:

Portfolio Holder: Cllr. Irene Roy

Contact Officer : Susan Lindsey, Ext. 7491

Recommendation to Licensing Committee

To seek approval to undertake a 6 week public consultation leading to the production of a revised Statement of Gambling Principles

Reason for recommendation:

The Gambling Act 2005 requires that Local Licensing Authorities prepare and publish a Statement of Gambling Principles every three years.

Introduction

1. The Gambling Act 2005 creates the regulatory regime for the provision of gambling facilities and services. Some of these functions are licensed by the Gambling Commission and some by the Local Licensing Authority.
2. The Act requires that Local Licensing Authorities prepare and publish a Statement of Gambling Principles every three years. Sevenoaks District Council adopted its current Statement of Gambling Principles in January 2022 and therefore a new Statement of Gambling Principles must be adopted no later than January 2025.
3. There is a statutory requirement that consultation must take place prior to a new Statement of Gambling Principles being adopted and it is proposed that this will take place in October/November 2024.
4. Following the conclusion of the consultation, a further report will be brought to the Licensing Committee detailing responses and providing a draft Statement of Gambling Principles for consideration.
5. Approval and adoption of the final draft gambling policy is a decision for full Council.

Background

6. As a Licensing Authority (and at the time of writing this report), Sevenoaks District Council is responsible for the licensing of six (6) betting shops, three (3) Club Gaming Permits, eighty five (85) Licensed Premises Gaming Machine Permits, and one hundred and twenty (120) Small Society Lotteries.
7. The gambling policy fulfils two principal purposes; firstly, it provides advice to businesses and the public on the Council's overall position regarding the Gambling Act 2005. Secondly, it provides a decision making framework for the Council via its Licensing Committee to exercise its administrative and legal functions under the Act.
8. As such, the Statement of Gambling Principles must balance the legitimate needs of businesses and demand for leisure and cultural activities alongside the need to protect those adversely affected by activities.
9. Failure to achieve the correct balance could lead to a Statement of Gambling Principles being either overly prescriptive or open to challenge or, alternatively, ineffective in the protection of the public through a failure to promote the licensing objectives effectively.
10. The Statement of Gambling Principles seeks to promote the Gambling Act's three licensing objectives:
 - 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.
11. The Gambling Act requires that all matters relating to the Act must be discharged by a licensing authority's statutory licensing committee except for the final approval and adoption of the licensing policy which must be a decision of full Council.
12. The Act also requires that, prior to a new Statement of Gambling Principles being adopted, it must be subjected to a consultation process that allows for the views of all interested parties to be heard and taken into consideration.

Consultation

13. It is proposed that a 6 week consultation process take place.

14. This will take place as soon as possible after the Licensing Committee decision to consult is made : preferably in October/November 2024.
15. The consultation will include all statutory consultees plus any other individuals, agencies, and organisations that may reasonably be affected by, or have an interest in, the new Statement of Gambling Principles. In addition, notice of the consultation taking place will be advertised on the Council's website and through social media.
16. Following the conclusion of the consultation, relevant information, proposals, and recommendations will be used together with information from other sources to draft a revised gambling policy which will be brought back to this Committee for consideration and recommendation to full council.

Key Implications

Financial

There are no specific financial implications resulting from the matters considered in this report. The costs of consultation and publication of the revised Statement of Gambling Principles will be met from existing budgets.

Legal Implications and Risk Assessment Statement.

The Council is obliged by the Gambling Act 2005 to review its Statement of Gambling Principles every three years. The Council has no discretion to alter the period for which its Gambling Policy is in force, although it can carry out further review within the set three year period.

Before the Council determines its new Statement of Gambling Policy, it must consult with the statutory consultees.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices

Appendix A – Sevenoaks District Council Statement of Gambling Principles with proposed amendments shown in red.

Background Papers

[Gambling Act 2005](#)

[Gambling Commission's Guidance to Licensing Authorities](#)

Richard Morris
Chief Officer Planning & Regulatory Services