



# Borough of Telford and Wrekin

## Licensing Committee

Thursday 24 October 2024

### Review of Statement of Gambling Licensing Policy

---

<b>Cabinet Member:</b>	Cllr Richard Overton - Deputy Leader and Cabinet Member: Highways, Housing & Enforcement
<b>Lead Director:</b>	Anthea Lowe – Director: Policy & Governance
<b>Service Area:</b>	Policy & Governance
<b>Report Author:</b>	Amitabh Singh - Licensing & Night-Time Economy Manager
<b>Officer Contact Details:</b>	Tel: 01952 383683 <b>Email:</b> Amitabh.Singh@telford.gov.uk
<b>Wards Affected:</b>	All Wards
<b>Key Decision:</b>	Not Key Decision
<b>Forward Plan:</b>	Not Applicable
<b>Report considered by:</b>	Licensing Committee – 24 October 2024

---

#### 1.0 Recommendations for decision/noting:

Licensing Committee is recommended to:

- 1.1 Endorse the Statement of Gambling Licensing Policy for purposes of the Gambling Act 2005; and
- 1.2 Recommend that Full Council approves its adoption.

#### 2.0 Purpose of Report

- 2.1 The Statement of Gambling Licensing Policy for the Gambling Act 2005 is due for its 3 yearly review. Members of the Licensing Committee will need to consider the Statement of Licensing Principles and thereafter whether to endorse the revised

## Review of Statement of Gambling Licensing Policy

Statement of Gambling Policy following a recent consultation that ran from 22 July 2024 until 23 September 2024.

### **3.0 Background**

- 3.1 The Gambling Act 2005 ('the Act') regulates the provision of gambling in Great Britain, excluding the National Lottery and spread betting. The Act makes local authorities responsible for licensing premises that are used for gambling within their area.
- 3.2 Examples of land-based gambling establishments are bingo halls, bookmakers, amusement arcades and public houses with gaming machines. Licensing authorities are not involved in licensing remote (e.g. online) gambling as this falls to the Gambling Commission to regulate and enforce.
- 3.3 The Act also requires each local authority to adopt and publish a 'Statement of Gambling Policy' at least every three years. The Council's most recent policy was issued in January 2022. The purpose of the policy is to set out the principles that the Council will apply when undertaking its role pursuant to its responsibilities under the Act.
- 3.4 The Policy is, in effect, a statement of the Council's commitment; that in exercising its functions, it will have regard to the licensing objectives as set out in the Act 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.

### **4.0 Summary of main proposals**

- 4.1 It is a statutory requirement to review the Statement of Gambling Licensing Policy every three years.
- 4.2 The current number of licences issued under the Gambling Act 2005 by Telford & Wrekin Council is :-
- 16 Betting Premises Licences
  - 2 Bingo Premises Licences
  - 2 Adult Gaming Centres

## Review of Statement of Gambling Licensing Policy

- 4.3 After reviewing the Council's Policy and having had regard to the Guidance for Licensing Authorities issued by the Gambling Commission, no amendments are proposed to the existing policy, other than updating the number and type of gambling premises set out within the policy.
- 4.4 Following the review undertaken by the Licensing Team, a consultation for the revised policy was undertaken between 22 July 2024 and 23 September 2024. There were no responses received to the consultation. A full list of consultees is attached at **Appendix A**.
- 4.5 Should Licencing Committee approve the revised policy, Full Council will consider whether to approve it's publication. It is envisaged that the revised policy will be approved and will come in to effect on 31 January 2025. The updated draft policy is attached at **Appendix B**.
- 4.6 The review of the Statement of Gambling Licensing Policy has been prepared in accordance with the Gambling Commission's "Guidance to licensing authorities" and taking in to account best practice guidance.

### **5.0 Alternative Options**

- 5.1 Licensing Committee could decide not to approve the revised policy, but in doing so, may risk the Council being in breach of its obligations as Licensing Authority under the provisions of the Gambling Act 2005.

### **6.0 Key Risks**

- 6.1 A failure to publish a revised policy or to enact a policy in a form that is too prescriptive or significantly deviates from Guidance issued to Licensing Authorities by the Gambling Commission (5th edition) could give rise to challenge by way of judicial review. The review of the Policy has been carried out in a manner and within a timescale that should minimise such a risk so far as possible.

### **7.0 Council Priorities**

- 7.1 The recommendations in this report, support the following Council policies:
- Everyone benefits from a thriving economy; and
  - All neighbourhoods are a great place to live.

### **8.0 Financial Implications**

- 8.1 There are no direct financial implications arising from this report and costs are met from existing service budgets.

### **9.0 Legal and HR Implications**

- 9.1 Section 349 of the Gambling Act 2005 requires a Licensing Authority, before each successive period of 3 years, to prepare and publish a Statement of Gambling

## Review of Statement of Gambling Licensing Policy

Licensing Policy that it proposes to apply when exercising its functions under the Act. The current Statement of Gambling Licensing Policy expires in January 2025.

### **10.0 Ward Implications**

10.1 This report has implications for all wards across the Borough.

### **11.0 Health, Social and Economic Implications**

11.1 By exercising the Council's gambling licensing functions correctly, an appropriate balance can be struck between the requirement to protect children and the vulnerable from harm and exploitation, whilst supporting the needs of legitimate business and the local economy.

11.2 Health implications include:

- The responsibility of operators to promote and uphold the licensing objectives including:
  - Identifying customers who may be at risk or experiencing harms associated with gambling by interacting with customers and understanding the impact of the interaction with the customer;
  - Age verification procedures and policies; and
  - Local area risk assessments to take into account risks presented by the local landscape.

11.3 Economic Benefits include:

- Local revenue generated by having a physical premises in high streets and town centres, leading to increased footfall of consumers in these areas supporting other businesses; and
- Creating employment opportunities for local people through licensing regime.

### **12.0 Equality and Diversity Implications**

12.1 There are no direct equality or diversity implications arising directly from this report, but officers are alive to the potential negative impacts of gambling on particular socio-economic groups, and where necessary will seek to mitigate such impacts through policy making.

### **13.0 Climate Change and Environmental Implications**

13.1 There are no direct climate change and environmental implications arising from this report.

### **14.0 Background Papers**

- 1 Gamling Act 2005
- 2 Gambling Commission's Guidance to Licensing Authorities

## Review of Statement of Gambling Licensing Policy

### 15.0 Appendices

- A List of consultees
- B Draft Statement of Gambling Policy

### 16.0 Report Sign Off

<b>Signed off by</b>	<b>Date sent</b>	<b>Date signed off</b>	<b>Initials</b>
Legal	16/10/2024	16/10/2024	SH