

REPORT TITLE: Review of Statement of Gambling Principles

To:

Licensing Committee – 20th January 2024

Report by:

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Wards affected:

All

1.	Recommendations
1.1	<p>It is recommended that members of the Licensing Committee:</p> <p>To endorse the post-consultation draft Statement of Gambling Principles shown in Appendix A and recommend to full Council that the Statement is approved for publication.</p>
2.	Purpose and reason for the report
2.1	<p>Cambridge City Council, as the Licensing Authority, is required to discharge its responsibilities under the Gambling Act 2005 with a view to promoting the three licensing objectives, namely;</p> <ul style="list-style-type: none"> • 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.
2.2	<p>The Gambling Act 2005 was designed to be a light touch legislation covering a number of “licensable activities”. Such activities are defined within the Act.</p>
2.3	<p>The Statement of Gambling Principles is required to be reviewed every three years. The current statement runs until the end of January 2025 after which a revised Statement must be in place in order for the relevant duties to be undertaken.</p>

2.4	Following a review of the Statement, a 12 week consultation was undertaken; 12 responses were received. 6 respondents were in favour of the proposed draft gambling statement of principles, with 6 not in favour.
3.	Alternative options considered
3.1	The responses of the consultation have been collated and the points raised summarised and attached to the report as Appendix B. Appendix B considers the points raised and explains why they have not altered the draft Statement of Gambling Principles.
4.	Background and key issues
4.1	<p>The Gambling Act 2005 came fully into effect on 1 September 2007. It created a revised system of licensing and regulation for commercial gambling in this country. This Act gives Licensing Authorities a number of important regulatory functions in relation to gambling. The main functions are to:</p> <ul style="list-style-type: none"> • licence premises for gambling activities; • consider notices given for the temporary use of premises for gambling; • grant permits for gaming and gaming machines in clubs and miners' welfare institutes; • regulate gaming and gaming machines in alcohol licensed premises; • grant permits to family entertainment centres for the use of certain lower stake gaming machines; • grant permits for prize gaming; • consider occasional use notices for betting at tracks; and • register small societies' lotteries.
4.2	In addition, section 349 of the Gambling Act 2005 requires that the Council prepares and publishes a Statement of Principles that it proposes to apply in exercising its function under the Act, before each successive period of three years.
4.3	The Statement of Principles must be formulated in accordance with, and reflect, the guidance issued by the Gambling Commission and the Government Codes of Practice.

	The principles essentially inform the processes that the Council would normally follow in conducting its duties as the Licensing Authority.
4.4	The existing Statement of Gambling Principles for Cambridge City Council became effective in January 2022. Since this Statement was published, there has been only minor revision of the Gambling Commission guidance, with the latest guidance being produced in April 2023.
4.5	It is a requirement of the Act that the revised Statement must be approved at a full meeting of the Council. Such approval cannot be granted until consultation has been undertaken with a range of statutory bodies, defined by the Act. Additionally the authority is empowered to consult with other organisations as is deemed appropriate.
4.6	Once any revised Statement is approved by full Council, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006, requires licensing authorities to subsequently publish a notice of their intention to publish the Statement or revision. There are several specific requirements in undertaking this, including appropriate publication a minimum of 28 days before the Statement of Principles comes into effect.
4.7	With these legal requirements in mind, the revision process commenced in August 2024 with an officer review of the existing Statement of Principles taking into account the Gambling Act 2005 and the current guidance issued by the Gambling Commission.
4.8	Subsequently, the revised Statement was subject to a twelve-week public consultation between 2 nd September 2024 to 24 th November 2024. This was undertaken by directly contacting the relevant responsible authorities and resident associations and publishing the consultation on our website and in the Cambridge News on Monday 2 nd September 2024. A full list of those directly consulted can be found in Appendix B of the Statement of Principles.
5.	Corporate plan
5.1	Gambling can fall under Priority 2 of the Corporate Plan – Tackling poverty and inequality and helping people in the greatest need. However the Council is legally required to adopt and publish a statement of principles and the guidance is clear that when looking at licensing gambling, moral objections to gambling can not be taken into account.

6.	Consultation, engagement and communication
6.1	A consultation was held for 12 weeks from 2 nd September 2024 to 24 th November 2024. This was undertaken by directly contacting the relevant responsible authorities and resident associations and publishing the consultation on our website and in the Cambridge News on Monday 2 nd September 2024. The consultation draft is attached as Appendix C with track changes.
7.	Anticipated outcomes, benefits or impact
7.1	By recommending that full Council adopt the Gambling Statement of Principles, the Council will be meeting the legal requirements specified in section 349 of the Gambling Act 2005.
8.	Implications
8.1	Relevant risks
	There are no potential risks by adopting the Gambling Statement of Principles
	Financial Implications
8.2	None
	Legal Implications
8.3	If we do not publish a Gambling Statement of Principles, then we would not be complying with the Gambling Act 2005
	Equalities and socio-economic Implications
8.4	An EqIA has been completed and attached to the report as Appendix D.

	Net Zero Carbon, Climate Change and Environmental implications
8.5	None
	Procurement Implications
8.6	None
	Community Safety Implications
8.7	None
9.	Background documents Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985
9.1	Gambling Act 2005 Gambling Commission's Guidance to licensing authorities
10.	Appendices
10.1	Appendix A – Draft Gambling Statement of Principles Appendix B – Consultation responses and analysis Appendix C – Draft Gambling Statement of Principles with tracked changes Appendix D - EqIA
	To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Environmental Health and Licensing Support Team Leader, 01223 457818, email: luke.catchpole@cambridge.gov.uk

