

**Gambling Act 2005
Draft revised Statement of Principles
2022-2025**

Portfolio	Corporate
Ward(s) Affected:	n/a

Purpose

To consider the draft revised Statement of Principles 2022-2025 in relation to exercising functions under the Gambling Act 2005.

Wards Affected: All

Recommendation

The Licensing Committee is advised to note the contents of this report and to approve the attached draft revised Statement of Principles 2022-2025 for consultation.

Background

1. Surrey Heath Borough Council through its Licensing team is responsible for licensing and regulating a range of gambling activities as set out in the Gambling Act 2005(the Act).
 - 1.1 Section 349 of the Act requires each licensing authority (LA(s)) to prepare and publish a Statement of Principles (SoP) that it proposes to apply in exercising its functions under the Act.
 - 1.2 The Statement applies for 3 years after which it must be reviewed and a new Statement published.

Statement of Principles 2019-2022 (SoP)

- 2 The current SoP came into effect on 31st January 2019 and therefore expires on 30 January 2022.
 - 2.1 The Gambling Act 2005(Licensing Authority Policy Statement) (England and Wales) Regulations sets out requirements as to the form and publication of licensing authority's SoP and subsequent revisions of statements.
 - 2.2 The attached draft revised SoP has been prepared taking the above regulations and the Gambling Commission's recently published updated Guidance to local authorities. (published 1 April 2021) into account.

- 2.3. The principles that we are recommended to follow remain largely unchanged. However there is a greater emphasis on the requirement that all applicants and existing licensees should prepare and maintain a local risk assessment. Licensees are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises. They are also required to keep these under review and update them as necessary.
- 2.4. In addition to this it is recommended that the LA complete their own assessment of the local environment as a means of mapping our areas of local concern. This is referred to as a local area profile.
- 2.5. We recognise that this may help applicants and licensees to better understand the local area and help them when preparing and reviewing their own risk assessments. It will also ensure that we are able to assess the potential risks posed by the gambling taking place or proposed and thereby allow us to target our interventions more effectively.
- 2.6 We are therefore proposing to develop a LAP during the next 12-18 months. In light of our limited activity in this area (see table below) we will be taking a proportionate approach when undertaking this work.

Licensed Premises/Gambling Activities

3. We currently have a relatively small number of licensed premises/ gambling activities in the Borough as shown in the table below.

Betting Premises Licences Issued (GBET)	8
Number of Gaming Notifications (GNOT)	26
Licensed Premises Gaming Machine Permits (LPGMP)	12
Club Machine Permits (CMP)	6
Small Society Lotteries (GALOT/LOT)	38

Consultation

4. Section 349(3) of the Act requires LAs to consult with the following on their SoP or any subsequent revision.
 - 4.1 The Chief Officer of Police for this area;
 - 4.2. One or more persons who appear to be the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - 4.3 One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

- 4.4 The list of consultees is deliberately wide as it enables licensing authorities to consult with anyone who may be affected by or otherwise have an interest in the SoP.
- 5.5 In addition to the statutory consultees we are proposing to consult with the following:
- All ward councillors.
 - Parish Councils
 - Surrey County Council- Children's Services
 - Other Local Authorities in Surrey
- 5.6 We are planning to commence consultation on the attached draft SoP week commencing November 8th. As part of this we will be contacting all ward councillors by email to give them an opportunity to comment. The consultation will last for a minimum of 6 weeks.
- 5.7 The results of this consultation will be reported to the Licensing Committee in February 2022, together with the final draft SoP for recommendation to Full Council on the 23rd February.
- 5.8 The current SoP will expire on the 30th January 2022. There will therefore be approximately three weeks between the old SoP expiring and the new SoP being adopted. We do not envisage this causing us any difficulties as there is no significant changes to the principles we must apply when considering new applications for licences under the Act.
- 5.9 The start of consultation will be subject to the outcome of this evening's meeting.

Financial implications

6. The cost of consultation is likely to be in the region of £300, this will be met from within existing budgets.

Recommendation

7. The Licensing Committee is advised to note the contents of this report and to approve the attached draft revised SoP 2022-2025 for consultation.

Annex A

Annexes	Annex A: Draft revised Statement of Principles 2022-2025
Background Papers	Gambling Commission- Guidance to licensing authorities (Published April 2021)
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