

REPORT BY DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES.

TO:	Licensing Committee		
DATE:	1 February 2022	AGENDA ITEM:	
TITLE:	REVIEW OF THE STATEMENT OF GAMBLING LICENSING PRINCIPLES		
LEAD COUNCILLOR:	Deborah Edwards	PORTFOLIO:	
SERVICE:	Planning, Transport & Regulatory Services	WARDS:	Borough Wide
LEAD OFFICER:	Robert Smalley	TEL:	0118 937 2846
JOB TITLE:	Licensing Enforcement Officer	E-MAIL:	Robert.Smalley@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 On 25th September 2018, the Licensing Applications Committee approved the Council's current Statement of Gambling Licensing Principles. The current policy timeframe is 31st January 2019 to 31st January 2022.
- 1.2 The Gambling Act 2005 (the 'Act') requires that the Council review its Gambling Policy every three years. The policy typically runs for a three-year period starting and ending in January with the first appointed day under The Gambling Act 2005 (Licensing Authority Policy Statement) (First Appointed Day) Order 2006 being 31st January 2007.
- 1.3 The purpose of this report is to submit a revised Statement of Gambling Licensing Principles to be in effect from 31 January 2022 until 31 January 2025.

Appendix RS-1 - Statement of Gambling Licensing Principles

Appendix RS-2 - List of Consultees

Appendix RS-3 - Summary of Consultation Responses

Appendix RS-4 - Climate Impact Assessment

2. RECOMMENDATIONS - DECISIONS/ACTIONS REQUIRED

- 2.1 That the revised "Statement of Gambling Licensing Principles", as attached at Appendix RS-1, be approved for implementation on 31st January 2022.

3. POLICY CONTEXT

- 3.1 Under the Act, Reading Borough Council, as the licensing authority, has responsibility for:

- Licensing premises for gambling activities (and temporary use) e.g. betting shops & casinos.
- Regulating gaming and gaming machines in clubs and miners' welfare institutes.
- Granting permits to family entertainment centres for the use of certain lower stake gaming machines.
- Regulating gaming and gaming machines on alcohol licensed premises such as pubs.
- Granting permits for prize gaming.
- Registering small society lotteries.
- Producing a local area profile for the Borough of Reading and ensuring that applications are consistent with the licensing objectives and policy of the Council.
- Enforcing the provisions of the Act.

3.2 The gambling framework must center around the 3 licensing objectives:

- to protect children and other vulnerable people from harm;
- to prevent gambling being a source of crime or disorder; and
- to ensure that gambling is conducted in a fair and open way.

3.3 Licence fees for gambling activities are set centrally but are banded so that local authorities have some discretion in the level of fee payable.

4. THE PROPOSAL

4.1 Current Position:

4.2 The Gambling Act 2005 (the 'Act') requires that the Council review its Gambling Policy every three years. The policy typically runs for a three-year period starting and ending in January with the first appointed day under The Gambling Act 2005 (Licensing Authority Policy Statement) (First Appointed Day) Order 2006 being 31st January 2007.

4.3 The three-year period for the current Gambling Policy comes to an end on 31st January 2022 and therefore a revised Policy needs to be in place from 31st January 2022

4.4 Option Proposed:

4.5 Approval is sought to implement the revised Statement of Gambling Licensing Principles as detailed at **Appendix RS-1**.

4.6 The revised Statement of Gambling Licensing Principles will come into force on 31st January 2022

4.7 There are a few small changes to the Statement of Gambling Licensing Principles. These are mostly updating statistical figures, maps and contact details.

4.8 Section 11.2 of the current policy has been removed due to the stakes for Fixed Odds Betting Terminals (FOBT's) being reduced from £100 to £2 by the Gaming Machine (Miscellaneous Amendments and Revocation) Regulations 2018 which came into force on 01st April 2019. Since this change there have been no reports showing that these machines are having the same detrimental effects as they were prior to the above regulations and therefore no longer warrant particular scrutiny when addressing licence applications.

4.9 Other Options Considered:

4.10 No other options considered as a policy is required under the Gambling Act 2005

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 This policy and its implementation contribute to the following strategic aims in the Council's Corporate Plan 2021-22:

- Protecting and enhancing the lives of vulnerable adults and children.
- Securing the economic success of Reading.

5.2 The aim of the policy is to find a balance between securing the safety and amenity of our residential and business communities and responsibly maintaining and developing Reading's role as a major entertainment and cultural centre.

5.3 The policy considers the Gambling Commission's aim to strengthen social responsibility and to ensure that operators of gambling premises are risk assessing their operation in line with the local area profile drawn up by the Licensing Authority. The policy also aims to ensure that all gambling is conducted with a view to promoting the licensing objectives and to encourage operators to promote responsible gambling, in line with the relevant codes of practice and guidance issued by the Gambling Commission.

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

6.1 There are no specific environmental or climate implications to this policy.

6.2 There are currently 33 licensed premises, of which, 27 are of small retail unit size and 6 are larger buildings (casinos, bingo hall & adult gaming centre). It is not envisaged that any premises that fall under this policy will negatively impact the following to any significant degree: air quality, biodiversity, wildlife, green space, natural habitats, landscape/visual impact, natural resources, noise pollution, waste/waste management.

6.3 Furthermore, no significant increase in emissions of greenhouse gases/ carbon dioxide are expected. It is not possible to predict how the total number of premises, nor the number of customers to such premises will fluctuate over the next 3 years of the proposed policy, however, there has been a decrease of 3 licensed premises throughout the current policy period.

- 6.4 There has also been an increase in the number of remote gambling activity (gambling online via computer, smartphone etc)
- 6.5. The Climate Impact Assessment is attached at **Appendix RS-4**.

7. COMMUNITY ENGAGEMENT AND INFORMATION

- 7.1 Consultations regarding the review of the Council's Gambling Policy were sent to various bodies within the gambling industry, groups who deal with the effects of gambling and responsible authorities stated within the Gambling Act.

The list of consultees is attached at **Appendix RS-2**.

- 7.2 The consultation period ran from 14th December 2021 until 11th January 2022 and responses are attached at **Appendix RS-3**

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The aim of the Gambling Policy is to ensure the night time economy is safe and accessible to all.

9 LEGAL IMPLICATIONS

- 9.1 The Gambling Act 2005 requires Local Authorities to review, consult and publish a Statement of Gambling Licensing Principles every three years. Failure to do so would lead to the Council being in breach of its statutory obligation.
- 9.2 Local Authorities may attach such conditions to certain categories of licences as they may consider reasonably necessary, in accordance with the Act. All applications for premises licences will need to demonstrate how they will promote the licensing objectives; adhere to the relevant codes of practice and guidance issued by the Gambling Commission and adhere to the Licensing Authority's Statement of Gambling Licensing Principles, specifically the Local Area Risk Profile for their area of operation. Whilst there is an expectation that the Licensing Authority will 'aim to permit' a licence, it shall only do so, subject to the applicant meeting the criteria set out in this paragraph and in paragraph 8.1.1 of the Council's Statement of Gambling Licensing Principles.

10. FINANCIAL IMPLICATIONS

10.1 The financial implications arising from the proposals set out in this report are set out below: -

10.2 Revenue Implications

	2021/22	2022/23	2023/24
Employee costs	£0	£0	£0
Other running costs	£21,622	£21,622	£21,622
Capital financings costs	£0	£0	£0
Expenditure	£0	£0	£0
Income from:			
Fees and charges	£21,622	£21,622	£21,622
Grant funding	£0	£0	£0
(specify)			
Other income	£0	£0	£0
Total Income	£21,622	£21,622	£21,622
Net Cost (+)/saving (-)	£0	£0	£0

10.3 Capital Implications

Capital Programme reference from budget book	2021/22	2022/23	2023/24
Proposed Capital Expenditure	£0	£0	£0
Funded by			
Grant (specify)			
Section 106 (specify)			
Other services			
Capital Receipts/Borrowing			
Total Funding	£0	£0	£0

10.4 Value for Money (VFM)

The annual licence fees charged cover the cost of enforcement. Licence fees for gambling activities are set centrally but are banded so that local authorities have some discretion in the level of fee payable.

10.5 Risk Assessment

The Council is required by statute to review, consult and publish a Statement of Gambling Licensing Principles every three years. Failure to do so would lead to the Council being in breach of its statutory obligations and could lead to judicial proceedings being taken against it which would incur significant costs to the Council.