

Wiltshire Council

Licensing Committee

13 September 2021

Statement of Gambling Principles

Summary

This report describes the consultation results following the public consultation of the revised Statement of Gambling Principles and highlights the amendments that have been made to the document.

Proposal(s)

It is recommended:

That the Licensing Committee notes the amendments made to the Statement of Gambling Principles and commends the Statement of Gambling Principles (final version) in relation to the Gambling Act 2005 to Full Council for approval at its meeting on 19 October 2021.

Reason for Proposal

The Council must review its Statement of Gambling Principles every three years. The Statement of Gambling Principles is due for review and must be consulted on and ratified by Full Council prior to it coming into force. Following acceptance of the amendments made by this Licensing Committee, a final version of the Statement of Gambling Principles will be required to be submitted to Full Council on 19 October 2021.

Jessica Gibbons
Director Communities and Neighbourhoods

Wiltshire Council

Licensing Committee

13 September 2021

Statement of Gambling Principles

Purpose of Report

1. To ask the Licensing Committee to note the consultation undertaken and amendments made to the Council's revised Statement of Gambling Principles (in relation to the Gambling Act 2005).
2. That the Licensing Committee commends the Statement of Gambling Principles in relation to the Gambling Act 2005 to Full Council for approval at its meeting on 19 October 2021.

Relevance to the Council's Business Plan

3. "People in Wiltshire work together to solve problems locally and participate in decisions that affect them".

"People are as protected from harm as possible and feel safe".

Main Considerations for the Council

4. It is a statutory requirement that the Statement of Gambling Principles must be approved by Full Council as this is not a function that can be delegated to the Licensing Committee.

Background

5. Wiltshire Council is the Licensing Authority, and is required to discharge its responsibilities in relation to the Gambling Act 2005 with a view to promoting the three licensing objectives, 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,
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Gambling Act 2005 was designed to be light touch legislation covering a number of "licensable activities". Such activities are defined within this Act.

Social responsibility is an important element of the Statement of Gambling Principles and we have taken this into consideration following guidance from the Gambling Commission.

6. In order for the Licensing Authority to discharge its licensing functions it is required to draw up a Statement of Gambling Principles in relation to the Gambling Act 2005. This policy is to be reviewed every three years and is the subject of a consultation process.
7. Due to the nature of the amendments proposed and time constraints, the Licensing Manager sought support by way of a meeting with the Chair and Vice chair of the Licensing Committee, to carry out the consultation of the revised Statement of Gambling Principles.
8. This report advises Members of the consultation that has taken place and outlines the comments received. No further amendments have been made to the Council's revised Statement of Gambling Principles from those proposed and consulted on.

Consultation

9. Consultation period: 12th July – 22 August 2021

- 9.1 List of Consultees included: -

- The Gambling Commission
- Wiltshire Police
- Wiltshire Fire Service
- Local Planning Authority
- Environmental Health
- Public Health
- Children and Family Services
- HM Revenue and Customs
- Gamcare
- Coral Racing
- Betfred
- William Hill
- Ladbrokes
- Stan James
- All licensed gambling premises in Wiltshire
- Town and Parish Councils
- All Wiltshire Council Members.

- 9.2 All statutory consultees have received a link to the full copy of the draft Statement of Gambling Principles. Further, all relevant premises and specific bodies requesting information have been advised of the revised Statement of Gambling Principles and its availability. Finally, a copy of the revised Statement of Gambling Principles was also available on Wiltshire Council's Website.

- 9.3 The Statement of Gambling Principles is a document setting out the Council's proposals to ensure a balanced approach towards the licensing of premises. The revised Statement of Gambling Principles has been based on the requirements of the Gambling Act 2005 and amendments made are limited to update of information and change of an

address as detailed below:

Page 5, Introduction - update to the current number and make up of the Gambling Premises in Wiltshire.

“There are currently 38 Licensed Gambling Premises in Wiltshire comprising of: five Adult Gaming Centres, 29 Betting Shops, a Bingo Hall, and Salisbury Racecourse. There are also two Unlicensed Family Entertainment Centres and a number of premises who hold Permits for Gaming Machines”.

Appendix D - addition of the sentence *'These figures are correct as of 2018, up to date figures will be provided, when a local area profile is requested'* under the Wiltshire Area Profile.

Appendix E - updated address for Gamcare.

9.4 There are no changes required as a result of either new or amended legislation, regulations or guidance issued by the Secretary of State.

9.5 Responses were received during the consultation period, from Amesbury, Melksham and Westbury Town Councils. All in support of the Statement of Principles, two stating other concerns about Gambling in Wiltshire however these do not impact upon the consultation for the statement. These are attached as Appendix 1, 2 and 3 respectively.

Safeguarding Implications

10. One of the key objectives of the Gambling Act 2005 is 'The Protection of Children from Harm': Wiltshire Council's Children's Services Department has been designated as the Responsible Authority under the Gambling Act 2005. In this capacity they are required to ensure that decisions about licensing are taken with due regard to the need to safeguard and promote the welfare of children.

Public Health Implications

11. The Licensing and Public Health teams work together within the Council to ensure that the health implications of gambling are considered.

Environmental and Climate Change Considerations

12. There is minimal environmental impact of these proposals.

Equalities Impact of the Proposal

13. The impact of these proposals is assessed as 'low' against the Council statutory responsibilities. There are potential implications with respect to human rights.

Risk Assessment

14. Licensing is a statutory undertaking. Should the proposals in this report not be adopted it would leave Wiltshire Council in a position of being unable to effectively undertake its statutory responsibilities and functions under the Gambling Act 2005.

Risks that may arise if the proposed decision and related work is not taken

15. Criticism of the Council and thus compromise the reputation of Wiltshire Council.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

16. There are no particular risks identified from any of the proposals.

Financial Implications

17. There are no additional financial implications of the proposals contained within this report.

Legal Implications

18. As stated, the Council is required under the Gambling Act 2005, to prepare and publish a Statement of Gambling Principles in relation to the exercise of its functions under the Gambling Act 2005. Once adopted, the Statement of Gambling Principles must be regularly reviewed and is a material consideration to be taken into account when the Council is exercising any of its functions under the Gambling Act 2005. When preparing its Statement of Gambling Principles, the Council is required to consult the Police, Persons representing gambling businesses and Persons representing the interests of the people likely to be affected by Gambling. In accordance with the Gambling Act 2005 and the Council's constitution, the Statement of Gambling Principles must be approved by Full Council.
19. The Licensing Authority is a high-profile regulatory service important for protecting the public but also for ensuring the balance between development of the leisure industry and economic viability and the protection of communication. The fair application of licensing functions is critical for the reputation of the Council and for building trust and confidence in its service provision.

Conclusions

20. The adoption of a revised Statement of Gambling Principles by 1 January 2022 is a statutory requirement.

Proposal

21. To ask Members to note the consultation undertaken and amendments made to the Council's revised Statement of Gambling Principles (in relation to the Gambling Act 2005).
22. That the Licensing Committee commends the Statement of Gambling Principles, as attached at Appendix 2 to this report, in relation to the Gambling Act 2005 to the Council for approval at its meeting on 19 October 2021.

Reason for Proposal

23. The Wiltshire Council's Statement of Gambling Policy must be reviewed every three years and be the subject of a consultation process.

Jessica Gibbons
Director Communities and Neighbourhoods

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1 September 2021

Background Papers

- Gambling Act 2005
- Gambling Commission Guidance to Local Authorities
- Gambling Commission's Licence conditions and Codes of Practice
- Wiltshire Council's Current Gambling Statement of Principles

Appendices

1. Response received from Amesbury Town Council
 2. Response received from Melksham Town Council
 3. Response received from Westbury Town Council
 4. Wiltshire Council Statement of Gambling Principles 2022 - 2025
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