

## GAMBLING POLICY – REVIEW OF CONSULTATION RESPONSES

### 1. RECOMMENDATIONS

- 1.1 That the Committee note the consultation undertaken and consider the amendment to the draft policy as suggested in point 4.8. Alternatively, Members may wish to note the comments made but make no changes to the policy.
- 1.2 That subject to any changes arising from 1.1, the General Purposes and Licensing Committee commends the revised Statement of Gambling Principles in relation to the Gambling Act 2005, to the Council for approval at its meeting on 6 December 2021.

### 2. INTRODUCTION

- 2.1 The purpose of this report is to ask Members of the Committee to note the consultation undertaken, consider the responses received and agree any subsequent amendments made to Council's revised Statement of Gambling Principles (Gambling Act Policy), in relation to the Gambling Act 2005 for the period 2022-2024 (inclusive). **Appendix 1** attached to this report.
- 2.2 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 General Purposes and Licensing Committee.

### 3. BACKGROUND

- 3.1 The New Forest District Council is the Licensing Authority for this area and is required to discharge its responsibilities in relation to the Gambling Act 2005.
- 3.2 The licensing objectives which underpin the Gambling Act are:
  - 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.
- 3.3 The Statement of Gambling Principles outlines the Authority's policy in respect of granting licences, permits and registrations issued under the Gambling Act 2005 in order to promote the licensing objectives.
- 3.4 The policy is to be reviewed every three years, to ensure that it remains current and reflects any changes in legislation or statutory guidance. There were no changes proposed for this revision, however it is a statutory requirement to consult on any review of the policy that has been carried out.

### 4. CONSULTATION

- 4.1 The consultation took place between 19 July 2021 and 10 September 2021.
- 4.2 Consultees included, The Gambling Commission, Hampshire Constabulary,

Hampshire and IOW Fire Rescue Service, neighbouring Local Authorities, persons representing gambling businesses and persons representing the interests of people likely to be affected by gambling.

- 4.3 All statutory consultees, relevant premises and specific bodies were advised of the revised Policy and referred to its availability on the Council's website.
- 4.4 Two responses were received during the consultation period. One was from a solicitor representing a trade body (The Betting and Gaming Council) and a second from an organisation representing problem gamblers. The latter did not provide any specific feedback due to resource constraints, but welcomed the consultation invitation. Both responses are provided in **Appendix 2**.
- 4.5 The response from The Betting and Gaming Council (BGC), submitted by Gosschalks solicitors provided a background on their organisation, in addition to specific comments on the draft New Forest District Council Policy.
- 4.6 The response stated in relation to the 2022-2024 draft statement of gambling principles that:

*On behalf of the BGC we welcome the light-touch approach to the statement of principles and in the circumstances have very few comments to make.*

*On page 18, there is a typographical error in the sentence that should read, "The local risk assessment should show how children are to be protected through **an** assessment of ....."*

*Following that sentence, there are three bullet points, one of which needs to be deleted. This is the final bullet point that refers to, "issues of youths participating in antisocial behaviour, including activities such as graffiti, tagging, under-age drinking etc." These are all issues of nuisance which is not a relevant consideration to any assessment of risk to the licensing objectives. Accordingly, this bullet point should be removed.*

*On behalf of the BGC, we thank you for the opportunity to comment on your draft statement of principles and hope that these comments above are useful.*

*The BGC will work with you to ensure that its members' operation of its premises will operate in accordance with the licensing objectives.*

- 4.7 The Gambling Act 2005 requires the Licensing Authority to consider all comments received except those based on a dislike of gambling, moral objections or comments on the demand or need for gambling premises in the district, as precluded by the Act.
- 4.8 Members are asked to consider the response from the BGC and the proposed amendments of correcting the typographical error and removing the bullet point that states, "issues of youths participating in antisocial behaviour, including activities such as graffiti, tagging, under-age drinking etc."

## **5. CONCLUSIONS**

- 5.1 It is a statutory requirement that the Licensing Authority review and revise the Statement of Gambling Principles.
- 5.2 The adoption of the revised Statement of Gambling Principles is required by Members.

## **6. FINANCIAL IMPLICATIONS**

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

## **7. CRIME & DISORDER IMPLICATIONS**

7.1 There are none.

## **8. ENVIRONMENTAL IMPLICATIONS**

8.1 There is minimal environmental impact of these proposals.

## **9. EQUALITY & DIVERSITY IMPLICATIONS**

9.1 Where applicable the Gambling Act Policy will cover the approach taken by the Council to address equality and diversity matters.

## **10 DATA PROTECTION IMPLICATIONS**

10.1 There are none.

## **11 APPENDICES**

### **Appendix 1**

NFDC Draft Statement of Principles (Draft Gambling Policy) for 2022-2026

### **Appendix 2**

Responses received during the consultation

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#### **Background Papers:**

Statutory Guidance issued under S25 of the

Gambling Act 2005 (5th Edition)

The Gambling Act 2005