

<b>Subject:</b>	<b>Gambling Policy Review 2022-2024 (as revised)</b>		
<b>Date of Meeting:</b>	<b>24 June 2021</b>		
<b>Report of:</b>	<b>Executive Director of Housing, Neighbourhoods &amp; Communities</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jim Whitelegg, Regulatory Services Manager</b>	<b>Tel: 29-2438</b>
	<b>Email:</b>	<b>Jim.whitelegg@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The Gambling Act 2005 requires Licensing Authorities to prepare, every three years, a statement (also known as a Policy) of the principles which they propose to apply when exercising their functions, and they must publish the statement following the procedure set out in the Act, including whom they should consult.

### **2. RECOMMENDATIONS:**

- 2.1 That committee instruct officers to carry out a consultation on the draft policy (attached at appendix 1).

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Brighton & Hove's gambling policies and practices has been highlighted by the Gambling Commission as an examples of good practice, in particular the work and links developed with Public Health to tackle gambling related harm.
- 3.2 The policy went through a comprehensive review for the 2016 version, where Licensing officers, in conjunction with colleagues from the Public Health analyst team re-wrote the Gambling Statement of Principles. A further review took place for the 2019 version, where changes included increasing awareness of mental health issues and concerns about the use of privacy booths.
- 3.3 It is not proposed that this statutory review will incorporate any major changes. We have continued to liaise with the Gambling Commission and have been advised there are no major national changes to the Guidance for Local Authorities document that will affect local policies. The revised policy will reflect changes such as the reduction in B2 gaming machine stakes in April 2019, update the licensing figures and safeguarding contacts. Pre-consultation has taken place with the Gambling Commission, relevant stakeholders such as public health and council departments to ensure that the information contained within the policy is up to date. There have been some minor changes to the wording for considerations for local risk assessments and suggested conditions. The public

health analyst team have updated the local area profile (LAP) to hopefully make it more user friendly and accessible to operators. Please find a copy of the revised Gambling Policy in Appendix 1 which includes guidance and advice on the local area profile in paragraph 13.20, and Appendix 2 contains the local area profile.

- 3.4 The gambling and the hospitality industry in general, has been severely impacted by lockdown restrictions since March 2020. Officers will be resuming the gambling premises inspection programme in the coming months as the sector fully re-opens including test purchasing operations of gaming machines in pubs.
- 3.5 The table below and also contained in the Gambling Policy 3.1.2 shows the number of gambling premises licensed by the licensing authority in 2018 and 2021. It can be seen that the numbers are fairly stable except for betting shops where we've seen a reduction of 38 to 25, which can be largely explained by the reduction in stakes from £100 to £2 for gaming machines in betting shops.

Number of Gambling Authorisations – Current Figures		
	Oct 2018	May 2021
Betting Premises Licences	38	25
Bingo Premises Licences	1	2
Adult Gaming Centre Premises Licences	10	6
Family Entertainment Centre Premises Licences	2	1
Family Entertainment Centre Permits	4	5
Alcohol licensed premises providing two or less gaming machines	182	185
Alcohol licences premises providing three or more gaming machines	25	22
Club Gaming Permits	3	3
Club Machine Permits	7	8
Casinos	4	4
Betting Track	2	2

- 3.6 Officers propose carrying out a full consultation which will last for 2 months. Following analysis of that consultation, officers will report back to committee with a proposed Gambling Policy which, if approved, will progress to Full Council for approval. A copy of the draft policy with can be found in Appendix 1.

#### 4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 None.

#### 5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Consultation will last 2 months. The existing statement of gambling policy will be sent to consultees and is available on the council's website.
- 5.2 Before publishing the Statement, the local authority is required to publish a notice of its intention to publish a statement. This must be done no less than two weeks before the statement is published. The notice must
- Specify the date on which the statement is to be published
  - Specify the date on which the statement will come into effect

- c) Specify the internet address where the statement will be published and the address of the premises at which it may be inspected and
- d) Be published on the authority's website and in or on one or more of the following places
- A local newspaper circulating in the area covered by the statement
  - A local newsletter, circular or similar document circulating in the area covered by the statement
  - A public notice board on or near the principal office of the authority's public notice board on the premises of public libraries in the area covered by the statement.
- The statement must be published at least one month before it takes effect.

### 5.3 Timetable:

- Licensing Committee 24 June 2021
- Consultation 2 months (July – August)
- Licensing Committee October 2021
- Full Council December 2021
- Advertise and publish during January 2022
- January 2022 Revised Statement comes into effect

## 6. CONCLUSION

6.1 The Licensing Authority has a duty to prepare and publish a Gambling Policy.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

7.1 There are no financial implications arising from the production of this statement, as licensing fees are set at a level that will be cost neutral to the licensing authority.

*Finance Officer Consulted: Michael Bentley*

*Date: 26/05/21*

### Legal Implications:

7.2 Local authority responsibilities include: upholding licensing objectives, publishing a three year licensing policy, determining applications for premises licences and regulating members clubs – club gaming and machine permits. The Licensing Committee established under section 6 of the Licensing Act 2004 has authority to exercise functions under the Gambling Act 2005 with the exception of: a resolution not to issue casino licences, the three year licensing policy (full council) and setting fees.

*Lawyer Consulted:*

*Rebecca Sidell*

*Date:*

### Equalities Implications:

7.3 Protecting children and other vulnerable persons from being harmed or exploited by gambling is one of the licensing objectives. The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits

children. “Vulnerable persons” will not be defined but for regulatory purposes the assumption is that this group includes people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Operators should encourage where appropriate, strategies for self help and provide information on organisations where advice and help can be sought.

With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments.

Sustainability Implications:

7.4 None.

Any Other Significant Implications:

7.5 Gambling licensing objectives are:

- (a) Preventing gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime
- (b) Ensuring gambling is conducted in a fair and open way
- (c) Protection children and other vulnerable persons from being harmed or exploited by gambling

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

- 1. Draft Gambling Statement
- 2. Local Area Profile

### **Documents in Members’ Rooms**

- 1. None.

### **Background Documents**

- 1. None.