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| Subject: | Gambling Policy 2022-24 (as revised) | | |
| Date of Meeting: | 3 February 2022 14 October 2021 – Licensing Committee | | |
| Report of: | Executive Director of Housing, Neighbourhoods and Communities | | |
| Contact Officer: | Name: | Jim Whitelegg, Regulatory Services (Licensing & Trading Stds) Manager | Tel: 29-2438 |
| | Email: | Jim.whitelegg@brighton-hove.gov.uk | |
| Ward(s) affected: | All | | |

FOR GENERAL RELEASE**1. SUMMARY 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 members agree to refer the final version of the Statement of Gambling Policy 2022-24 to Full Council for adoption. (Appendix 1)
- 2.2 That the final Statement of Gambling Policy is presented to Full Council.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 On 24 June 2021, Licensing Committee received a report and asked officers to initiate consultation regarding a review of the council's revised Gambling Policy.
- 3.2 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.

- 3.3 The policy went through a comprehensive review in 2016, 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.
- 3.4 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 reflects changes such as the reduction in B2 gaming machine stakes in April 2019, updates the licensing figures and safeguarding contacts. Pre-consultation took 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.

4. CONSULTATION

- 4.1 Consultation commenced on 5th July 2021 and lasted 8 weeks, closing on the 29th August 2021.
- 4.2 The revised statement of gambling policy was sent to statutory consultees and was available on the council's website and consultation portal. In addition, the Licensing Strategy Group, the city LATs (Local Action Teams), BID, BCRP, B&H Economic Partnership, gambling operators, and national and local gambling support networks (Gamcare and Breakeven) were consulted.
- 4.3 A total of 1 response was received from Sussex police:

Consultation responses via letter, email and consultation portal

| From: | Response: | Whether accommodated or reasons not: |
|---------------|---|--------------------------------------|
| Sussex Police | On reading the proposed policy, Sussex Police have no areas of concern to raise. The alterations are minor and we do not believe will have any negative impact. | Support for current policy |

- 4.4 Before the revised "Statement of Gambling Policy", comes into effect the local authority is required to publish the Statement of policy on the Council's website, and make it available for inspection at one or more public libraries for a period of at least 4 weeks before the date on which

it will come into effect. The authority must also publish a notice of its intention to publish a statement no later than the first day on which the statement is published. The notice must:

- a) Specify the date on which the statement is to be published
- b) 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.

4.5 The timetable is as follows:

- Licensing Committee 14th October 2021
- Full Council 16 December 2021
- Advertised and published during December 2021
- January 2022 Revised Statement comes into effect

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

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: 08/09/21

5.2 Legal Implications:

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 2003 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: 30/09/2021

5.3 Equalities Implications:

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.

5.4 Sustainability Implications:

None.

5.5 Crime & Disorder Implications:

Gambling Commission inspectors have the main enforcement/compliance role. The police and licensing authority officers have powers of entry and inspection.

5.6 Risk and Opportunity Management Implications:

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.

5.7 Corporate/Citywide Implications:

Licensing authorities licence all gambling premises in the city: casinos, bingo, betting, tracks, adult gaming centres, family entertainment centres as well as administering notices and granting gaming permits.

SUPPORTING DOCUMENTATION

Appendices:

1. Proposed statement of Gambling policy

Documents in Members' Rooms

None

Background Documents

None

Documents In Members' Rooms:

None

Background Documents:

None

