



**Council**

**Thursday, 5 December 2024**

**Gambling Act 2005 - Draft Statement of Licensing Principles  
2025-2028**

## **Report of the Director – Neighbourhoods**

### **Cabinet Portfolio Holder for Environment and Safety, Councillor R Inglis**

#### **1. Purpose of report**

- 1.1. The Council's current Statement of Principles made under the Gambling Act 2005 ("the Act") was approved in 2021. Rushcliffe Council is a Licensing Authority under the Gambling Act 2005. As a Licensing Authority, the Council must determine and publish its Statement of Principles every three years.
- 1.2. In determining the Policy, the Council must carry out the statutory consultation as provided by the Act. Once the revised Policy has been reviewed, adopted and published it will be valid until 31 January 2028.
- 1.3. The revised Statement of Licensing Principles was considered and endorsed for approval by the Licensing Committee at its meeting on the 14 October 2024

#### **2. Recommendation**

It is RECOMMENDED that the draft Statement of Licensing Principles be approved.

#### **3. Reasons for Recommendation**

The Council is required to produce a Gambling Act 2005 Statement of Principles upon which it will base its decisions. If approved the final Policy will take effect on 31 January 2025.

#### **4. Supporting Information**

- 4.1. Each Licensing Authority is required before each successive three-year period, to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during that period. This document is commonly referred to as the authority's Statement of Principles.
- 4.2. There are three licensing objectives set out in the Act, as follows:
  - 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 people from being harmed or exploited by gambling.
- 4.3. The Statement of Licensing Policy is prescribed by Central Government in its guidance to Local Authorities. The Council must have due regard to the statutory guidance and the current Policy is compatible with this advice and guidance.
- 4.4. It should be noted that the Government intend to review the gambling regime in accordance with their manifesto, and as highlighted in the consultation response from James Naish MP, see Appendix 3. However, this review will fall too late to be included within this Policy, which may therefore need a further review in accordance with any Statutory changes later. The proposed Policy reflects current legislation and Government Guidance at this time.
- 4.5. The Policy has been subject to public consultation and with members. The consultation took place from 21 July to 6 September 2024. Following the consultation process one consultee comment was made in respect of equality impact, and this was considered by the Council's Licensing Committee when it considered the draft policy on 14 October 2024. The comment was not specific to any group, and options to amend the Policy were discussed at Licensing Committee and it was agreed that no changes were necessary. It was noted that an Equality Impact Assessment has been undertaken and is provided in Appendix 4.
- 4.6. The Draft Statement of Principles, which is attached in Appendix 1, has also been subject to an extensive consultation with members of the trade, responsible authorities and current licence holders.
- 4.7. A list of amendments and response to the consultation on the draft Statement of Principles is attached at Appendix 2 and 3 to this report.

## **5. Alternative options considered and reasons for rejection**

No alternatives considered. The draft revised Policy has been subject to public consultation and Member scrutiny.

## **6. Risks and Uncertainties**

The Council will be at risk of legal challenge if a properly consulted and adopted Statement of Principles 2025-2028 is not in place by 31 January 2025.

## **7. Implications**

### **7.1. Financial Implications**

There are no financial implications arising from the recommendations in this report. The cost of the service is contained within existing budgets and broadly met by the fees received from licences.

## 7.2. Legal Implications

The Council's current statement expires on 31 January 2025, and it is necessary that the Council adopts and publishes a revised Statement of Principles by this date. If the Council fails to do this, then it will be unable to fulfil its statutory duties, with possible additional financial and legal consequences arising as a result.

## 7.3. Equalities Implications

An Equalities Impact Assessment has been undertaken and is attached to this report at Appendix 4.

## 7.4. Section 17 of the Crime and Disorder Act 1998 Implications

One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The Policy supports and assists with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences.

## 7.5. Biodiversity Net Gain Implications

There are no implications arising from this report.

## 8. Link to Corporate Priorities

The Environment	Ensuring traders use best practice to minimise their impact on the environment.
Quality of Life	Ensuring that appropriate controls are in place to manage street trading across the Borough. Benefits to the community would include safer food and environmental standards all of which will significantly impact on our residents.
Efficient Services	None
Sustainable Growth	None

## 9. Recommendation

It is RECOMMENDED that the draft Statement of Licensing Principles be approved

<b>For more information contact:</b>	Geoff Carpenter Head of Public Protection Tel: 0115 9148438, <a href="mailto:gcarpenter@rushcliffe.gov.uk">gcarpenter@rushcliffe.gov.uk</a>
<b>Background papers available for Inspection:</b>	Report to Full Council 6 December 2021 'Gambling Act 2005 - Statement of Principles <a href="#">Guidance to licensing authorities</a>

	<a href="#"><u>Report to the Licensing Committee 14 October 2024 Gambling Act 2005 – Statement of Licensing Principles</u></a>
<b>List of appendices:</b>	Appendix 1: Statement of Principles 2025-2028 Appendix 2: List of changes following consultation Appendix 3: Summary of consultation responses Appendix 4: Equalities Impact Assessment