

Date of meeting:	17 March 2025
Title of Report:	Gambling Statement of Principles (Gambling Policy)
Lead Member:	Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Events, Cemeteries & Crematoria)
Lead Strategic Director:	Professor Steve Maddern (Director of Public Health)
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Your Reference:	KOC/GA2025
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The report provides details of the three-year review of the City Council's Gambling Act Statement of Licensing Policy and contains an updated policy. The Statement of Licensing Policy is specified within the Council's Policy Framework, therefore, Full Council is required to consider and formally adopt the revised policy.

The Gambling Act 2005 (the Act) creates the regulatory system that governs the provision of all gambling in Great Britain, other than for the National Lottery and spread betting. The regulation of gambling aims to promote the following licensing objectives:

- 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, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Plymouth City Council is designated as a licensing authority for the purposes of the Gambling Act 2005 and is responsible for granting premises licenses within its area. The Gambling Commission regulate the operators of gambling activities and how gambling is undertaken.

The Licensing Team delayed review of the policy in anticipation of imminent updated Guidance for Local Authorities by the Gambling Commission which is likely to require significant changes to the Statement of Licensing Policy. However, the Gambling Commission recently confirmed that the statutory guidance is still being considered and would not be available for the timeframe needed for our current policy review. Therefore, the attached policy has been reviewed in line with current guidance. As there was a comprehensive review of the policy in 2022, the only changes at this time are to amend the dates of the policy and to update the contact details of the responsible authorities.

The approach taken by the Licensing Authority, in anticipation of the amended statutory guidance, has been approved by the Gambling Commission and mirrors that of other local authorities at this time. Although the Policy is dated January 2025, the existing policy remains enforceable until the Council adopts the updated Statement of Principles contained in Appendix B on March 17 2025. A further

comprehensive review will be undertaken on release of updated Gambling Commission guidance, expected before the expiry of the attached proposed policy.

Recommendations and Reasons

I. Your Recommendation

That Council considers this report and agrees to adopt the proposed Gambling Act Statement of Principles contained in Appendix B.

Reason: If the Policy is not approved the Council is unable to process any applications until a new policy statement has been formally approved.

Alternative options considered and rejected

No alternative options are available. To comply with statutory requirements the Policy must be considered and adopted by City Council.

Relevance to the Corporate Plan and/or the Plymouth Plan

This is a statutory policy required to allow the Council to determine applications made under the Gambling Act 2005. The policy supports the themes of Economic Growth, Local Community and Health & Wellbeing

Implications for the Medium Term Financial Plan and Resource Implications:

None. The Gambling (Premises Licence) Fees (England and Wales) Regulations 2007 sets out the standards to be followed in the setting of gambling fees and charges. The regulations do not set a specific fee that the authority must charge but set a maximum that cannot be exceeded.

The Council Constitution Scheme of Delegation has delegated responsibility for setting fees to the Licensing Committee, who have determined that its fees should be set at the maximum level to secure full cost recovery in carrying out its regulatory functions as specified in the Act.

Financial Risks

None. Fees for this process are recovered by the gambling fees and charges as stated above.

Legal Implications

(Provided by Ian Wills)

The review of the Statement of Licensing Policy ensures the Council is complying with the review period specified at S349 Gambling Act 2005

Carbon Footprint (Environmental) Implications:

All documentation is available online, printing and posting is avoided wherever possible.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area. The Equalities Impact Assessment concluded that the new Statement of Licensing Principles (Gambling Policy) would promote equality. It is a statutory requirement that no persons under the age of eighteen shall be permitted entry to age-restricted licensed premises for the purposes of gambling, although there is no upper limit. There are no restrictions that apply to any of the other protected characteristics i.e. disability, gender, race and sexual orientation. Problem gambling can cause significant social and health problems, irrespective of socioeconomic status. The adverse impacts on family members, including children, are also clear (34% of callers to Gamcare reported gambling affected the family, friend or partner). Problem gambling can exacerbate child poverty. Parents

who have a gambling problem may adversely affect their children’s well-being; they are less likely to parent well; they will have less money to spend to meet their family’s needs; and they may be less able to work.

Local data identifying the number of persons who are at risk of or those that experience problem gambling is not easily obtainable. National surveys are undertaken periodically by NatCen which show that 3.9% of adults are classified as “at risk” using the Problem Gambling Severity Index (PGSI).

Problem gambling was more prevalent among people who had participated in a number of gambling activities in the past year. Prevalence was 11.9% for those who participated in seven or more activities compared to 0.3% of these who had taken part in just one gambling activity in the past year.

The policy seeks to allow licensed premises the legitimate opportunity to undertake licensed gambling activities providing that they are lawful and within their licensing requirements, in particular in respect to the protection of young persons and other vulnerable persons.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing report title	x						
B	Proposed Gambling Statement of Principles (Gambling Policy) 2025 – 2028	x						
C	Equalities Impact Assessment (if applicable)	x						
D	Climate Impact Assessment (if applicable)							


Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

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Originating Senior Leadership Team member: Katharine O'Connor											
Please confirm the Strategic Director(s) has agreed the report? Yes Date agreed: 05/03/2025											
Cabinet Member approval:  Date approved: 07/03/2025											

Briefing Report

1.0 Background

- 1.1 The Gambling Act 2005 (the Act) contains the regulatory system that governs the provision of all gambling in Great Britain, other than for the National Lottery.
- 1.2 Plymouth City Council is designated as a 'licensing authority' for the purposes of the Gambling Act 2005 and is therefore responsible for granting premises licenses within its administrative district in respect of:
- Casino premises;
 - Bingo premises;
 - Betting premises, including tracks;
 - Adult Gaming Centres;
 - Family Entertainment Centres.
- 1.3 The Gambling Commission regulates gaming and certain lotteries. They are responsible for issuing new operating licences under the Act to organisations and individuals who are providing facilities for gambling and personal licences to certain categories of people working in the gambling industry. In general the Gambling Commission regulate the operation of the gambling activities, whilst the Licensing Authority regulates the environment in which the gambling activity takes place, such as consideration of premises licences.
- 1.4 The Gambling (Premises Licence) Fees (England and Wales) Regulations 2007 sets out the standards to be followed in the setting of gambling fees and charges. The regulations do not set a specific fee that the authority must charge but set a maximum that cannot be exceeded. The Council Constitution Scheme of Delegation has delegated responsibility for setting fees to the Licensing Committee, who has determined that fees should be set at the maximum level to secure full cost recovery in carrying out its regulatory functions as specified by the Act.
- 1.5 The report provides details of the 3 year review of the City Councils Gambling Act Statement of Licensing Policy and contains a draft policy to commence from 2025. The Statement of Licensing Policy is specified within the Council's Policy Framework, therefore, Full Council is required to consider and formally adopt the revised policy.

- 1.6 The Gambling Policy (Statement of Principles) was updated in detail in 2022 and therefore only minor changes are required.

2.0 Statement of Licensing Policy

- 2.1 The Council is required to publish a Gambling Statement of Principles (Gambling Policy) regarding the exercise of their functions in a manner which is consistent with three licensing objectives. The licensing objectives are:
1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
 2. Ensuring that gambling is conducted in a fair and open way, and
 3. Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Council's existing Statement of Principles is dated 30 January 2022 therefore the revised policy is urgently required in order for the Council to continue to be able to administer this legislative function. The current policy remains enforceable until this review is approved.

- 2.2 The Council's revised policy is divided into three parts.

Part A sets out a **statement of principles** of how the Council, as the licensing authority, will discharge its functions, its policy on the exchange of information and the better regulation principles that will be applied;

Part B sets out the **general principles of how the Council will consider applications**, its relationship with other agencies and the relevance of licensing conditions;

Part C sets out **how the Council will issue gaming machine permits**.

- 2.3 Most people who gamble do so safely most of the time. But gambling can be harmful for some. Excessive play due to inexperience or binge gambling, periods of loss of control and more serious gambling addiction. The harm suffered is not restricted to the gambler, but also felt by families, friends, communities and employers.

Inequalities and the protection of children and vulnerable persons is a priority for the City. Parents who have a gambling problem may adversely affect their children's well-being; they are less likely to parent well; they will have less money to spend to meet their family's needs; and they may be less able to work.

- 2.4 The policy includes reference to the Local Area Gambling Profiles which were published in April 2020. The local area profile has been produced with our Public Health colleagues and is an assessment of the key characteristics of Plymouth in the context of gambling related harm. The information obtained for the assessment helps to provide a better understanding of the types of people that are at risk of being vulnerable to gambling related harm, where they are located and any current or emerging problems that may increase that risk. The profiles can be used by gambling operators to assess local risks to the licensing objectives, posed by the provision of gambling facilities at each of their premises and to have policies, procedures and control measures in place to mitigate the risks. The profiles will also assist gambling operators in undertaking and preparing their local premises risk assessment, and will be reviewed further at the next comprehensive update.

3.0 Consultation

3.1 The Council is required to consult with stakeholders affected by the administration of its functions under the Act. As there were no significant changes to the Policy, a short consultation is being undertaken between 5 March 2025 and 14 March 2025. A public notice was published in the Council House. The link to the policy is here:

<https://www.plymouth.gov.uk/gambling-policy-review-2025>

The following interested parties were written to:

- Devon and Cornwall Constabulary
- Plymouth City Council
 - Public Health
 - Environmental Health
 - Planning
 - Child Protection
- Devon & Somerset Fire and Rescue Service
- Gambling Commission
- Existing licence-holders
- Child Protection
- Maritime & Coastguard Agency
- H M Revenue & Customs

3.2 If there are any objections or responses which require changes to the attached policy, the report will be withdrawn from March 2025 Full Council and considered at a future date.