



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and Date of Committee	LICENSING COMMITTEE – 17 SEPTEMBER 2024
Subject	GAMBLING ACT 2005 STATEMENT OF PRINCIPLES (POLICY) REVIEW 2024
Wards Affected	ALL
Accountable Member	Councillor Duncan Enright – Deputy Leader and Executive Member for Finance Economic Development Email: duncan.enright@westoxon.gov.uk
Accountable Officer	Jon Dearing – Assistant Director, Resident Services. Email: jon.dearing@westoxon.gov.uk
Report Author	Mandy Fathers – Business Manager, Environmental, Welfare and Revenue Services. Email: mandy.fathers@westoxon.gov.uk
Purpose	The report details the statutory requirement to review the current Policy and provides Committee with a draft document for consultation
Annexes	Annex A – Draft Statement of Principles
Recommendations	That the Licensing Committee resolves to: 1. Consider the draft Statement of Principles at Annex A; and, 2. Agree that, subject to any further amendments, a consultation exercise to seek the views of the trade and relevant stakeholders on the revised Policy be approved.
Corporate Priorities	<ul style="list-style-type: none">• Putting Residents First• Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Chief Executive, Chief Finance Officer, Monitoring Officer, Interim Head of Legal Services, Finance Business Partner, Interim Executive Director, Interim Managing Director

1. EXECUTIVE SUMMARY

- 1.1** Section 349 of the Gambling Act 2005 (the “Act”) requires licensing authorities before each successive period of three years to:
 - a) Prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and
 - b) Publish the statement.
- 1.2** The next “successive period” starts on 31 January 2025. However, the Statement needs to be adopted by 31 December 2024 as it must be published at least 4 weeks before the date on which it comes into effect on the authority’s website and also be available for inspection by the public.
- 1.3** Before determining its Policy, the Authority is required to consult with the police, persons who represent the interests of gambling businesses and those who represent the interests of persons who are likely to be affected by gambling businesses.

2. BACKGROUND

- 2.1** The Gambling Act 2005 (the “Act”) came into effect on 1 September 2007, and amongst other changes, gave to Local Authorities new and extended powers for licensing premises for gambling, including betting shops, family entertainments centres, casinos, bingo premises and gaming machine arcades. Local Authorities are also responsible for registering small society lotteries and for issuing permits to pubs and clubs for gaming machines.
- 2.2** The Act contains three licensing objectives which underpin the functions that the Gambling Commission and the Licensing Authority must perform. They are:
 - a) Preventing gambling from being a source of crime or disorder, being associated with crime and disorder, or being used to support crime.
 - b) Ensuring that gambling is conducted in a fair and open way; and
 - c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3. MAIN POINTS

- 3.1** Annex A of the report sets out, for consultation, the proposed Statement of Policy and Principles by which this Authority will exercise its functions during the period 2025 – 2028.
- 3.2** The proposed Statement largely mirrors the existing Statement of Policy and Principles. The opportunity has been taken to strengthen the policy in a number of areas as detailed below:
 - 1) Amendments to paragraph 11.2, page 7, expanding on the functions of others that are outside of the control of Local Licensing Authorities.
 - 2) New addition at paragraph 14.5, page 16 has been added to provide more details on gambling prevalence and social responsibility. This section lists key areas that operators of gambling premises must focus on to promote socially responsible

gambling, and these should also reduce the risk of, and seek to identify, problem gambling.

3.3 Due to time constraints, it is proposed to carry out a reduced consultation period of 6 weeks. Comments will be reported back to the Licensing Committee in November 2024, with a view to a recommendation being made to the Council to adopt the Policy at its meeting on 27 November 2024.

3.4 Licensing will consult with:

- All current licence holders
- Ward Members
- Town/Parish Councils
- Authorities e.g. Thames Valley Police
- Any other relevant parties e.g. Gamcare
- The review will be published on the Council's website

4. ALTERNATIVE OPTIONS

4.1 None.

4.2 FINANCIAL IMPLICATIONS

5.1 There are no financial implications associated with this report.

6. LEGAL IMPLICATIONS

6.1 All legal implications are set out in this report, above.

7. RISK ASSESSMENT

7.1 Should the Licensing Authority fail to carry out a review it will fail to meet its statutory obligations under the Act.

8. EQUALITIES IMPACT

8.1 These are statutory functions and are applied nationally

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

9.1 None

10. BACKGROUND PAPERS

10.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

Report CL.12 (F) Licensing Committee minutes and recommendations

10.2 These documents will be available for inspection at the Council Offices at Woodgreen during normal office hours for a period of up to 4 years from the date of the meeting. Please contact the author of the report.

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