

# **Briefing – Statement of Gambling Policy: decision to consult**

## **Summary**

- The Portfolio Holder for Regulatory is planning to make a decision to consult on the Statement of Gambling Policy.
- Contained within this briefing:
  - Policy background
  - Information on the policy
  - Stakeholders to consult
  - Consultation timeframe

## **Background**

Councils have a key role to play in licensing gambling premises.

Section 349 of the Gambling Act 2005 requires each Licensing Authority in England and Wales to determine and publish its Policy Statement on the exercise of its gambling functions every three years. To comply with the legislation the council needs to review its Policy Statement.

The Statement of Gambling Policy sets out the council's approach to gambling licensing across the district. It provides guidance to licence holders, applicants as well as the licensing authority when processing licence applications, ensuring that they meet the council's policies and expectations. The council is legally obliged to have regard to the Statement of Gambling Policy when making decisions on licence applications or reviews.

The current statement was agreed in October 2018 by the joint cabinet of former Forest Heath and St Edmundsbury councils. Here, the cabinet made the following recommendations:

- That the 2022 review incorporates a more 'whole council' approach as gambling is increasingly recognised as a complex public health issue, where other aspects of regulation could play a part
- To undertake a review of the Local Area Profile following single council.

## **Review of the Local Area Profile and Statement of Gambling Policy**

### **The Local Area Profile (LAP)**

The LAP is intended to ensure the council are providing enough helpful information for operators and directing them to more information about the area they are based in at ward or settlement level.

According to guidance set out by London Councils, among others, ensuring that the LAP includes key vulnerability datasets from numerous sources and partners, which can be applied by location, represents the most effective public health and "whole council" approach to gambling licensing.

Following best practice, the review of the LAP considered how to best define "vulnerability". The 2015 report by Geofutures entitled, 'Exploring area-based

vulnerability to gambling -related harm: Who is Vulnerable?’ examined the implications of applying the issue of vulnerability to measure the harm related to gambling. The report ultimately set out the key vulnerable groups as:

- Young People
- People suffering from mental health issues
- People with addiction issues
- People with learning disabilities/difficulties
- Ethnic minorities (specifically immigrants)
- Homeless
- People in areas of or suffering multiple deprivations

The comprehensive set of location and vulnerability-based criteria gathered and collated from across the council, as well as from outside partners, such as Public Health and the Police, are set out in the reviewed LAP.

### **The Statement of Gambling Policy**

The Statement of Gambling Policy itself covers the broader remit of licensing gambling premises, as well as functions in relation to specific types of gaming machines in other premises and the provision of small society lotteries across the district. The Policy identifies how the council will promote the following licensing objectives referred to in the Act:

- Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime
- Ensuring gambling is conducted in a fair and open way
- Protecting children and other vulnerable people from being harmed or exploited by gambling

Following the wider review of the Statement itself, the Statement of Gambling Policy is largely unchanged. It has been updated to reflect recent developments in respect of the General Data Protection Regulations and new legislation around Fixed Odds Betting Terminals.

The council must consult a range of bodies as part of this review process, including those that represent residents, local businesses, premises licence holders and other interested parties across the district.

### **Who is being consulted?**

Following the best practice examples set by other local authorities, the council should focus its consultation on key stakeholders, which include (but are not limited to):

- The police constabulary
- Ward councillors
- L&R committee
- Parish and town councils
- Persons/bodies representative of license holders/businesses in the area
- Charities and the third sector

### **Consultation Process**

The consultation will be in a survey format, focusing on direct engagement with the key stakeholders indicated above, and open to public response. This will be delivered via:

- Online survey

- Email – the council holds email addresses for most relevant licensees and all other stakeholders
- Phone – to engage licensees not on the email contact list

### **Consultation Timeframe**

<b>Action</b>	<b>Date - Deadline</b>
Launch public consultation	9 August 2021
End consultation	20 September 2021
Consultation analysis	Early October 2021
Cabinet	9 November 2021
Council	14 December 2021