

# Gambling Policy Statement update

<b>Report number:</b>	<b>CAB/WS/24/039</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	23 July 2024
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**Decisions Plan:** The decision made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed.

**Wards impacted:** All wards

**Recommendation:** It is recommended that Cabinet approves the undertaking of statutory consultation to renew the West Suffolk Gambling Act Statement of Policy and West Suffolk Local Area Profile, as set out in sections 2 and 4 of Report number: CAB/WS/24/039.

## 1. **Context to this report**

- 1.1 The West Suffolk Statement of Gambling Policy sets out how the council, in its role as licensing authority, will carry out its functions under the Gambling Act 2005. It recognises the importance of responsible gambling within the entertainment industry, while seeking to balance this with the key objectives of the Act. The objectives are:
- preventing gambling from being a source of crime and 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 persons from being harmed or exploited by gambling.
- 1.2 The objective of the statement of policy is to provide a vision for the local area and a statement of intent that guides practice. Licensing authorities must have regard to their statement when carrying out their licensing functions. The statement cannot create new requirements for applicants outside of the Act and cannot override the right of any person to make an application, make representations or seek a review of a licence under the Act. However, it can invite people and operators to consider local issues and set out how they can contribute towards positively addressing them.
- 1.3 **Potential legislation changes**  
In April 2023, the government released a White Paper that proposed reforms of the Gambling Act, 2005, to ensure that gambling companies pay for treatments for issues relating to gambling addiction, proposed new player protection checks and stake limits for online slots. The paper also proposed to strengthen powers granted to the Gambling Commission to fine gambling operators for failing to protect people at risk.
- 1.4 Since April 2023, additional proposals that are relevant to council's included the potential to introduce a Cumulative Impact Assessment area (CIA) around areas with large numbers of gambling premises, to prevent associated impacts. The proposals would require fundamental legislative changes, which would need to progress through parliament. As of April 2024, no such Bill has been scheduled – and it is considered unlikely that this will be introduced to parliamentary business this year.
- 1.5 In response, we are diligently following the advice of the Gambling Commission and the Department for Culture, Media and Sport in conducting our regular statutory review, consultation and renewal process. However, should national changes be implemented, a subsequent review and consultation may be required next year. This should ensure that our policies remain aligned with the new national

standards after the current Gambling Policy Statement is renewed by January 2025.

## 1.6 **Limitations**

West Suffolk Council's approach to gambling policy is limited in two ways:

- Timing
  - The council has a statutory requirement to review and renew the Gambling Policy Statement by the end of January 2025 – if it is not renewed, the council is in contravention of legal guidance, and the policy is voided. While it is unknown when proposed changes to gambling legislation are likely to be introduced, it is possible that it will occur after the renewal of the council's Gambling Policy Statement in January 2025.
  - A statement of policy typically runs for a period of three years, although there is nothing to prevent the authority from updating more frequently if it wishes to.
- Implementation
  - Current legislation limits changes that the council can make to the Gambling Policy Statement. West Suffolk is not an area with large levels of gambling related issues and has few gambling premises. Online gambling, which may account for a large amount of the gambling that occurs locally, is outside the remit of the council and the policy.
  - However, a robust Local Area Profile (LAP) is an assessment of the key characteristics of West Suffolk 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 local area profile will help set out our expectations of operators of gambling premises. This information is available to members of the Licensing and Regulatory Committee, who retain the ability to make decisions on new gambling premises on a case-by-case basis.

## 2. **Proposals within this report**

2.1 The policy statement summarises West Suffolk Council's approach to licensing gambling activities. It sets out how the council exercises its functions in relation to gambling licensing matters under the Gambling Act 2005.

2.2 The Act regulates the following sectors:

- Arcades
- Betting
- Bingo
- Casinos
- Gambling software

- Gaming machines
- Lotteries
- Remote gambling

2.3 In light of prospective national changes, including legislative changes, West Suffolk Council has sought advice from the Local Government Association, as well as the national bodies responsible for gambling: the Department for Culture, Media and Sport (DCMS) and the Gambling Commission.

2.4 The advice provided is that the West Suffolk Council Gambling Statement is refreshed in line with the requirements of the Gambling Act so as to be enforceable from January 2025. Thereafter, the authority will be able to revise the Statement within the three-year timescale.

2.5 As such, it is proposed that we continue with the regular process of renewal:

- Update the policy and Local Area Profile by January 2025 in line with current legislative changes or advice (if any)
- Then update the Statement once new legislation or guidance are released after January 2025.
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### 2.6 **Summary of changes and consultation**

The council has updated the Gambling Policy Statement and Local Area Profile (LAP), revising key statistics and background information as necessary.

## 3. **Alternative options that have been considered**

3.1 The council is statutorily obliged to publish a Statement of Gambling Policy, and to consult on that policy in a way that the council deems appropriate.

3.2 However, advice from the relevant regulatory bodies has been sought and confirmed that it is not possible to extend the Gambling Policy Statement without statutory consultation.

## 4. **Consultation and engagement undertaken**

4.1 The council is required to carry out a stakeholder consultation on the proposed changes. Given the minor changes, and in line with standard practice, it is proposed that a small stakeholder consultation take place between August and September 2024.

- 4.2 The proposed stakeholders are:
- The police constabulary
  - Parish and town councils
  - Public Health (Suffolk County Council)
  - Persons or bodies representative of license holders/businesses in the area
  - Other government departments (i.e. HM Revenues and Customs)
  - Charities and the third sector.

## **5. Risks associated with the proposals**

- 5.1 There are no risks associated with the proposals. All elements of the policy statement are already council practice, as directed by statutory guidance.

## **6. Implications arising from the proposals**

- 6.1 Financial - there are no specific financial implications arising from this report.
- 6.2 Legal compliance - there are no specific legal implications arising from this report.
- 6.3 Personal data processing - there are no specific data implications arising from this report.
- 6.4 Equalities - there are no specific equalities implications arising from this report.
- 6.5 Crime and disorder – the council has a duty to consider the potential impact of its decisions on crime and disorder. It is anticipated that the actions in this report will all have a positive or neutral impact on crime and disorder.
- 6.6 Safeguarding – the council has a duty to consider the potential impact of its decisions on safeguarding. However, there are no specific implications arising from this report.
- 6.7 Environment or sustainability - there are no specific environment or sustainability implications arising from this report.
- 6.8 HR or staffing - there are no specific equalities implications arising from this report.
- 6.9 Changes to existing - policies there are no specific equalities implications arising from this report.
- 6.10 External organisations (such as businesses, community groups) - officers included partner organisations as key external stakeholders.

## **7. Appendices referenced in this report**

- 7.1 Appendix A – Draft West Suffolk Gambling Act Statement of Policy 2025 to 2028
- 7.2 Appendix B – Draft West Suffolk Local Area Profile

## **8. Background documents associated with this report**

- 8.1 [CAB/WS/21/048: West Suffolk Gambling Act 2005: Statement of Policy 2022 to 2025](#)