

	Cabinet 8 November 2021
	Report from the Strategic Director, Regeneration and Environment
Proposed renewal of the Council's current Gambling Act 2005 Statement of Principles (Policy Statement)	

Wards Affected:	All
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One: Appendix 1 Statement of Principles for Gambling (2019 – 2022)
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Anu Prashar Senior Regulatory Service Manager Email: anu.prashar@brent.gov.uk Tel. 020 8937 5515

1.0 Purpose of the Report

- 1.1 The council's current gambling policy is due to expire on 30th January 2022. During December 2020 the Department for Digital, Culture, Media & Sport (DCMS) launched a major and wide-ranging review of gambling laws to ensure that they are fit for the digital age. This call for evidence has now been completed and a new Gambling Bill is expected to be presented to Parliament for assent during 2022. The council will at this point require a new gambling policy and statement of principles that aligns with the new legislation.
- 1.2 This report seeks approval to renew the council's existing gambling policy in its current form for a maximum of a further 24 months until 31st January 2024. This time frame will facilitate the drafting of a new policy and statement of principles once the new legislation comes into force which will be consulted upon and presented to Cabinet for approval.
- 1.3 In accordance with Paragraphs 12 and 36 of the Council's Access to Information Rules the Leader has agreed to accept this as an urgent item for consideration at the Cabinet meeting. The reasons for urgency are as follows: it is a statutory requirement for the council to have in place a statement of

principles under the Gambling Act 2005. The current policy expires on the 30th January 2022.

2.0 Recommendations

2.1 That having agreed the reasons for urgency, Cabinet agrees to recommend to Council that the current gambling policy and statement of principles be renewed until 31st January 2024.

3.0 Detail

3.1 The Gambling Act 2005 (the Act) requires the council to prepare and publish a statement of the principles (policy statement) that it proposes to apply in exercising its functions under the Act. The adopted policy statement attached at Appendix 1 lasts for a maximum period of 3 years but can be reviewed and revised by the council at any time.

3.2 During December 2020, DCMS launched a wide ranging review of the Act to consider online stake and spend limits, advertising and marketing rules and the powers of the Gambling Commission.

3.3 The review has been carried out to ensure the regulatory framework can protect children and vulnerable people, prevent gambling related crime and keep gambling fair and open in the digital age.

3.4 As gambling has changed significantly over the past 15 years the review has considered:

- Online restrictions;
- Marketing
- The powers of the Gambling Commission;
- Protections for online gamblers like stake and spend limits;
- Advertising and promotional offers;
- And whether extra protections for young adults are needed;

3.5 The council has made representations in response to the consultation, seeking to secure more control over the number of Adult Gaming Centres able to establish within the borough which the council believes have a detrimental impact on communities, particularly in areas of deprivation, The review closed on the 31st March 2021 and an update on the proposed changes and subsequent new legislation is expected imminently.

3.6 Having sought legal advice, the Council's current policy has been reviewed and is considered to remain fit for purpose and there are no changes or amendments required at this present time. It is proposed therefore that Cabinet agree to recommend to Full Council that the current policy be renewed until 31st January 2024. When new legislation is enacted, it is proposed that a new or revised policy will be prepared and consulted upon which reflects the revised legislative framework.

4.0 Financial Implications

4.1 There are no additional resource implications arising from this report. Resources required to fulfil the Council's duties in respect of the Licensing process are met from existing budgets.

5.0 Legal Implications

5.1 Section 349 of the Gambling Act 2005 requires the Licensing Authority to prepare and publish a Statement of Licensing Policy and Principles at least every 3 years. The next Statement is required to be published by 30 January 2022.

5.2 Section 25 of the Gambling act 2005 requires the Authority to have regard to Gambling Commission Guidance when preparing its Statement of Licensing Policy.

5.3 The government's current review of the Gambling law is meant to be wide-ranging in scope. The objectives of the government's review of the current law include the following:

- To examine whether changes are needed to the system of gambling regulation in Great Britain to reflect changes to the gambling landscape since 2005, particularly due to technological advances.
- To ensure there is an appropriate balance between consumer freedoms and choice on the one hand, and prevention of harm to vulnerable groups and wider communities on the other.
- To make sure customers are suitably protected whenever and wherever they are gambling, and that there is an equitable approach to the regulation of the online and the land-based industries.

5.4 In light of this, it is envisaged that some of the anticipated changes in the Gambling law may require a wholesale revision of the current Policy. Therefore it would be prudent to await the completion of the government's review before making any changes to the current Policy.

5.5 An approval of this recommendation will allow the Council to prepare a new or revised Policy in response to the legislation and guidance that is expected in the near future.

6.0 Equality Implications

6.1 There is no significant impact on any of the protected characteristics. Further Equality Impact Assessment will be carried out when the policy is renewed.

7.0 Consultation with Ward Members and Stakeholders

7.1 Ward Members will be consulted on any new Policy and Statement of Principles.

8.0 Human Resources/Property Implications (if appropriate)

8.1 None as a result of this report

9.0 Property Implications

9.1 None as a result of this report

Report sign off:

Alan Lunt
Strategic Director, Regeneration and Environment