



REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER

TO: POLICY AND RESOURCES COMMITTEE

DATE: 20th JANUARY, 2022

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**GAMBLING ACT 2005 –
PENDLE BOROUGH COUNCIL POLICY 2022-2025**

PURPOSE OF REPORT

To inform Council of the responses to the consultation and to seek approval of the Policy.

RECOMMENDATION

That the policy be adopted as set out at Appendix A.

REASON FOR RECOMMENDATION

The Gambling Policy of the Council must be renewed every three years in accordance with the Gambling Act 2005 s.349 and in order to ensure that the Council has an up to date and fit for purpose Policy.

ISSUE

1. On 7 February 2005 The Gambling Act 2005 received Royal Assent and came into effect on 1st September 2007. The Act replaced most of the previous law about gambling in Great Britain and it put in place an improved, more comprehensive structure of gambling legislation.
2. The Act created a new independent regulatory body, the Gambling Commission, which is the national regulator for commercial gambling in Great Britain.
3. The Act set out three licensing objectives which underpin the functions that the Commission and Licensing authorities will perform. These objectives are central to this regulatory regime.

They are:

- 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.
4. It must be noted that public nuisance and public safety are not included in these objectives and the Council cannot take these into account in any representations that may be received when licences are applied for.
 5. The Act also has also created a new role for local authorities in licensing gambling premises in their area. The Council is now responsible for the following:
 6. Issuing premises licences for casinos, betting offices and race tracks, bingo clubs, adult gaming centres, family entertainment centres and provisional statements. Issuing permits for gaming machines in members' clubs and licensed premises (fruit machines or amusement with prizes - AWP), gaming in members' clubs, prize gaming and unlicensed family entertainment centres. The registration of Small Society Lotteries, promoted on behalf of non-commercial societies. Endorses Temporary and Occasional Use Notices.
 7. The Council is responsible for issuing various licences, permissions, permits and notices relating to the use of premises for gambling activities within Pendle.
 8. Under the Gambling Act 2005 s.349, local Authorities need to publish a statement of the licensing principles (Policy statement) that they propose to apply in exercising their functions under the Act for the preceding three years.

Pendle Borough Council's current policy is valid from January 2019 and is due up for consultation so the new policy can be implemented on 18th January 2022. Since the adoption of the Policy in 2019 there have been no major changes in the Gambling Act 2005 which impact the Pendle Borough Council policy.

The draft Policy was put out for consultation for a period of four weeks to members of the public, service users and other relevant organisations to request their comments. No responses have been received on the consultation.

9. It is therefore proposed that this policy is approved for implementation for use as of 18th January 2022 when the current policy expires.

IMPLICATIONS

Policy: There have been no changes to policy.

Financial: None arising directly from the report.

Legal: None arising directly from the report.

Risk Management: None arising directly from the report.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report.

Community Safety: None arising directly from the report.

Equality and Diversity: None arising directly from the report.

APPENDICES

Gambling Statement of Principles Policy 2022-2025

LIST OF BACKGROUND PAPERS

None