

**REPORT FROM:** ASSISTANT DIRECTOR, PLANNING, BUILDING CONTROL  
AND REGULATORY SERVICES

**TO:** LICENSING COMMITTEE

**DATE:** 13<sup>th</sup> MARCH 2025

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**GAMBLING ACT 2005 –  
PENDLE BOROUGH COUNCIL DRAFT POLICY 2025-2028**

**PURPOSE OF REPORT**

To authorise the above policy for public consultation for a period of TWO weeks before any amendments and approval by full Council.

**RECOMMENDATIONS**

Authorise the attached draft policy for public consultation to allow members of public, service users and other relevant organisations to make comments.

**REASONS FOR RECOMMENDATIONS**

The Gambling Policy of Pendle Borough Council must be renewed every three years in accordance with the Gambling Act 2005 s.349.  
As there are only minor administrative changes, a period of TWO weeks is sufficient.

**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 racetracks, 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.
  9. Pendle Borough Council's current policy is valid from 20<sup>th</sup> January 2022 and is due up for consultation so the new policy can be implemented soon after it goes the Council's Executive Committee in May.
  10. Since its previous consultation, there have been no major changes in the Gambling Act 2005 which impact the Pendle Borough Council policy.
  11. The policy has been drafted and is attached as **Appendix 1**.
  12. There are only minor admin changes which have been highlighted in yellow.
  13. The current policy is attached as **Appendix 2**.

## **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**

1. DRAFT Gambling Statement of Principles Policy 2025-2028
2. Gambling Statement of Principles Policy 2022-2025

## **LIST OF BACKGROUND PAPERS**

None