

This Report will be made public on 5 March 2019



Report Number **A/18/25**

To: Full Council
Date: 13 March 2019
Status: Non-Executive
Responsible Officer: Amandeep Khroud, Assistant Director - Governance, Law & Regulatory Services

SUBJECT: STATEMENT OF PRINCIPLES – GAMBLING ACT 2005

SUMMARY: This report sets out the proposed Statement of Principles under the Gambling Act 2005 for the period April 2019 – 2022.

RECOMMENDATIONS:

1. To receive and note the report
2. That the revised Statement of Principles (April 2019-2022) is adopted.

1. BACKGROUND

- 1.1 Gambling Activities (except the national lottery) are regulated by the Gambling Act 2005. The council is a licensing authority for the purposes of the Act. Its main functions concern the granting of licences for premises where gambling activities take place, issuing permits for gaming machines and receiving notifications of use of gaming machines in premises licenced under Licensing Act 2003
- 1.2 Within the District, there are currently 15 Betting Shops, 4 Bingo premises, 2 Family Entertainment Centres and 4 Adult Gaming Centres. There are 11 premises with gaming machine permits (including 2 unlicensed family centres) and 44 premises licensed under the Licensing Act 2003 who have given notice of use of up to 2 gaming machines.
- 1.3 The Gambling Act 2005 requires the Council, in its role as a licensing authority, to prepare a Statement of Principles with respect to the exercise of its licensing functions.
- 1.4 This Statement of Principles must be reviewed at least every 3 years. The Authority's Gambling Statement of Principles was last renewed in April 2016. The Statement of Principles has now been updated for the three year period (April) 2019 – 2022
- 1.5 There has been recent attention given to B2 Category Gaming Machines (Fixed Odds Betting Terminals) which currently allow maximum stakes of £100. These are permitted in casinos, Betting shops and tracks with pool betting. The maximum stakes and prizes on machines, and the types of premises where machines are permitted is set by Regulations and is therefore not a matter for local authorities to determine. However, following a review, regulatory changes will come into effect from 1st April 2019, reducing the maximum stake on B2 machines from £100 to £2.

2.0 CONSULTATION

- 2.1 A draft statement was presented to Planning & Licensing Committee .The committee accepted the draft and agreed that a 6 week consultation period commence. (P&L Committee 27 November 2018 Minute 54)
- 2.2 The consultation ran from 30th November 2018 until 11th January 2019. Details of the consultation were published on the Council's website. Notices were displayed at all the public libraries within the District. In addition, the following were written to directly about the consultation:
 - Responsible Authorities (Police, Fire Service, FHDC Environmental Protection , Planning and Health & Safety teams, HMRC , Gambling Commission, KCC Social Services)
 - Town and Parish Councils within the District
 - District Ward Councillors
 - Operators of Premises Licences and gaming machine permit holders within the District

- Gamble Aware
- Association of British Bookmakers
- British Amusement Catering Trade Association
- Public Health England

2.3 Gamble Aware did not comment on the Statement but responded to highlight recent LGA guidance documents available to Local Authorities to assist in dealing with gambling issues. The contents of which were noted and will help guide future work.

2.5 HMRC responded to amend contact address details given in the draft.

2.6 No other responses were received. No changes to the draft statement are proposed.

3. OPTIONS

3.1 It is recommended that the revised Statement of Principles (April 2019 - 2022) is adopted.

4. RISK MANAGEMENT ISSUES

4.1 There is not a great deal of risk management involved in this issue

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (DK)

There are no legal implications arising directly out of this report. The Council must, as a licensing authority, before each successive period of three years, prepare a statement of the principles that they propose to apply in exercising their functions during that period in accordance with the Gambling Act 2005 (as amended).

5.2 Finance Officer's Comments (LH)

There are no financial implications arising directly from this report.

5.3 Diversities and Equalities Implications (GE)

There are no equalities implications arising directly from this report

5.4 Human Resources (PR)

There are no human resources implications arising directly from this report.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Sarah Pinkstone – Environmental Health & Licensing Team Leader

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Email: sarah.pinkstone@folkestone-hythe.gov.uk

Appendices:

Appendix 1: Revised Statement of Principles 2019 - 2022