

Cabinet Report

Report of Head of Housing and Environment

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To: CABINET

Date: 3 December 2021

Review of Joint Gambling Policy

Recommendations

Cabinet is recommended to consider the recommendations of the Licensing Acts Committee and to recommend Council to:

- (a) adopt the proposed Joint Gambling Policy
- (b) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Gambling Policy
- (c) authorise the Head of Housing and Environment to publish the Joint Gambling Policy in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

Purpose of Report

1. To consider the recommendations of the Licensing Acts Committee on the Joint Gambling Policy following the statutory consultation.

Corporate Objectives

2. The relevant strategic objectives are 'Working in an open and inclusive way' and 'Building Healthy Communities'. The policy will also ensure the council is meeting its statutory responsibilities.

Background

3. The council's current Joint Statement of Gambling Policy came into effect from 31 January 2019. The policy is subject to statutory review every three years so is due for review by 31 January 2022.

Proposed policy

4. The proposed new policy is attached at **Appendix A**.
5. A summary of changes that were made prior to the consultation, and an explanation of the reasons for the changes, can be found at **Appendix B**.

Consultation results

6. The consultation ran from 13 July 2021 to 10 August 2021. It was a public consultation, and in addition was sent to:
 - All the responsible authorities as defined in the Gambling Act 2005
 - All councillors
 - Town and Parish Councils
 - Licence holders
 - Trade bodies, associations and representatives
 - Gamcare, Gamble Aware and Gamblers Anonymous (UK)
 - Trading Standards
 - Public Health
 - Community organisations such as the Samaritans, Citizens Advice, and the Wantage Independent Advice Centre
7. A report on the results of the consultation can be found at **Appendix C**. There were five responses to the consultation, and where applicable the report details how the comments and suggested amendments have been incorporated into the proposed new policy.
8. There is no reason, from the consultation responses, not to recommend the adoption of the Joint Statement of Gambling Policy to take effect from 31 January 2022. The policy will next be due for review by 31 January 2025.

Gambling policy adoption process

9. The Licensing Acts Committee considered the Joint Gambling Policy on 21 October 2021 and decided to recommend Cabinet to recommend Council on 8 December 2021 to adopt the policy and to authorise the Head of Housing and Environment to make minor editorial changes and to publish the policy as required by regulations.
10. The Gambling Act 2005 specifically excludes the Cabinet from decisions on whether to have a "no casinos" resolution in the policy. Whilst this is a decision for Council, any application to open a casino would first require an amendment of The Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 by the Secretary of State. At present there are 53 licensing authorities that were designated in 1969 as 'permitted areas' entitled to have a casino (including Reading).

In addition, 15 licensing authority areas were selected following open competition to issue new large and small casino premises licences under the Gambling Act 2005.

11. In all other respects, it is the role of the Cabinet to recommend the Gambling Policy to Council for adoption and to authorise the Head of Housing and Environment to make minor editorial changes and to publish the policy as required by regulations.

Implementation

12. Once the Council has adopted a new gambling policy it must publish a notice of intention to adopt the new policy four weeks before the new policy comes into force.

Climate and ecological impact implications

13. There are no anticipated climate and ecological implications arising from the adoption of the proposed policy.

Financial Implications

14. There are no anticipated financial implications arising from the adoption of the proposed policy.

Legal Implications

15. The policy has been drafted to reflect current legislative requirements and statutory guidance. The policy must be taken into consideration when making decisions in respect of matters relating to the Gambling Act 2005.

Risks

16. Failure to properly consider the policy could result in the councils not complying with the legislation or statutory guidance. Having a clear policy helps to ensure that licensing decisions are fair, consistent and comply with the legislation.

Other Implications

17. There are no other implications.

Conclusion

18. Cabinet is recommended to consider the outcome of the consultation and recommend Council to:

- (a) adopt the proposed Joint Gambling Policy

- (b) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Gambling Policy.

- (c) authorise the Head of Housing and Environment to publish the Joint Gambling Policy in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

Background Papers

- Appendix A – Proposed Joint Statement of Gambling Policy
- Appendix B – Summary of changes
- Appendix C – Report on results of consultation