

Gambling Act Policy



Report to: Licensing Committee

Date: 5 September 2024

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Executive Summary

A Section 349 of the Gambling Act 2005 requires the Licensing Authority to publish a Statement of Gambling Policy and review the policy at no less than 3-yearly intervals. Under the Act, the Licensing Authority must publish a new policy effective from 31 January 2025. The last Policy took effect on 31 March 2022.

Recommended that:

A The Licensing Committee recommend to Full Council adoption of the proposed Gambling Licensing Policy Statement, attached at Appendix A.

Reason for decision

A The adoption of the Gambling Licensing Policy Statement is reserved for Full Council; however, it is appropriate that it is considered by the Licensing Committee with a view to recommendation to Full Council. The Licensing Authority must publish its Gambling Policy Statement and review that policy at no less than 3-yearly intervals.

Other Options

A None.

Background

1. The current Gambling Licensing Policy Statement can be viewed at www.harlow.gov.uk/business/licensing/other-licences/gambling-licences/gambling-licensing-policy
2. Under the Gambling Act 2005 the Council, as the Licensing Authority, is responsible for issuing and enforcing licences, permits and notifications under the Act. These include:
 - Licences for premises where gambling activities take place such as betting shops and gaming arcades.
 - Permits and notifications for gaming machines in pubs and social clubs.
 - Registrations for small society lotteries.
3. Under section 25 of the Act the Gambling Commission provides guidance to licensing authorities on how they should discharge their functions and duties. The current edition of the Commission's guidance was published in April 2021. The proposed replacement Gambling Licensing Policy Statement attached at Appendix A reflects that guidance.

Issues/Proposals

4. The proposed Gambling Licensing Policy Statement was reported to the Licensing Committee on 18 June 2024. The Committee approved the draft policy for public consultation which started on 26 June 2024 and closed on 5 August 2024.
5. Minor amendments of an administrative nature have been made to the policy to ensure the policy remains up to date, which includes the addition of delegation of powers listed in Annex E of the policy.
6. There have been no amendments to gambling legislation or to the Statutory Guidance published by the Gambling Commission.
7. There were no responses to the consultation.
8. It is proposed that the amended Gambling Licensing Policy Statement 2025-2028 as attached at Appendix A to this report be recommended for adoption at the next Full Council meeting.
9. The new Gambling Licensing Policy Statement shall come into effect on 31 January 2025.

Implications

Equalities and Diversity

An Equality Impact Assessment has been carried out and can be viewed at Appendix B.

Climate Change

None Specific.

Finance

There are no direct financial implications relating to this report.

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Governance

The report aligns with the recommendations before the June 2024 Licensing Committee.

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Appendices

Appendix A – Statement of Gambling Policy 2025-2028, Draft

Appendix B – Equality Impact Assessment

Background Papers

Gambling Commission - Guidance to Licensing Authorities -

<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

Gambling Act 2005 - <https://www.legislation.gov.uk/ukpga/2005/19/contents>

Glossary of terms/abbreviations used

None