

Report Title:	RBWM Gambling Act 2005 Statement of Principles – Three-Yearly Review
Contains Confidential or Exempt Information	No - Part
Cabinet Member:	Councillor Werner, Cabinet Member for Public Protection
Meeting and Date:	Licensing Panel 13 February 2024
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Services & Amanda Gregory, Assistant Director of Housing & Public Protection
Wards affected:	All

REPORT SUMMARY

RBWM is a licensing authority under the Gambling Act 2005.

This Act requires that, every three years, licensing authorities review and republish their statement of its licensing policy and this is now due. In RBWM this is called the Gambling Act 2005 Statement of Principles

This report seeks the agreement of the Licensing Panel to begin the required consultation on the RBWM Gambling Act 2005 Statement of Principles.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That the Licensing Panel notes the report and:

- i) **Agrees that a consultation should be carried out to review the current RBWM Gambling Act 2005 Statement of Principles**
- ii) **Agress that the results of that consultation be brought to a future Licensing Panel for endorsement before going to Full Council for adoption as RBWM policy**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
<p>The Licensing Panel agrees;</p> <p>i) that a consultation should be carried out to review the RBWM Gambling Act 2005 Statement of Principles, and</p> <p>ii) that the results of that consultation be brought to a future Licensing Panel for endorsement before going to Full Council for adoption as RBWM policy</p> <p>This is the recommended option</p>	<p>This will ensure RBWM complies with its statutory duty under the Gambling Act 2005 to review its policy every three years</p>

Option	Comments
Do Nothing	RBWM will fail to comply with its statutory duty to review its policy under the Gambling Act 2005 every three years

- 2.1 Section 349 of the Gambling Act 2005 (GA05) requires that, every three years, licensing authorities prepare and publish the principles that they propose to apply in exercising their functions under this Act. This only applies to gambling premises and not to on-line gambling which is regulated by the Gambling Commission.
- 2.2 The RBWM Gambling Act 2005 Statement of Principles 2022 - 2025 can be found at <https://www.rbwm.gov.uk/home/business-and-economy/licensing-and-regulation/gambling-act-2005-licences>
- 2.3 The 2022 – 2025 Statement of Principles was considerably updated from the previous version, in particular around protection for vulnerable adults. It is not, therefore, expected that there will need to be much to update before a 2025 – 2027 Statement is agreed and adopted, but this process must still be gone through.
- 2.4 S.349(3) of the GA05 requires licensing authorities to consult with the following on their policy statement or any subsequent revision:
- the chief officer of police for the authority’s area
 - one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area
 - one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Act
- 2.5 It is therefore intended to consult with the following on the RBWM Gambling Act 2005 Statement of Principles 2022 – 2025 to seek views on any required revisions before the 2025 – 2027 Statement of Principles is agreed;
- Thames Valley Police
 - RBWM Childrens Services
 - RBWM Adult Services
 - RBWM Environmental Protection
 - RBWM Planning
 - Public Health
 - The Gambling Commission
 - HM Revenue and Customs
 - Royal Berkshire Fire & Rescue
 - Gamcare (the leading UK provider of free information, advice and support for anyone harmed by gambling)
 - The trade (Betfred and Coral Head Offices)
 - RBWM Members (via e-newsletter)
 - Town Centre Management
 - Residents
 - Local Businesses in the immediate vicinity of gambling premises

2.6 Members of the Licensing Panel are asked to agree the recommendation set out at the start of this report.

3. KEY IMPLICATIONS

3.1 None at this time

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 None at this time

5. LEGAL IMPLICATIONS

5.1 This report advises on the start of a process which is a statutory requirement under the Gambling Act 2005

6. RISK MANAGEMENT

6.1 There are no risks at this time

7. POTENTIAL IMPACTS

7.1 Equalities. An Equality Impact Assessment is available as Appendix A

7.2 Climate change/sustainability. There are no implications of this nature.

7.3 Data Protection/GDPR. There are no implications of this nature.

8. CONSULTATION

8.1 This report is seeking to begin the statutory consultation process.

9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 2.

Table 2: Implementation timetable

Date	Details
13/02/2023	Licensing Panel agree report recommendations
15/04/2024	Consultation results brought to Licensing Panel, new policy endorsed and recommended to Council
October 2024	New policy endorsed by Cabinet

10. APPENDICES

10.1 There is one appendix:

- Appendix A – Equality Impact Assessment

11. BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- The RBWM Gambling Act 2005 Statement of Principles 2022 - 2025 which can be found at <https://www.rbwm.gov.uk/home/business-and-economy/licensing-and-regulation/gambling-act-2005-licences>

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officer (or deputy)</i>	
Elizabeth Griffiths	Executive Director of Resources & S151 Officer	22/01/2024	
Elaine Browne	Deputy Director of Law & Governance & Monitoring Officer	22/01/2024	29/01/2024
<i>Deputies:</i>			
Andrew Vallance	Deputy Director of Finance & Deputy S151 Officer	22/01/2024	05/02/2024
Jane Cryer	Principal Lawyer & Deputy Monitoring Officer	22/01/2024	
<i>Mandatory:</i>		<i>Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract</i>	
N/A			
<i>Mandatory:</i>		<i>Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA</i>	
N/A	Data Protection Officer		
<i>Mandatory:</i>		<i>Equalities Officer – to advise on EQiA, or agree an EQiA is not required</i>	
Ellen McManus-Fry	Equalities & Engagement Officer	22/01/2024	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Andrew Durrant	Executive Director of Place	19/01/2024	
<i>Assistant Directors (where relevant)</i>			
Amanda Gregory	Assistant Director of Housing and Public Protection	19/01/2024	01/02/224
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Public Protection (Cllr Werner)	Yes 19/01/2024
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Licensing Panel decision	No	Yes – the results of the consultation and an updated policy will be brought to a future Licensing Panel meeting

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