

Report to COUNCIL

GAMBLING POLICY

Portfolio Holder:

Councillor Taylor, Cabinet Member for Housing & Licensing

Officer Contact: Nasir Dad, Director of Environment

Report Author: John Garforth, Service Manager, Licensing

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Reason for Decision

The reason for this report is to update members following a review of the Council's Gambling Policy and to seek approval of the update policy.

Recommendations

That Members approve the attached policy and agree its implementation from January 2025.

GAMBLING POLICY

1 Background

1.1 The Gambling Act 2005 (The Act), created a new system of licensing and regulation for commercial gambling in England. Amongst other changes, The Act gave local authorities new and extended responsibilities for licensing premises for gambling and associated permissions.

1.2 In setting its local policy, the Council must show it will seek to promote the licensing objectives under the Act which are:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime;
- Ensuring gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable people from being harmed or exploited by gambling.

1.3 The role of the licensing authority covers:

- Being responsible for the licensing of premises where gambling activities are to take place by issuing a Premises Licence
- Issuing Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issuing licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for the consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission regarding details of licenses issued
- Maintaining registers of the permits and licenses

2 **Current Position**

2.1 The current policy was adopted in January 2022 and has to be reviewed every three years by law. The proposed policy can be found at Appendix 1.

2.2 The content of the policy centres around the regulatory responsibilities of both operators and the Council; specifically, how the Council administers the gambling system. This includes:

- General principles of the Gambling Act 2005
- Determining licences
- Relevant factors to consider
- Specific considerations for business types
- Permits and permissions

2.3 The Gambling Act defines which statutory bodies are to be consulted on a new premises application, and these are:

- Gambling Commission
- Greater Manchester Police
- GM Fire & Rescue
- Planning Authority
- Environmental Health
- Safeguarding Partnership
- HMRC
- The Licensing Authority

2.4 Significant attention has been paid to the public health concerns surrounding gambling addiction in the revised policy. Data suggests that in Oldham there are around three thousand problem gamblers and nine thousand at risk gamblers. A Greater Manchester Gambling Harm Reduction Strategy has been compiled with funding allocated to support pathways and research.

3 **Options/Alternatives**

3.1 There are no alternative options, other than to approve a policy which the local authority must have in place under the Act.

4 **Consultation**

- 4.1 The proposed policy was shared with all responsible authorities under the Act, together with a range of operators covering the different licensed regimes.
- 4.2 Responses were received from Public Health and the Fire Service who suggested some amendments which have been incorporated into this final version.

5 **Financial Implications**

- 5.1 Not applicable

6 **Legal Implications**

- 6.1 The Gambling Policy Statement sets out the principles the Council proposes to apply in exercising its functions under the Gambling Act during the three year period covered by the Statement. Under section 153 of the Gambling Act, the Council should aim to permit the use of premises for gambling in so far as the Council think it in accordance with the Gambling Policy Statement, any relevant code of practice or guidance issued by the Gambling Commission, and it is reasonably consistent with the licensing objectives. (A. Evans)

7 **Equality Impact, including implications for Children and Young People**

- 7.1 Yes

8 **Key Decision**

- 8.1 No

9 **Key Decision Reference**

- 9.1 N/A

10 **Background Papers**

- 10.1 Draft policy for consultation and the responses received.

11 **Appendices**

- 11.1 Appendix 1 – Proposed Gambling Policy 2025