

GENERAL LICENSING COMMITTEE
2 JULY 2024

GAMBLING ACT 2005 POLICY REVIEW

Purpose of the Report

1. The purpose of this report is to invite Members to approve a draft Statement of Licensing Principles for the Gambling Act 2005 (Gambling Policy) to be released for consultation (**Appendix 1**).

Background

2. The Gambling Act 2005 requires licensing authorities to publish a Statement of Principles they propose to apply in exercising their functions under the Act every three years. Darlington's current Statement of Licensing Principles was published in January 2022 and as such, a new policy is due to be published in January 2025.
3. The role of the Gambling Commission and Local Authorities differ and these are highlighted in **Appendix 2**.
4. The Gambling Commission provides guidance to Licensing Authorities and this was last updated by them on the 11 April 2023 with formatting changes. Previous amendments to this guidance were published in April 2021, which were fully incorporated into the current Statement of Principles.
5. In April 2023 The Department for Culture, Media and Sport (DCMS) published its gambling white paper, which set out the government's plans for modernising the regulation of the gambling sector. A series of key proposals specifically relating to the land-based gambling sector were outlined in the white paper, including measures to adjust outdated regulatory restrictions applying to the sector.
6. From 26 July to 4 October 2023, DCMS conducted a public consultation on these measures. Following publication of this response, regulations will be laid before Parliament relating to casinos; amending the 80/20 rule for arcades and bingo halls; allowing direct use of debit cards on gaming machines; introducing an age-limit on certain types of Category D gaming machines; increasing the maximum cap that licensing authorities can charge
7. On 15 April 2024, the Gambling Commission issued a statement saying, "*given the ongoing consultations regarding the Gambling Act it is very unlikely that we will be able to amend the Guidance to Licensing Authorities document in sufficient time for*

you to incorporate changes within your own Statement. Whilst it is a matter for local determination, we suggest that the Statement is refreshed in line with the requirements of the Act so as to be enforceable from January 2025. Thereafter we will publish a revised Guidance to Local Authorities, which you can include in a refreshed Statement. You are permitted to revise your Statement within the 3-year timescale.”

8. Key stakeholders will be made aware of this policy review by direct contact and it will also be published on our website for the for public to make comment.
9. Following this formal consultation, the Statement of Licensing Principles will be returned to the Licensing Committee to consider any outcomes of the consultation before a final decision is made, which must be by full Council.

Recommendation

10. Members are invited to approve the draft Licensing Principles for the Gambling Act document for public consultation.

Dave Winstanley
Group Director of Services

Appendices

Appendix 1 – Draft statement of the Licensing Principles

Appendix 2 – Functions of Gambling Commission and Licensing Authorities