

LICENSING COMMITTEE

GAMBLING ACT 2005

STATEMENT OF GAMBLING POLICY 2025-2028

12 June 2025

Report of Licensing Manager

PURPOSE OF REPORT

The purpose of the report is for members to approve the draft Statement of Gambling Policy (2025-2028) for public consultation.

This report is public.

RECOMMENDATIONS

- (1) It is recommended that members approve the draft Statement of Gambling Policy 2025-2028 for public consultation.**

1.0 Introduction

- 1.1 Section 349 of the Gambling Act 2005 ("the Act") provides that each Licensing Authority shall, before each successive period of three years, prepare a statement of the principles that they propose to apply in exercising their functions under the Act during that period, and publish that statement.
- 1.2 The function of Licensing Committee is to approve the draft policy and make recommendations to the Council Cabinet, prior to approval by Full Council.

2.0 Proposal Details

- 2.1 The purpose of the Statement of Gambling Policy is to assist the Licensing Authority in determining applications and to provide clarity for applicants, residents and members of the business community. This also provides information and guidance on the general approach that the Licensing Authority will take when assessing applications and sets out expected operating standards.
- 2.2 This Licensing Authority covers a variety of licensed premises undertaking a range of activities, including small society lotteries, family entertainment centres, bingo halls, betting shops and gaming machines in pubs and clubs. It is therefore important that the Gambling Policy is sufficiently flexible to reflect their differing needs and characteristics.

2.3 The current policy expired in January 2022; it has however been relied upon for decision-making in respect of Gambling related matters since that time. It is necessary to ensure the review and approval process is managed effectively to avoid any further delays in implementation as the absence of a valid policy leaves the Council vulnerable to legal challenge.

2.4 The draft Statement of Gambling Policy (2025-2028) is attached at **Appendix 1**.

3.0 Details of Consultation

3.1 A 6-week public consultation is planned between Friday 13th June and Friday 25th July 2025, during that time the draft will be available to view on the Council's website and at Morecambe and Lancaster Town Hall(s).

3.2 The Act provides that, before determining the policy, a Licensing Authority must consult with: -

- The Chief Officer of Police for the 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 Gambling 2005.

3.3 Lancaster City Council will also consult directly with the following.

- All holders of gambling premises licences and permits issued by the Council
- All premises licensed under the Licensing Act 2003 where gaming machines are provided
- All members of Lancaster City Council
- All Parish councils within the Lancaster City Council area
- Lancashire Constabulary
- Lancashire Fire and Rescue Service
- Lancashire Safeguarding –Children
- Lancashire County Council – Trading Standards
- Lancashire County Council - Public Health
- Home Office - H M Revenues and Customs
- Lancaster City Council – Planning and Building Control
- The Gambling Commission
- British Beer and Pub Association
- British Institute of Inn-keeping
- Disability Rights Commission Helpline
- Equity Head Office
- Gamcare
- Gamblers Anonymous
- Money Advice Trust
- Step change Debt Charity

3.4 At the end of the consultation period, responses will be collated and presented to Licensing Committee for consideration at its September meeting.

4.0 Options

Members are asked to consider the draft policy and approve for public consultation, with or without modification.

5.0 Conclusion

- 5.1 Section 349 of the Gambling Act 2005 provides that each Licensing Authority shall, before each successive period of three years, prepare a statement of the principles that they propose to apply in exercising their functions under the Act during that period, and publish that statement.
- 5.2 As Lancaster City Councils current policy has expired it is necessary to ensure timescales and deadlines are met to ensure the democratic process is followed in a timely manner; to allow for the implementation of the updated policy.
- 5.3 Responses to the public consultation will be brought back to the next meeting of this Committee with a view to members making recommendations to the Council Cabinet for approval.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The policy sets out how the Council will determine applications relating to gambling activity in the district, whilst promoting the licensing objectives and protecting children and vulnerable persons from gambling related harms.

LEGAL IMPLICATIONS

It is important to follow the correct process in implementing the updated policy, with Licensing Committee making recommendations to the Councils Cabinet prior to adoption by Full Council.

The absence of a valid policy leaves the Council susceptible to legal challenge.

FINANCIAL IMPLICATIONS

None.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None.

SECTION 151 OFFICER'S COMMENTS

None.

MONITORING OFFICER'S COMMENTS

None.

BACKGROUND PAPERS

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