

# Brighton & Hove City Council

## Licensing Committee (Licensing Act 20023 Functions)

## Agenda Item 16

**Subject:** Gambling Policy Review 2025 - 2027

**Date of meeting:** 10 October 2024

**Report of:** Corporate Director of City Services

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**Ward(s) affected:** All

### For general release

#### 1. Purpose of the report and policy context

1.1 The Gambling Act 2005 requires Licensing Authorities to prepare, every three years, a statement (also known as a Policy) of the principles which they propose to apply when exercising their functions, and they must publish the statement following the procedure set out in the Act, including whom they should consult.

#### 2. Recommendations

2.1 That members agree to refer the final version of the Statement of Gambling Policy 2024 - 2027 to Full Council for adoption. (Appendix 1)

2.2 That the final Statement of Gambling Policy is presented to Full Council

#### 3. Context and background information

3.1 Brighton & Hove's gambling policies and practices has been highlighted by the Gambling Commission as an example of good practice, in particular the work and links developed with Public Health to tackle gambling related harm.

3.2 The policy went through a comprehensive review for the 2016 version, where Licensing officers, in conjunction with colleagues from the Public Health analyst team re-wrote the Gambling Statement of Principles. A further review took place for the 2019 and 2022 version, where changes included increasing awareness of mental health issues and concerns about the use of privacy booths.

3.3 The consultation took place between 9 August 2024 and 15 September 2024 and followed the Council’s Officer’s Code of Practice on Consultation. The consultation elicited a total of 5 response’s which are available on request. The policy will go to the Licensing Committee for approval on 10 October 2024, following this the Policy will go to a meeting of the Full Council for approval on 24 October 2024. There are no policy changes in this statutory review, it has just been updated to reflect current facts and figures. We have continued to liaise with the Gambling Commission and have been advised there are no major national changes to the Guidance for Local Authorities document that will affect local policies. Local authorities are awaiting the completion of the government review of the White Paper on gambling. This review is expected to provide essential insights that will inform future updates to the Gambling Policy. We will consider these updates to ensure our strategies align with the latest government guidance on managing gambling-related issues in our community.

The public health team is currently engaged in a comprehensive update of the local area profile (LAP) to ensure it accurately reflects the current landscape of gambling-related issues within our community. This important work involves gathering and analysing data, assessing local trends, and identifying specific risk factors that may affect public health. Due to the extensive nature of this update, the LAP will not be available for inclusion in this committee report. However, we are committed to providing a robust and informative profile that will guide future decisions and strategies for mitigating gambling-related harms once the update is complete.

3.4 The table below and contained in the Gambling Policy 3.1.2 shows the number of gambling premises licensed by the licensing authority in 2021 and 2024. The numbers are stable, with a slight reduction overall

3.5

Number of Gambling Authorisations – Current Figures		
	May 2021	May 2024
Betting Premises Licences	25	25
Bingo Premises Licences	2	2
Adult Gaming Centre Premises Licences	6	5
Family Entertainment Centre Premises Licences	1	2
Family Entertainment Centre Permits	5	4
Alcohol licensed premises providing two or less gaming machines	185	183
Alcohol licences premises providing three or more gaming machines	22	22
Club Gaming Permits	3	3
Club Machine Permits	8	5
Casinos	4	4
Betting Track	2	2

#### 4. Community engagement and consultation

4.1 Consultation was between 19 August 2024 and 15 September 2024.

- 4.2 The revised statement of gambling policy was sent to statutory consultees and was available on the council’s website and consultation portal Your Voice. In addition, the Licensing Strategy Group, the city LATs (Local Action Teams), BID, BCRP, B&H Economic Partnership, gambling operators, and national and local gambling support networks (Gamcare and Breakeven) were consulted.
- 4.3 A total of 5 response were received. There is wider review being conducted and pending amended advice to local authorities.

*Consultation responses via letter, email and Your Voice portal.*

From:	Response:	Whether accommodated or reasons not:
Gamcare	The alterations are minor, and we do not believe will have any negative impact. See Appendix 4	support for policy with recommendations
Your Voice	Consultation responses received.	1 support for policy and 2 not sure.
Green Party	A number of proposals to policy change have been suggested in document.	See appendix 2

- 4.4 Before the revised “Statement of Gambling Policy”, comes into effect the local authority is required to publish the Statement of policy on the Council’s website, and make it available for inspection at one or more public libraries for a period of at least 4 weeks before the date on which it will come into effect. The authority must also publish a notice of its intention to publish a statement no later than the first day on which the statement is published. The notice must:
- a) Specify the date on which the statement is to be published
  - b) Specify the date on which the statement will come into effect
  - c) Specify the internet address where the statement will be published and the address of the premises at which it may be inspected, and
  - d) Be published on the authority’s website and in or on one or more of the following places:
    - A local newspaper circulating in the area covered by the statement
    - A local newsletter, circular or similar document circulating in the area covered by the statement
    - A public notice board on or near the principal office of the authority’s public notice board on the premises of public libraries in the area covered by the statement.

## **5 Timetable:**

- Licensing Committee 10 October 2024
- Full Council 24 October 2024
- Advertise and publish during December 2024
- January 2025 Revised Statement comes into effect

## **6 Financial implications**

There are no financial implications arising from the production of this statement, as licensing fees are set at a level that will be cost neutral to the licensing authority.

*Finance Officer Consulted: Michael Bentley*

*Date: 16/09/24*

### **6.1 Legal implications**

Local authority responsibilities include upholding licensing objectives, publishing a three year licensing policy, determining applications for premises licences and regulating members clubs – club gaming and machine permits. The Licensing Committee established under section 6 of the Licensing Act 2003 has authority to exercise functions under the Gambling Act 2005 with the exception of: a resolution not to issue casino licences, the three-year licensing policy (full council) and setting fees.

*Lawyer Consulted: Rebecca Sidell*

*Date: 16/09/2024*

### **6.2 Equalities implications**

Protecting children and other vulnerable persons from being harmed or exploited by gambling is one of the licensing objectives. The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. "Vulnerable persons" will not be defined but for regulatory purposes the assumption is that this group includes people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Operators should encourage where appropriate, strategies for self-help and provide information on organizations where advice and help can be sought.

With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments.

### **6.3 Sustainability implications**

None

**6.4 Other Implications** [delete any or all that are not applicable]

None

**6.5 Crime & disorder implications:**

Gambling Commission inspectors have the main enforcement/compliance role. The police and licensing authority officers have powers of entry and inspection.

**6.6 Gambling licensing objectives are:**

- (a) Preventing gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime
- (b) Ensuring gambling is conducted in a fair and open way
- (c) Protection children and other vulnerable persons from being harmed or exploited by gambling.

**6.7 Corporate/Citywide Implications:**

Licensing authorities licence all gambling premises in the city: casinos, bingo, betting, tracks, adult gaming centres, family entertainment centres as well as administering notices and granting gaming permits.

**Supporting Documentation**

**1. Appendices**

- Appendix 1 - Gambling policy 2025 – 27
- Appendix 2 - Consultation Responses (Your Voice survey responses included in committee report) Green Party
- Appendix 3 – Gamcare

