

<b>This report is public</b>	
<b>Gambling Act Statement of Licensing Policy 2025</b>	
<b>Committee</b>	Licensing Acts Committee
<b>Date of Committee</b>	9 July 2025
<b>Portfolio Holder</b>	Portfolio Holder for Safer Communities, Councillor Robert Parkinson
<b>Date Portfolio hold agreed</b>	11 June 2025
<b>Report of</b>	Health Protection, Compliance and Licensing Manager, Jan Southgate

## **Purpose of report**

To consider the Draft Gambling Act 2005 Policy, with amendments made following consultation on the policy from January 12 2025 to February 14 2025.

### **1. Recommendations**

The Licensing Acts Committee resolves:

- 1.1 To approve the draft policy and recommend adoption at Full Council.

### **2. Executive Summary**

- 2.1 The Gambling Act 2005 requires that Local Authorities review their Gambling Act 2005 Statement of Licensing Policy every 3 years. The Council last reviewed its policy in 2022 when it was accepted by full Council and published. During the latest required review changes were made to the population figures in the policy. This policy was then put out for public and trade consultation from the 12 January 2025 until the 14 February 2025. Representations received have been considered and some amendments made to the policy post consultation, see Appendix 2 for consultation responses and Appendix 3 for summary of changes.

## **Implications & Impact Assessments**

<b>Implications</b>	<b>Commentary</b>
<b>Finance</b>	There are no financial implications arising from the amendments made to the Draft Gambling Act 2005 Policy. Kelly Wheeler, Finance Business Partner, 11 March 2025
<b>Legal</b>	The report clearly sets out the statutory basis for the Statement of Policy along with the review and sets out the legal requirements in relation to the Policy.

	<p>The policy itself sets out the key legislative requirements for the policy and the aims of the Council in implementing the policy. Appendix 3 provides a detailed breakdown of the proposed changes and why they are required.</p> <p>There are no legal implications arising directly as a result of this report, but legal services will provide assistance where required to implement and enforce the policy if adopted.</p> <p>It should also be noted that the Council holds a gambling licence itself, and should therefore ensure that it complies with this policy at all times.</p> <p>Denzil – John Turbervill, Head of Legal Services. 12 March 2025</p>			
<b>Risk Management</b>	<p>There are no risk implications arising directly from this report. The revise policy, however, is a mitigating action to avoid the risk of becoming not compliant with the Gambling Act 2005.</p> <p>Celia Prado-Teeling, Performance &amp; Insight Team Leader, 18 March 2028</p>			
<b>Impact Assessments</b>	Positive	Neutral	Negative	Commentary
<b>Equality Impact</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		/		N/A
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		/		N/A
<b>Climate &amp; Environmental Impact</b>		/		N/A
<b>ICT &amp; Digital Impact</b>		/		N/A
<b>Data Impact</b>		/		N/A
<b>Procurement &amp; subsidy</b>		/		N/A
<b>Council Priorities</b>	N/A			
<b>Human Resources</b>	N/A			
<b>Property</b>	N/A			

<b>Consultation &amp; Engagement</b>	Consultation was undertaken from the 12 January to the 14 February 2025
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## Supporting Information

### 3. Background

- 3.1 Under the Gambling Act 2005, a regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting which is regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.
- 3.2 Cherwell District Council, along with other local licensing authorities, has a duty under the Act to license premises where gambling is to take place, and to licence other activities (such as registering small society lotteries).
- 3.3 All local authorities are required by the Gambling Act 2005 to have and publish a Gambling Act 2005 Statement of Policy, which the Act states must be reviewed every 3 years. The review required this year has involved some changes to the policy pre and post consultation, the summary of changes can be found in Appendix 3. The Council's policy has consideration for the guidance issued by the Gambling Commission and the licensing objectives contained in the Gambling Act 2005.

### 4. Details

- 4.1 Pre-consultation minor amendments were made to the Council's Gambling Act 2005 Statement of Policy, these amendments were to the Council's population figure and to add a link to a district map. The policy was then put out for public and trade consultation. Responses were received to the consultation of the policy, and these were considered and additional amendments made to the policy, the draft policy in Appendix 1 includes the changes made and Appendix 3 provides a summary of these. The changes made to the policy do not amount to a change in approach by the Licensing department and do not place additional requirements or costs on applicants or license holders.

### 5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Make no amendments and reject consultation responses. Changes accepted following consultation make minor changes to wording to make some requirements clearer. Also inserts an option for premises which have still to be constructed or altered, which case law has made clear should be available to the applicant.

## 6 Conclusion and Reasons for Recommendations

- 6.1 Recommend that draft is approved for presentation at Full Council, as above the changes bring the policy more up to date and some wording amendments makes certain duties on licensees clearer. And clarifies the council's decision making, which must be in accordance with s153 of the act when determining licence applications.

### Decision Information

<b>Key Decision</b>	N/A
<b>Subject to Call in</b>	N/A
<b>If not, why not subject to call in</b>	N/A
<b>Ward(s) Affected</b>	All

### Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	Draft Gambling Act 2005 Statement of Policy
<b>Appendix 2</b>	Consultation responses
<b>Appendix 3</b>	Summary of changes
<b>Background Papers</b>	None
<b>Reference Papers</b>	The Gambling Commission's guidance for licensing authorities April 2023: <a href="https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities">https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities</a>
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<b>Corporate Director Approval</b>	Corporate Director for Communities, 11 June 2025