

**CYNGOR SIR POWYS COUNTY COUNCIL**

**LICENSING COMMITTEE**

**9<sup>th</sup> NOVEMBER 2021 VIA TEAMS**

**REPORT AUTHOR: SUE JONES, SENIOR LICENSING OFFICER**

**REPORT TITLE: GAMBLING ACT POLICY 3 YEAR REVIEW**

---

**REPORT FOR: Decision**

---

**1. Purpose**

- 1.1 To consider an updated Gambling Act 2005 Policy set out in Annex A. The last Powys Statement of Principles was approved by this committee in 2018 and has been effective since 1<sup>st</sup> January 2019. The authority is required to consider the policy and update it, where appropriate, so that a revised policy is in place ready for 1<sup>st</sup> January 2022.

**2. Background**

- 2.1 The Gambling Act 2005 confers on licensing authorities various functions in relation to the licensing of premises and issuing of permits for gambling. Under section 349 of the Act, licensing authorities are required to produce, at least every three years, a statement of the principles that they propose to apply when exercising their functions under the Act.
- 2.2 In 2018 the policy underwent a major review following an exercise with the four councils within the Four Counties Licensing Forum (Carmarthen, Ceredigion, Pembrokeshire and Powys) alongside colleagues in the Gambling Commission. The aim of which was to bring our respective policies into a consistent format with consistent content wherever possible.
- 2.3 When considering any revisions for the 2022 policy respective officers from the Four Counties Forum and the Gambling Commission met together once again.
- 2.4 Following advice from the Gambling Commission it was agreed that there were no significant changes to the Gambling Act 2005 and its guidance to local authorities that would warrant any changes to the policy on this occasion and the advice was to ensure any local profiling statistics etc., contact details and links were updated within the

document. Annex A is the revised document with these minor changes highlighted

2.5 Despite the lack of any substantial amends there is a statutory duty for the authority to consult on the policy. It is proposed that the draft policy will go out for consultation for a 4-week period, to allow for any comments.

2.6 Should there be no comments then the policy will be published in time for 1<sup>st</sup> January 2022. Otherwise, any comments will come back to this committee for consideration before 1<sup>st</sup> January 2022.

2.7 The Gambling Commission did advise that within the next 3-year period a white paper is expected to be published proposing major reforms to the Gambling Act 2005, this will likely require some major changes to the policy, possibly before the end of the 3 year period.

### **3. Advice**

3.1 For members of this committee to approve a revised Gambling Act 2005 policy to go out for consultation and if no comments are made for it to be published in readiness for 1<sup>st</sup> January 2022. This will ensure that the authority has carried out it's statutory duty under the Act.

### **4. Resource Implications**

4.1 There are no additional resource implications for this, the work undertaken by the senior licensing officer taking part in any meetings, undertake the review, produce and present the report and carry out the consultation is managed within the service budget which is supported by the Gambling Act fees paid annually by licence/permit holders.

4.2 The Head Finance (Section 151 Officer) notes the content of the report and based on 4.1 above can support the recommendation.

### **5. Legal implications**

5.1 The Principal Solicitor (Shire) supports the review of policy contained in this report as required by section 349 of the Gambling Act 2005.

5.2 The Head of Legal and Democratic Services ( Monitoring Officer ) has commented as follows: " I note the legal comment and have nothing to add to the report".

**6. Data Protection**

6.1 N/A

**7. Comment from local member(s)**

7.1 N/A

**8. Integrated Impact Assessment**

8.1 Not required, no policy changes.

**Recommendation**

Members approve the revised Gambling Act 2005 policy as set out in Annex A to go for consultation. If no relevant comments are made to then it will be published in readiness for 1<sup>st</sup> January 2022, any relevant comments will require a further meeting for members to consider.

Contact Officer:	Sue Jones
Tel:	01597 827389
Email:	susan.jones@powys.gov.uk
Head of Service:	Gwilym Davies
Corporate Director:	Nigel Brinn