

# Report – Licensing Committee

## Gambling Act 2005: Review of Statement of Licensing Principles

*To be presented on Thursday, 5th December 2024*

*To the Right Honourable The Lord Mayor, Aldermen and Commons  
of the City of London in Common Council assembled.*

### **SUMMARY**

The Gambling Act 2005 requires all licensing authorities to produce and publish a Statement of Licensing Principles ('policy'). The City Corporation produced its first such statement, as prescribed by the statutory timetable, at the time the Act came into force in January 2007.

The legislation requires that all authorities review their policy at least every three years. A revised policy is due for renewal in 2025.

The Gambling Commission is due to publish new guidance to local authorities in 2025; to support the changes that they have begun to implement to their operator licence conditions and codes of practice. When this guidance is published, the Licensing Service's intention is to undertake a full review and redevelopment of the Policy; in line with the forthcoming requirements and best practice measures.

The updated Policy (Appendix 1) and the two documents 'Local Area Profile' (Appendix 2) and the 'Guidance on Undertaking Risk Assessments' (Appendix 3) formed the basis of the proposal which went out to consultation. A consultation analysis (Appendix 4) and Equality Impact Assessment (Appendix 5) were also undertaken for information. A Summary of Changes document is also attached to assist the Court in reviewing the changes to the Statement of Licensing Principles (Appendix 6).

### **RECOMMENDATION**

The Court of Common Council agrees:

- The Statement of Licensing Principles (Appendix 1), The Gambling Local Area Profile (Appendix 2) and the Guidance on Undertaking Local Gambling Risk Assessments (Appendix 3) as the Corporation's 'Statement of Licensing Principles'.

## MAIN REPORT

### Background

1. Section 349 of the Gambling Act 2005 (the 'Act') requires licensing authorities to prepare, consult on and publish a statement of licensing principles (the 'policy') that they will apply in exercising their functions under the Act. The Act further prescribes that the policy shall remain valid for a period of three years, after which it must be reviewed and re-published. The policy may be reviewed at any point within the three-year period.
2. The current policy is due for renewal in 2025, and it is therefore necessary for the Corporation to prepare the publication of its policy to run for a further three years.
3. In order to comply with the statutory process, the City Corporation must consult with the following:
  - The Chief Officer of Police for the City of London
  - One or more persons representing the interests of persons carrying on gambling businesses within the City of London
  - One or more persons representing the interests of persons who may be affected by the City Corporation exercising its functions under the Act
4. The Gambling Commission has produced a 'Guidance to Licensing Authorities - updated May 2021 (the 'Guidance') and a document entitled 'Licence Conditions and Codes of Practice' – updated 30 August 2024 (LCCP).
5. The social responsibility code provision requires licensees to assess the local risk to the licensing objectives posed by their gambling operations at each of their premises. In making these assessments, licensees must take into account relevant matters identified in the corporation's licensing policy.
6. The ordinary code provision requires operators to share their risk assessment with licensing authorities when applying for a premises licence or a variation, or otherwise on request. The effect of this is that when an application is submitted, the authority can expect to see how risks which it has identified in its policy are to be mitigated.
7. The City's current policy was written to incorporate identified risks to social cohesion and considered the local area profile of socio-economic factors within the Local Area Risk Assessment. The policy itself was largely based on a template drafted by the Local Government Association, with additions to specifically suit the City of London, and amended to reflect Government changes to published guidance.
8. The Gambling industry as controlled by the Gambling Act 2005 has a relatively light impact on the City of London. The Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008, sets out in statute the

authorities that are permitted to have a casino, and the City of London is not named as one of those authorities. Furthermore, the City of London has no Adult Gaming Centres.

9. Premises licensed within the City are currently as follows:

- Betting Shops 11
- Gaming Machine Permits (2 or less) 68
- Gaming Machine Permits (3 or more) 12
- Bingo Establishments 1

### **Current Position**

10. In 2022, the Licensing Service undertook an in-depth local area 'socio-economic' profile to take account of such risk and features which may affect the licensing objectives. This has resulted in the production of two documents:

- The Gambling Local Area Profile – Spatial Analysis Report
- Guidance on Undertaking Local Gambling Risk Assessments

11. The above documents can be seen at Appendix 2 and Appendix 3 respectively. The new policy is almost identical to the previous policy, with minor changes to reflect the updated Gambling Commission's code of practice and to improve the general accessibility of the document, which can be seen at Appendix 1. A summary of changes document has been produced to assist members in reviewing the changes to the Policy and can be seen at Appendix 6.

12. The Gambling Commission are due to update their Guidance to Local Authorities in 2025; and until this is published a full review would be superfluous to requirements at this point in time. When the new Guidance is published, the Licensing Service will undertake a in depth review of the Statement of Licensing Principles and it's appendices to ensure that we continue to promote the Licensing Objectives in the City and comply with the legal requirements set out in the act, and the forthcoming statutory guidance.

13. The draft documents at Appendices 1,2 and 3 form the basis of the paper that was forwarded to consultees; the consultation period ran Tuesday 17th September 2024 to Tuesday 15th October 2024. No representations or comments were received during this time.

14. The following persons were consulted, representing the interests of persons carrying on businesses in the City of London:

- Representatives of the licensed premises namely, William Hill, Coral, Ladbrokes, and Betfred.

15. The following persons were consulted, representing the interests of persons who may be affected by the City exercising its functions under the Act:

- Members of the Licensing Committee
- Executive Director of Community and Children's Services

- Gamble Aware
  - Gamcare
  - Gambling Commission
  - Betting and Gaming Council
  - Bingo Association
  - National Association of Bookmakers
  - City of London Residents' Associations
  - Members of the LLP
  - Other responsible authorities
16. The remaining statutory consultee, The Chief Officer of Police for the City of London, was also consulted.
17. Your Licensing Committee approved the Statement of Licensing Policy at its meeting on the 31<sup>st</sup> October 2024, and recommends approval by this Honourable Court, to ensure that this mandatory process complies with statutory requirements.

### **Conclusion**

18. Your Licensing Committee therefore recommends that the Court of Common Council adopt the Statement of Licensing Policy and its appendices to allow the City to meet its statutory obligations and uphold the gambling licensing objectives. the principles as the new Gambling Policy.

### **Appendices**

- Appendix 1 – Statement of Licensing Principles 2025
- Appendix 2 - The Gambling Local Area Profile
- Appendix 3 - Guidance on Undertaking Local Gambling Risk Assessments
- [Appendix 4 – Consultation Response Analysis](#) *(hard copy available on request)*
- [Appendix 5 - Equality Impact Assessment](#) *(hard copy available on request)*
- [Appendix 6 - Summary of Changes](#) *(hard copy available on request)*

All of which we submit to the judgement of this Honourable Court.

DATED this 31<sup>st</sup> day of October 2024.

SIGNED on behalf of the Committee.

**James Tumbridge**  
Chairman, Licensing Committee