

**STEVENAGE BOROUGH COUNCIL**

**GENERAL PURPOSES COMMITTEE  
MINUTES**

**Date: Thursday, 13 January 2022**

**Time: 6.00pm**

**Place: Council Chamber, Daneshill House, Danestrete**

**Present:** Councillors: Maureen McKay (Chair), Doug Bainbridge, Rob Broom, Adrian Brown, Teresa Callaghan, Graham Lawrence CC, Lin Martin-Haugh, Margaret Notley, Claire Parris, Loraine Rossati and Graham Snell.

**Start / End**      Start Time:    6.00pm  
**Time:**            End Time:        6.44pm

**1      APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Jody Hanafin, Liz Harrington and Andy McGuinness.

There were no declarations of interest.

**2      MINUTES - 27 FEBRUARY 2020**

It was **RESOLVED** that the Minutes of the meeting of the Committee held on 27 February 2020 be approved as a correct record and signed by the Chair.

**3      GAMBLING ACT 2005 - REVIEW OF STATEMENT OF PRINCIPLES**

The Committee considered a report in respect of the proposed draft Gambling Act 2005 Statement of Principles 2022 - 2025. The existing Statement had been adopted by the Council in July 2019 and was therefore due for a review.

The Chair announced that there had been no changes nationally to the Gambling Act 2005 ("the Act"). The responsibility for licensed gambling premises was split between the local authorities and the Gambling Commission, with the former dealing with smaller local operators and the latter dealing with national organisations and large lotteries.

The Commercial and Licensing Manager advised that the Council's Gambling Act 2005 Statement of Licensing Principles sets out the general approach the Council would take when carrying out its regulatory role under the Act and promoting the three licensing objectives of:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and

- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Commercial and Licensing Manager explained that the Act was conceived as ‘light touch’ legislation, covering a wide range of licensable activities such as adult gaming centres and betting premises. The Act specified that Local Authorities should “aim to permit” gambling, provided it was in accordance with the Code of Practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with the Statement of Principles. The effect of this duty was that Licensing Authorities must approach their functions in a way that sought to regulate gambling by using their powers to promote the licensing objectives, rather than by setting out to prevent it altogether.

The Committee noted that the Statement of Principles sought to strike a balance between the interests of licence holders, applicants and residents in the promotion of the licensing objectives defined by the Act. Additionally, it outlined the licensing authority’s expectations of licence holders in promoting the licensing objectives, whilst advising on the licensing authority’s obligations under the Act, including its interpretation of the Act and/or Statutory Guidance where necessary. The Statement was designed to offer appropriate protection for residents and a streamlined approach to regulation that eased unnecessary burdens on businesses.

The Commercial and Licensing Manager stated that the draft Statement of Principles was attached at Appendix A to the report. Significant additions or variations from the 2019-2022 Statement had been highlighted in yellow. The Statement included new sections on Applications (A4), Authorisations under the Act (A5), the Gambling Commission (A6), Protecting children and other vulnerable persons from being harmed or exploited by Gambling (B3.12-20), Environmental considerations (C3), Public Health and Gambling (C4).

The Commercial and Licensing Manager explained that, to accompany the revised Statement of Principles, a local area profile was undertaken. The local area profile aimed to summarise existing national research relating to gambling-related harm, and to identify potential risks relating to vulnerable groups and/or geographical areas within Stevenage. The local area profile was attached at Appendix B to the report.

The Committee noted that the local area profile had identified that Bedwell Ward revealed potential risks as this area had a number of gambling premises (due to the Town Centre being part of Bedwell) and also being an area of high deprivation in the Borough. However, there was no evidence to identify that gambling was causing harm to children or vulnerable adults in Bedwell or elsewhere in the Borough of Stevenage.

The Commercial and Licensing Manager advised that consultation on the proposed draft Statement of Principles 2022-2025 took place between 15 November 2021 and 19 December 2021. Responses were received from Power Leisure Bookmakers (attached at Appendix C to the report), the Betting & Gaming Council (attached at Appendix D) and POhWER (attached at Appendix E). The Licensing Authority’s comments regarding the issues raised in these responses, together with proposed amendments to the Statement of Principles arising therefrom, were set out in

Paragraphs 3.15 to 3.24 of the report.

Members' comments and questions centred on the proposed new Local Area Profile (LAP), and the following points were raised:

- it was confirmed that two of the three consultation responses were received from gambling industry operators, and that with the exception of the reply from POhWER (a charitable membership organisation that provided information, advice, support and advocacy to people who experienced disability, vulnerability, distress and social exclusion), no responses had been received from other stakeholders, such as national or local charities;
- the LAP would be an evolving document, but would require strengthening once further work was undertaken on evidence gathering from various sources, including the Gambling Commission, Citizens Advice Bureau, the Police and Housing providers. HCC Public Health was keen to move forward with a collaborative approach to tackling gambling issues, which would include the establishment of a robust evidence base. It was hoped that this would also cover child protection and any data relating to "hidden" gambling issues;
- the evidence base should also include any relevant data to be gleaned from local gambling operators, as well as from the online gambling industry;
- the Chair considered that it may require primary legislation to address the potential harmful risks associated with gambling, particularly amongst vulnerable groups;
- it was clarified that "ensuring that gambling was conducted in a fair and open way" was essentially to ensure that operators abided by legal stipulations and in accordance with the Gambling Commission's Code of Practice;
- it was confirmed that the Licensing Team received very few complaints in respect of the gambling organisations/premises operating in the Borough. There would be routine inspections of premises by the Licensing Team and each would be risk-rated, meaning that there would be a more regular inspection regime for those premises rated towards the higher levels of the risk range. In terms of enforcement, this included a worst case scenario of licence revocation, but could also involve a requirement for improvements and restrictions of certain activity;
- in terms of the process for logging complaints, Members were advised that complaints could be registered through the Council's website, and that gambling operators were required to display their licence at their premises (which included the contact details for the SBC Licensing Team);
- although the HCC Public Health Team was encouraging a collaborative approach towards tackling gambling issues, the Hertfordshire and Bedfordshire Local Authorities Licensing Managers met every 6-8 weeks to share feedback and good practice on licensing and gambling matters; and
- it was confirmed that the representation received from POhWER contained a series of queries and questions which would be responded to separately and did not affect the Statement of Principles. However, Members felt that consideration should be given to inviting a representative(s) from a charitable organisation to a future meeting of the Committee in order to hear their views on gambling issues.

The Committee supported the Licensing Officer's proposed amendments to the Statement of Principles in response to issues raised during the consultation process, as set out in Paragraphs 3.15 to 3.24 of the report.

It was **RESOLVED:**

1. That the proposed Stevenage Borough Council Gambling Act Statement of Principles 2022 – 2025, as attached at Appendix A to the report, and with the inclusion of the amendments proposed by the Licensing Officer in response to issues raised during the consultation process set out in Paragraphs 3.15 to 3.24 of the report, be agreed.
2. That the amended draft Statement of Principles be recommended to the Executive, for onward recommendation to Council.

**4 URGENT PART I BUSINESS**

None.

**5 EXCLUSION OF PRESS AND PUBLIC**

Not required.

**6 URGENT PART II BUSINESS**

None.

**CHAIR**