

West Suffolk Council Gambling Act 2005 Statement of Policy Consultation – more information

Council responsibilities under the Gambling Act 2005

Under the Gambling Act 2005, West Suffolk Council is responsible for taking the lead on regulating gambling establishments within the district. We issue licences and permits to authorise legal and responsible gambling and will take action if the requirements of the Gambling Act 2005 are not met.

Gambling Commission responsibilities as regulator

The Gambling Commission regulates most gambling in Britain on behalf of the Government. As the main national regulating body, the commission is responsible for operating and personal licences as well as setting the standards and approach to gambling regulation across the country. Operating and personal licences issued by the Commission relate to the individual who facilitates or manages gambling or an organisation that acts as a gambling operator.

While the Gambling Commission is responsible for operating and personal licences, local authorities are responsible for the licensing of individual gambling premises or establishments within their local areas.

What is a gambling establishment?

A gambling establishment is a premises that offers commercial gambling services including casinos, betting shops, bingo halls, arcades, and racetracks. The activities that take place in these establishments, include playing gaming machines, placing bets, and playing bingo games. West Suffolk Council is responsible for granting premises licences to authorise these types of gambling.

Gambling that takes place in venues without a gambling licence

Gambling may be offered in places such as pubs, clubs, or community venues that do not have a gambling licence. In such cases, the council provides permits or sets limits to prevent gambling from exceeding certain boundaries. We will always consider the impact of this type of gambling on the 'licensing objectives'.

Licensing objectives

The Gambling Act 2005 outlines how gambling can be legally provided. It is based on three licensing objectives which must be promoted by anyone involved in providing gambling. We must consider the impact on these objectives before granting gambling licences. In summary, these objectives are:

- preventing crime
- protecting children and vulnerable people
- ensuring fair and open gambling.

What this means

Licensing authorities must have regard to their statement when carrying out their licensing functions. The statement cannot create new requirements for applicants outside of the act and cannot override the right of any person to make an application, make representations or seek a review of a licence under the act.

However, in line with the need to protect 'vulnerable people', the council can set out key datasets in the Local Area Profile (LAP). This allows for licencing decisions to have due regard to local issues and 'vulnerabilities'.

Online gambling

Online gambling, also called remote gambling, refers to the use of digital platforms, such as websites and apps for gambling. The Gambling Commission is responsible for issuing licences for online gambling and regulating it. West Suffolk Council has no power to regulate online gambling, and it is not covered under our statement of principles (gambling policy).

How often the policy is reviewed

We are required to review our policy every three years. We can decide to review our policy earlier if there is a need to make significant changes.

This process includes:

- undertaking a consultation of key stakeholders
- making the statement publicly available for at least four weeks
- adopting the statement by vote at a session of full Council, ensuring that this function is not delegated to Cabinet.

The council needs to review and renew its policy by the end of January 2025.

What national Government is doing

In April 2023, the Government released a white paper that proposed reforms of the Gambling Act, 2005, to make sure that gambling companies pay for treatments for issues relating to gambling addiction, proposed new player protection checks and stake limits for online slots. The paper also proposed to strengthen powers granted to the Gambling Commission to fine gambling operators for failing to protect people at risk.

While these changes are not scheduled, it is thought that any changes made by government could occur in 2025.

Effects on West Suffolk's review

Considering prospective national changes, including fundamental legislative changes, West Suffolk Council has sought advice from the Local Government Association, as well as the national bodies responsible for gambling: the Department for Culture, Media and Sport (DCMS) and the Gambling Commission.

The advice provided is that the West Suffolk Council Gambling Statement is refreshed in line with the requirements of the Gambling Act 2005 so as to be enforceable from

January 2025. Thereafter, the authority will be able to revise the statement within the three-year timescale.

As such, this doesn't affect things right now – West Suffolk Council will carry out the review as planned, with the intention of returning to the issue after January 2025 if and when the government makes changes.