

OPEN

Licensing Committee

08 September 2025

Revised Statement of Gambling Principles

Report of: Phil Cresswell, Executive Director Place

Report Reference No: EC/09/25/26

Ward(s) Affected: All

Decision

Purpose of Report

- 1 To give the Licensing Committee the opportunity to consider the revised Statement of Gambling Principles, prior to its adoption.

Executive Summary

- 2 The Gambling Act 2005 requires local authorities to prepare and publish a statement of the principles that they propose to apply when exercising their functions under the Act during the three-year period to which the statement applies.
- 3 The Council is required to review its existing statement of principles and publish a revised version. In preparing a revised statement the Council must undertake a consultation exercise with stakeholders identified within the Gambling Act 2005.

RECOMMENDATIONS

The Licensing Committee is recommended to:

1. Note the draft revised Statement of Gambling Policy as set out at appendix 1 to the report.
2. Recommend the draft revised Statement of Gambling Policy to Environment and Communities Committee for consideration prior to it being recommended to full Council for adoption.

Background

- 4 The Gambling Act 2005 requires licensing authorities to prepare and publish a statement of principles that it proposes to apply in exercising its functions under the Act.
- 5 The draft statement, a copy of which is attached as Appendix 1, remains substantially the same as the previous iteration. There have been no matters in the previous 3 years that would require a change of content.
- 6 The Statement of Gambling Principles is the policy document that the Licensing Act Sub-Committee will use when determining contested applications under the Gambling Act 2005. Consequently, it needs to adequately guide applicants, objectors, Licensing Authority Officers, and Committee Members.
- 7 The statement must reflect that the Council is required to discharge its responsibilities under the Act with a view to promoting the three licensing objectives:
 - i. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - ii. Ensuring that gambling is conducted in a fair and open way
 - iii. Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 8 When undertaking the review officers have undertaken a light touch approach. This is because the gambling landscape, which needs to be addressed in the statement, has changed little in the last three years. Most gambling developments have taken place in areas such as online gambling and control of offshore gambling providers. These aspects of gambling are outside the scope of local authority powers and therefore not appropriate for inclusion in our Statement of Gambling Principles.
- 9 There have been no contested applications, and it has not been necessary for the Sub-Committee to use the statement in any decision-making process.

Consultation and Engagement

- 10 The consultation process followed was that laid down by The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006.

- 11 Given the minor and inconsequential changes to the statement, a decision was taken to run a shorter consultation period reflective of these limited changes.
- 12 The consultation ran between 9 June 2025 and 7 July 2025 and was limited to prescribed stakeholders only.
- 13 One consultation response was received, from the Beacon Counselling Trust. While the comments have been considered, no changes to the draft policy are proposed following this response. This is because the policy already deals with some suggestions and some suggestions are outside the scope of the policy. However, the response does suggest that there are opportunities for the Licensing Team to engage with the Trust and these will be explored further. The response is set out at Appendix 2.
- 14 The draft revised statement will be considered by the Environment and Communities Committee at their meeting on 13 November 2025. The statement will then proceed to full Council for final adoption in December.

Reasons for Recommendations

- 15 The Statement of Gambling Principles is the policy document used by the Licensing Authority when making decision under the Gambling Act 2005. It forms part of the Council's Budgetary and Policy Framework.
- 16 The Council is required to adopt a Statement of Gambling Principles in accordance with section 349 of the Gambling Act 2005. By virtue of the legislation, final adoption of the Statement is reserved to full Council.

Other Options Considered

- 17 No other options have been considered. The Council is required by section 349 of the Gambling Act 2005 to adopt a Statement of Gambling Principles. The route for adopting this document is set out both in legislation and by the requirements in the Council's Constitution.

Option	Impact	Risk
Do Nothing	Council will be in contravention of the requirements of the Gambling Act 2005	The decision-making process will be compromised leading to legal and reputational risks

Implications and Comments

Monitoring Officer/Legal/Governance

- 18 By virtue of section 349 of the Gambling Act 2005 ('the 2005 Act') the Licensing Authority is required to prepare and publish a statement of the principles that it proposes to apply in exercising its functions under the 2005 Act during the three year period to which the policy applies. As the statement is part of the Council's Policy Framework, it requires approval and adoption of full Council.
- 19 The drafting of the Statement of Principles must take into account the requirements of The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 ('the 2006 Regulations'). In addition, the Gambling Commission's Guidance to Licensing Authorities ('the Guidance') prescribes that in determining its statement, the Licensing Authority must have regard to the Guidance and give appropriate weight to the views of those it has consulted.

Section 151 Officer/Finance

- 20 There are no financial implications in relation to the requested decision
- 21 The work to review and revise the Statement of Gambling Principles has been delivered within existing resources and is funded through the Licensing Team's current budget provision.

Human Resources

- 22 There are no human resource implications

Risk Management

- 23 It should be noted that the Gambling Act 2005 requires the Licensing Authority to have a Statement of Gambling Principles. However, there is no penalty that could be applied if the Licensing Authority did not adopt a Statement. Notwithstanding, any decisions taken where a policy was not in place could be subject to Judicial Review.

24 Impact on other Committees

- 25 There are no impacts on other Committees

Policy

- 26 The Council is required to revise and adopt a Statement of Gambling Principles every three years.

27 Equality, Diversity and Inclusion

- 28 Consideration has been given to the application of the ‘public sector equality duty’ (in accordance with section 149 Equality Act 2010) to the recommendation. The decision requested is likely to have a neutral effect in terms of its impact on those individuals with ‘protected characteristics.’
- 29 As part of the research undertaken when writing the Local Area Profile within the Statement of Policy, it has been identified that white, working class males in the lower age ranges are most at risk from problem gambling. That profile includes characteristics which are protected under the Equality Act 2012
- 30 As part of the Gambling Commissions Operating Licence conditions and the Licence conditions and codes of practice, all gambling operators must have a policy setting out how they will ensure that gambling is conducted appropriately and in accordance with the Licensing Objectives. This is usually called a social responsibility policy and would include provisions setting out how an operator would protect those with protected characteristics from the harms caused by problem gambling.

Other Implications

- 31 Gambling as an activity can have significant and devastating effect on problem gamblers and their families and friends. As identified in the Area Profile the number of premises licensed for gambling in Cheshire East is comparatively low. Additionally, we have recently seen a number of betting shops surrender their licences. Statistically, there could be either 3,354 or 1,864 problem gamblers in the Borough (depending on which measure is used). It can therefore be seen that despite the relatively low number of licensed premises there could still be significant harm being caused to residents. What we are not able to identify is by which method problem gamblers are gambling in Cheshire East (e.g. betting shops, scratch cards, or online gambling etc).
- 32 The Council cannot regulate online gambling within Cheshire East. The regulation of these activities is within the remit of the Gambling Commission. The Commission, in their participation in gambling annual report, has recently reported that online gambling activity has increased.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	21/08/25	21/08/25
Janet Witkowski	Acting Governance, Compliance and Monitoring Officer	05/08/25	05/08/25
<i>Legal and Finance</i>			
Garry Coghlan	Solicitor, Legal Services	01/08/25	01/08/25

Access to Information	
Contact Officer:	Kim Evans, Licensing Team Leader licensing@cheshireeast.gov.uk
Appendices:	1. Draft Revised Policy 2. Consultation Response
Background Papers:	Gambling Act 2005 The Gambling Commission's guidance for licensing authorities