

COUNCIL

CHAIRMAN: Cllr Avril Kerswell

DATE: 19 November 2018

REPORT OF: Leader of the Council and Portfolio Holder for Health and Wellbeing

SUBJECT: GAMBLING ACT 2005 – REVIEW OF THE STATEMENT OF PRINCIPLES

PART I

RECOMMENDATION

That the Council resolves to approve the Gambling Act 2005 – Statement of Principles.

1. PURPOSE

To consider the recommendation from the Executive to approve the Statement of Principles.

2. BACKGROUND

The Council is required every three years, to prepare and keep under review, a statement of the principles which it proposed to apply when exercising its functions and the statement must be published. The Council has prepared its statement which has been subject to consultation.

The current statement of principles came into effect on 31 January 2016 and expires on 30 January 2019.

The statement of principles can be found at the following webpage:
www.teignbridge.gov.uk/gambling

The consultation exercise for the review of the statement of principles has been wide, details of which are provided in the report considered by the Executive on the 30 October 2018. This report is appended for information. There was a conflict between the list of consultees in the report and those shown in the statement of principles. The report was correct other than the following amendments which were omitted from the report:

Consultation was also carried out with:

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- Devon Link Up
- Adult Safeguarding Board
- Children & Families Partnership (MASH)
- Ysmart

The Executive minute at its meeting on 30 October 2018 was as follows:

‘The Licensing Manager presented the circulated report on the draft Statement of Principles, which had been prepared under the Gambling Act 2005. Members were advised that the Council was required every three years, to prepare and keep under review, a statement of the principles which were proposed to apply when exercising its functions, the statement to be subsequently published. The Council had prepared its statement which had been subject to consultation. The Licensing Manager advised that the Statement of Principles had been updated in relation to safeguarding and incorporating weblinks to keep the document continually up to date.

During discussion, Members raised the following:-

- *What was the size of the problem in the District?*
- *Had Social Services been consulted?*
- *What enforcement took place?*
- *There were over 5,400 problem gamblers in Devon*
- *Had serious concerns regarding the protection of children and should the Safeguarding Children Act (2015) be referenced as this Act explicitly stated that under 18’s were children.*

In response to Members, the Licensing Manager clarified that wording used in the statement were those used in the legislation, there were yearly inspections with the Gambling Commission with any necessary follow up visits. The Gambling Act was the primary legislation which had clear definitions and Devon County Council Social Services had been consulted. She was not aware of any readings relating to 16-18 years old’s with a gambling addiction in the District.

The Portfolio Holder for Corporate Resources commented that, in the next review, the Adult Safeguarding Board and Devon Partnership Trust should be consulted and data from the Public Health Board should be obtained to inform the report.

The Leader stated that the addiction to gambling was even more difficult to address with the increased use of the internet and that representation needed to be made to other agencies to look to tackle this.

The Portfolio Holder for Health & Well-being commented that there was no control over the use of the internet and that the Community Safety Partnership had raised safeguarding issues around this. Legislation was needed to stop children accessing gambling websites.

RECOMMENDED to Full Council that the Statement of Principles be approved as set out in the report.’

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3. IMPLICATIONS

The publication of the Statement of Principles within the timescale referred to and its application in the licensing process is a legal requirement.

**Tony Watson, Interim Head of
Commercial Services**

**Cllr Sylvia Russell
Portfolio Holder for Health and Well
Being**

BELOW TO BE FILLED IN BY THE REPORT AUTHOR:

Wards affected	All
Contact for any more information	Andrea Furness – Licensing Manager 01626 215545 licensing@teignbridge.gov.uk
Background Papers (For Part I reports only)	Committee Reports Statement of Principles
Key Decision	Y / N
In Forward Plan	Y
In O&S Work Programme	N
Community Impact Assessment attached:	N
Appendices attached:	A: Executive Report B: Draft Statement of Principles C: Gamcare Rep C: Gamcare Services C: Gamcare Training Services C: Goss Chalks for ABB – Rep C: William Hill – Rep D: Proposed amendment table amended