

**Bolsover District Council**

**Licensing and Gambling Acts Committee**  
**on 11<sup>th</sup> September 2025**

**Review of the Council's Statement of Principles under the Gambling Act 2005**

**Report of the Joint Assistant Director for Environmental Health**

<b>Classification</b>	This report is public
<b>Report By</b>	Michelle James – Temporary Policy and Performance Officer

**PURPOSE/SUMMARY OF REPORT**

To consider the responses to the consultation for the review of the draft revised Statement of Principles under the Gambling Act 2005 and recommend a final draft for adoption at full Council.

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**REPORT DETAILS**

**1. Background**

- 1.1 Under The Gambling Act 2005, the Council is responsible for issuing premises licences for casinos, bingo halls, betting offices, adult gaming centres and licensed family entertainment centres as well as permits for gaming machines in pubs, clubs and other alcohol licensed premises.
- 1.2 The Act contains three licensing objectives, which the Authority must have regard to when acting in their capacity as the licensing authority. These objectives are central to the regulatory regime created by the Act and are:
  - 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.
- 1.3 The Gambling Act 2005 imposes a statutory requirement upon Bolsover District Council, as the statutory Licensing Authority to prepare a Statement of Principles (alternatively referred to as a Policy). This is the Councils tool in regulating gambling in the district, and establishes a set of controls which the Council considers appropriate for the effective management of gambling activities within the district. The Policy acts as a guide for Members, applicants, responsible authorities, and members of the public and aims to promote fair, consistent, and proportionate decision making.

- 1.4 The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 set out the requirements for the form and publication of the policy which the Council proposes to apply when exercising its functions under the Gambling Act 2005.
- 1.5 The Act requires the Council to review and publish its policy every three years. The Council is required to publish their revised policy at least four weeks before the current policy is due to expire. The current policy, together with a Local Area Profile, came into effect on 15 February 2023. To meet the requirements of the legislation the Council must now approve an updated Statement of Principles.

## **2. Details of Proposal or Information**

- 2.1 The Joint Environmental Health Service conducted an initial review of the Policy and research into gambling related harm and crime in the district.
- 2.2 Initial findings did not reveal any local issues with gambling related harm or crime, but, it was acknowledged that gambling related harm is a national concern and the Council can make a positive contribution to the reduction of gambling related harm through having a clear and cohesive Policy, and Local Area Profile. The review identified some changes were needed to keep the Policy up to date, fit for purpose and in a format consistent with that of neighbouring authorities.
- 2.3 In summary the proposed amendments aimed to achieve the following:
- Modify the format of the Policy to ensure it remains cohesive and consistent with that of neighbouring local authorities;
  - Ensure the Policy is consistent with legislation and statutory guidance;
  - Increase the clarity of the Policy;
  - Update local demographics; and
  - Provide clarity on delegations.
- 2.4 Following consideration of the draft policy through the Licensing and Gambling Acts Committee and the Climate Change and Communities Scrutiny Committee, a twelve-week public consultation opened between 2<sup>nd</sup> June 2025 and 24<sup>th</sup> August 2025.
- 2.5 The consultation was published via the Ask Derbyshire website and publicised through the Council's website and social media platforms. Stakeholders were also contacted directly via email. A full list of stakeholder consultees is included at **Appendix 1**.
- 2.6 The Council received two responses to the consultation. The first was from Derbyshire Constabulary noting the contents of the new policy and with no further comments to add. The response can be found attached as **Appendix 2**.

- 2.7 The second response was from Public Health. The email response can be found attached as **Appendix 3**. This response contained two elements. The first part which was in the email body, was a request for the policy to be translated into different languages dependent upon the population within the area. Licensing Officers carefully considered the content of Appendix 3 and consider that the requirement for translation was adequately covered in the policy introductory section, as it is the case with all our existing policies, where a translation service is offered on request.
- 2.8 The second part was contained within an attachment to the email from Public Health detailing the Public Health Policy Position. Public Health had requested the inclusion of this document within our Council policy. Again, after licensing officer consideration, it was felt that our Policy was not the most suitable place to promote the Public Health's own Policy Position, but that this would be more appropriately situated on the Gambling Act links and information to assist applicants' pages of the Bolsover District Council website. There, it could contain the live links to the Public Health own website for fuller and more contextual information.
- 2.9 Licensing continue to work with Public Health through social media campaigns and gambling health promotion.
- 2.10 The lack of response generally, appears indicative of an indifference to the proposed changes to the Policy and that the updated Policy is fit for purpose.
- 2.11 An Equality Impact Assessment has been conducted in line with the Council's Equality and Diversity Policy.
- 2.12 Following approval of a final draft Policy by the Licensing and Gambling Acts Committee, a further report will be submitted to Council with a recommendation that the Policy be formally adopted.
- 2.13 A copy of the Draft Statement of Principles the subject of this consultation may be found at **Appendix 4**.
- 2.14 **Appendix 5** to this report, contains the Draft Local Area Profile.

### **3. Reasons for Recommendation**

- 3.1 The Council has a statutory duty to prepare and publish a Statement of Principles every three years in accordance with the requirements of the Gambling Act 2005.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 The Council can choose not to prepare and publish a new Statement of Principles under the Gambling Act 2005; however, this would leave the Authority open to legal challenges by way of appeals against decisions on licensing matters or judicial review.

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## **RECOMMENDATION(S)**

1. The Licensing and Gambling Acts Committee notes the outcome of the consultation and approves the revised draft Statement of Principles under the Gambling Act 2005.
2. The Licensing and Gambling Acts Committee refer the Policy to full Council together with a recommendation that the draft Statement of Principles under the Gambling Act 2005 be adopted.

### **IMPLICATIONS:**

**Finance and Risk:**            Yes ☐            No ☒

**Details:**

There will be a minor cost associated with carrying out the consultation. This can be accommodated from within existing budgets.

On behalf of the Section 151 Officer

**Legal (including Data Protection):**            Yes ☒            No ☐

**Details:**

It is a legal requirement under the Gambling Act 2005 that a licensing authority prepare and publish a statement of principles every three years. Having a policy which is up to date, compliant with the legislation, fit for purpose and clear, assists with the implementation of rules and reduces the risk of legal challenge by way of appeal or judicial review, and as such, reduces the risk of associated legal costs.

On behalf of the Solicitor to the Council

**Environment:**            Yes ☐            No ☒

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

**Details:**

The Gambling Act regulatory regime will not have any direct impact on the achievement of carbon neutral targets or the enhancement of the environment. This Policy aims to introduce measures which promote the responsible management of licensable activities in the district and mitigate local environmental impacts including noise and nuisance.

**Staffing:**            Yes ☐            No ☒

**Details:**

There are no staffing implications of the proposals in this report.

On behalf of the Head of Paid Service

## DECISION INFORMATION

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> <i>(Only Key Decisions are subject to Call-In)</i>	No

<b>District Wards Significantly Affected</b>	All
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Executive</b> <input type="checkbox"/> <b>SLT</b> <input checked="" type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input checked="" type="checkbox"/> <b>Public</b> <input checked="" type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/>	<b>Details:</b> Public Stakeholders Senior Leadership Team Portfolio Holder Chair of the Licensing and Gambling Acts Committee

<b>Links to Council Ambition: Customers, Economy and Environment.</b>
All

## DOCUMENT INFORMATION

Appendix No	Title
1	Stakeholder List
2	Consultation Response – Derbyshire Constabulary
3	Consultation Response – Public Health
4	Draft Statement of Principles
5	Draft Local Area Profile

<b>Background Papers</b> <i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
<a href="#">Derbyshire Joint Strategic Needs Assessment - Gambling</a> <a href="#">Gambling-related harms evidence review: summary - GOV.UK</a> Statistical information from the Council's systems.