

Somerset Council
Licensing and Regulatory Committee
4th December 2024



Review of Statement of Principles

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Division / Local Member: N/A

1. Summary

- 1.1 Somerset Council’s current Statement of Principles in respect of the Gambling Act 2005 (herein referred to as ‘the Act’), which was adopted as recently as January 2024, should be re-adopted to ensure it is entirely consistent with the Act and therefore not vulnerable to legal challenge.

2. Issues for consideration/recommendations

- 2.1 Resolve to recommend to Full Council that the Statement of Principles published shown at Appendix 1 is published for a 3-year period, ending on 31st January 2028.

3. Background

- 3.1 Somerset Council is a ‘licensing authority’ as determined by section 2 of the Act.
- 3.2 Section 349 of the Act requires the licensing authority to prepare and publish a Statement of Principles every three years, describing how it proposes to exercise its functions in relation to the Act. Section 349 also states that licensing authorities “...shall-
- (a) review their statement under this section from time to time,
 - (b) if they think it necessary in the light of a review, revise the statement, and
 - (c) publish any revision before giving it effect.”
- 3.3 The Gambling Act 2005 (Licensing Authority Policy Statement) (First Appointed Day) Order 2006 states that, for the purposes of section 349 of the Act, the three year period for preparing and publishing Statements shall begin

on 31st of January 2007, meaning the 31st of January 2025 is the next interval in the three year cycle.

- 3.4 The current Statement of Principles was adopted in January 2024, after a comprehensive consultation. There have been no changes to the legislation or guidance since January that would warrant a revision of the Statement of Principles at this time. However, there are likely to be changes to the legislation in the next 12 to 18 months that would require a revision. This relates to the Department for Culture, Media and Sport (DCMS) publishing a policy paper, 'High stakes: gambling reform for the digital age', in April 2023 under the previous government: [High stakes: gambling reform for the digital age - GOV.UK](#) The DCMS were focussing on implementing various aspects of the policy prior to this year's General election. That work was paused but changes are still anticipated, as the Labour Party had proposed to reform gambling regulation to reduce gambling related harm in its election manifesto.
- 3.5 It seems sensible not to prepare a new Statement of Principles, but to publish the existing one again, with no changes, for the period of 2025 to 2028, particularly as a revision is likely to be necessary in that time in any case. This will enable Licensing Officers to concentrate on more pressing matters such as delivering a new taxi & private hire policy.
- 3.6 Once a Statement of Principles has been published, the licensing authority will be required to publish a notice to advertise this, both online and at a public library or other premises in its area.

4. Consultations undertaken

- 4.1 The Council carried out a comprehensive consultation meeting the requirements of the Act when the existing Statement of Principles was originally prepared.

5. Implications

- 5.1 The Council may find that the exercising of functions in relation to the Gambling Act 2005 are compromised were it not to have published a Statement of Principles for the three-year period ending specifically on the 31st of January 2028.

6. Appendices

Appendix 1: Statement of Principles published in January 2024.

Note For sight of individual background papers please contact the report author