

APPROVAL OF STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

Head of Service:	Rod Brown, Head of Housing & Community
Report Author	Paul Holliday
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1 Updated Statement of Principles

Summary

A public consultation has been completed on a draft revised Gambling Act 2005 Statement of Principles, and the Committee are asked to consider the responses and approve a revised policy which can be recommended for adoption by Full Council.

Recommendation (s)

The Committee is asked to:

- (1) Consider the responses to the public consultation,**
- (2) Agree the amendments to the draft Gambling Act 2003 Statement of Principles**
- (3) Recommend Council adopt the updated Statement of Principles**

1 Reason for Recommendation

- 1.1 The current Statement of Licensing Principles has passed its renewal date and must be reviewed, and a revised draft is required to be consulted on prior to adoption for a further 3-year period. This is a statutory requirement, and as such there is no alternative option.

2 Background

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- 2.1 The Council is the licensing authority (LA) for certain prescribed gambling activities in the Borough, which covers licensing gambling premises; considering temporary use notices for gambling at premises; granting permits for gaming and gaming machine in clubs and premises licensed for the supply of alcohol; granting permits to family entertainment centres for the use of certain lower stake gaming machines; granting permits for prize gaming; considering occasional use notices for betting at tracks and registering small lotteries that fall below certain limits. Currently in the Borough there are seven licensed betting shops and 42 small society lottery registrations. Other non-premises-based gambling is regulated by the Gambling Commission (the Commission).
- 2.2 There are three licensing objectives under the Gambling Act 2005 (the Act) which guide the way that the Commission and LAs perform their functions and the way that gambling businesses carry on their activities. These 3 objectives 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
 - protecting children and other vulnerable persons from being harmed or exploited by gambling

3 Consultation

- 3.1 On 23 September 2025 the Licensing and Planning Policy Committee approved officers to consult on a draft revised Statement of Principles.
- 3.2 The consultation ran from Monday 27 October 2025 until Sunday 18 January 2026.
- 3.3 During the consultation period details on how to comment on the policy were published on the Council's website, advertised on Facebook, Instagram and Nextdoor, featured in the November and December E-Borough Insight, (approx. 1,500 subscribers) and was also advertised on the Council's social media streams. All statutory consultees, ward Councillors and businesses operating gambling premises were e-mailed inviting them to make comment on draft policy.
- 3.4 Three responses were received in response to the consultation, as summarised in Appendix 1 of the updated Statement of Policy.
- 3.5 One respondent was satisfied with the contents of the policy.
- 3.6 One response was generally negative on the effects of Gambling, and requested the policy be much stricter. However, section 153 of Act requires the licensing authority to permit the use of premises for gambling in so far as the authority think it is:

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- (a) in accordance with any relevant code of practice...,
- (b) in accordance with any relevant guidance issued by the Commission...,
- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
- (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

These principles require the licensing authority to have a Statement of Principles that 'aims to permit gambling', subject to the above requirements. The request to make the Gambling Policy much tougher based on the personal views of the respondent, in the absence of evidence relating to the licensing objectives, is insufficient grounds to amend the policy.

- 3.7 Surrey County Council Public Health made a detailed response to the consultation. This public body is not defined as a Responsible Authority under the Gambling Act, and 'Protection of Public Health' is not a licensing objective, although there is an interconnection between public health and the licensing objective 'protecting children and other vulnerable persons from being harmed or exploited by gambling'. Most of the comments made by Surrey Public Health have been accepted in full and incorporated into the revised policy, as shown as 'track changes' updated statement of Principles attached at Appendix 1.
- 3.8 However, one Surrey Public Health comment could not be accepted in its entirety; -

'13. Risk Assessment

- *Suggest adding: Where applications are made for new gambling premises that are near to;-*
 - *Key Neighbourhoods (as identified [in Surrey's Health and Wellbeing Strategy](#)) and areas within one mile of them and containing key amenities used by residents of those Key Neighbourhoods*
 - *Services/venues for vulnerable adults and for children*

the council will consider they are very likely to adversely affect the gambling objective: protecting children and other vulnerable people from being harmed or exploited by gambling'

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This proposed wording if accepted entirely could leave the Council open to legal challenge, as it would be a significant change to the policy that was not itself consulted on, and would likely affect applications made in an entire neighbourhood without considering the individual merits of the application. Whilst accepting that section 13 should be updated to place an expectation that applicants should consider the location of Key Neighbourhoods when conducting their local risk assessment, it is proposed section 14.5 be amended to set out how the Council will approach such applications, as follows; -

'Key Neighbourhoods are areas of socio-economic deprivation and poorer health outcomes. Research (e.g. [The Gambling-related harms evidence review](#)) shows that the most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and are the most susceptible to harm. Where applications are made for new gambling premises that are near to;

- *Key Neighbourhoods (as identified in [Surrey's Health and Wellbeing Strategy](#)) and areas within one mile of them and containing key amenities used by residents of those Key Neighbourhoods,*
- *or services/venues for vulnerable adults and for children,*

the Council when making decisions will consider the likely adverse affect of the premises being located near such places on the gambling objective: protecting children and other vulnerable people from being harmed or exploited by gambling."

This wording allows the Council to engage its discretion to consider such matters, whilst still allowing it to consider each case on its individual merits.

3.9 Other comments by Surrey Public Health that could not be accommodated were; -

- *'Section 6, 6.1b & 6.4 – please add Public Health to the of Interested Parties'*

Section 158 of the Act defines what are 'interested parties', and it is not possible for the licensing authority to change this legal definition. However, s 158 (c) includes 'people who represents people [living] sufficiently close to the premises to be likely to be affected by the authorised activities.', and our policy states at para. 6.2; -

'When determining whether a person is an interested party for the purposes of the Act, the Licensing Authority will not apply rigid rules but will treat each case on its merits.'

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This paragraph in the Statement of Principles allow Public Health to be considered by the Licensing Authority as an interested party.

- ***'Section 10 9. Consider use of Runnymede Betting Shop Checklist when receive from Kelly Duffield (adapted from [Gambling Commission template](#))'***

It is neither necessary or practical for a licensing policy to refer to specific inspection template used for inspecting premises. Whilst officers are aware of the Gambling Commission inspection templates, we are grateful for the recommendation with respect to Runnymede's work.

- ***'Section 13...Where application is granted – ensure enforcement includes consideration of identification and support given to vulnerable people – as not all vulnerabilities are visible'***

Gambling Act enforcement and compliance work will be undertaken in accordance with the Council's own Enforcement Policy, and in accordance with any relevant code of practice and any relevant guidance issued by the Commission, with the Licensing Objectives being central to this work. It is not necessary for the Statement of Principles to detail what will be considered when undertaking enforcement work in accordance with these codes, guidance, and objectives.

4 Recommendation

- 4.1 The Statement of Policy has been updated in light of the consultation responses, as attached at Appendix 1. This document shows the amendments in 'track changes' format. If approved for adoption, the track changes formatting will be removed for the adopted Statement of Principles.
- 4.2 The amendments to the Statement of Principles are not considered to be significant changes to the policy that would require further consultation.
- 4.3 It is recommended the Committee approve the amendments to the draft Gambling Act 2003 Statement of Principles so the Council can fulfil its statutory obligations under the act.

5 Risk Assessment

Legal or other duties

- 5.1 Equality Impact Assessment/ Crime & Disorder/ Safeguarding

- 5.1.1 The Act requires the licensing authority to permit the use of premises for gambling in so far as the authority think it is reasonably consistent with the licensing objectives-

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- 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
- protecting children and other vulnerable persons from being harmed or exploited by gambling

5.1.2 These objectives are central to the proposed Statement of Principles, and ensure that the Council as Licensing Authority fulfils its statutory duties with respect to Equality, Crime & Disorder, and Safeguarding.

5.1.3 It is not considered that a separate Equality Impact Assessment is necessary.

6 Financial Implications

6.1 Under the Act, the Council has the power to recover its costs and set fees and charges at such a level that the licensing process is cost neutral to the Council.

6.2 The financial implications associated with the revision of the Statement of Principles can be financed from the Licensing budget.

6.3 **Section 151 Officer's comments:** None for the purposes of this report.

7 Legal Implications

7.1 The Council must approve and publish its revised Gambling Policy Statement of Principles in order to undertake its role as a Licensing Authority.

7.2 **Legal Officer's comments:** Section 349 of the Gambling Act 2005 (the Act) requires all Licensing Authorities to prepare and publish a statement of licensing principles every three years. In exercising their functions under s153 (1) of the Act a Licensing Authority must have regard to the legislative requirements of the Act and the statement published by the Licensing Authority under section 349 of the Act. Failure to have an up-to-date Gambling Licensing Policy would mean that the Licensing Authority was in breach of legislation and would be open to challenge in relation to the exercise of its functions under the Act. The Statement of Gambling Policy is part of the Council's Budget and Policy Framework and therefore final approval is a matter reserved for Full Council.

8 Policies, Plans & Partnerships

8.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Opportunity & Prosperity: Boosting the local economy, supporting high streets

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- **Safe & Well:** Ensuring a safe environment and supporting community health.

8.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

8.3 **Climate & Environmental Impact of recommendations:** None identified.

8.4 **Sustainability Policy & Community Safety Implications:** None identified.

8.5 **Local Government Reorganisation Implications:** There is a legal requirement that the new authority will have an adopted Statement of Principles in place on vestment day. This could be an entirely new document, or, as an interim measure, take the form of an overarching policy document, combining the separate Statement of Principles that would be applied in each area, pending review once the new Council's priorities are established.

9 Background papers

9.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Licensing and Planning Policy Committee - Tuesday, 23rd September, 2025 7.30 pm](#)

Other papers:

- None