

North East Derbyshire District Council

Licensing and Gambling Acts Committee

14 October 2025

REVIEW OF THE COUNCIL'S POLICY UNDER THE GAMBLING ACT 2005

Report of the Joint Assistant Director, Environmental Health Service

Classification: This report is public

Report By: **Michelle James – Policy and Performance Officer**

Contact Officer: **Michelle James – Policy and Performance Officer**
(Temporary)

PURPOSE / SUMMARY

To consider the responses to the Gambling Act 2005 policy consultation and recommend the draft Gambling Act 2005 policy for adoption at full Council.

RECOMMENDATIONS

1. The Licensing and Gambling Acts Committee note the outcome of the public consultation.
2. The Licensing and Gambling Acts Committee agree to the proposed Gambling Act 2005 Policy and Local Area Profile and recommend the draft Gambling Act 2005 policy for adoption at full Council.

Approved by the Portfolio Holder – Cllr Pickering, Cabinet Member for Environment

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 to Licence Holders and Applicants could assist in implementing rules while preventing a legal challenge by way of appeal or judicial review.

On Behalf of the Solicitor to the Council

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

Decision Information	
Is the decision a Key Decision? 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: NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All
Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	Yes, appended. Yes, superseded by stage 2
Stage 2 full assessment undertaken <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	No, not applicable Provided for pre consultation agreement
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/>	Yes Details: Chair of Licensing & Gambling Acts Committee Portfolio Holder for Environment

Links to Council Plan priorities, including Climate Change, Economic and Health implications.
All

REPORT DETAILS

1 Background

- 1.1 Under The Gambling Act 2005 ('the Act'), 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 underpin the functions of the Gambling Commission and the local authority, 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 North East Derbyshire District Council, as the statutory Licensing Authority to prepare a Statement of Principles (alternatively referred to as a policy). This is the Council's 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.
- 1.4 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 in February 2023. To meet the requirements of the legislation the Council must now approve an updated Statement of Principles.
- 1.6 This Committee considered a draft policy and agreed to the next stage of the process which required a 12-week public consultation. The Consultation was carried out through the Ask Derbyshire website, publicised via the Council's website and social media platforms as well as directly writing to stakeholders. A full list of the stakeholders consulted can be found at Appendix 1.
- 1.7 The consultation concluded on 24 August 2025.

2. Details of Proposal or Information

Public Consultation

- 2.1 Despite a lengthy consultation period, direct communication with partners over the review and promotion through Ask Derbyshire, one response was received. This may be indicative of an indifference to the policy and that the policy remains fit for purpose.

- 2.2 The Council received one response to the consultation from Derbyshire Constabulary noting the contents of the policy and with no further comments to add. This response can be found attached to this report at Appendix 2.
- 2.3 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.
- 2.4 A copy of the Draft Statement of Principles the subject of this consultation may be found at Appendix 3.
- 2.5 Appendix 4 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 could expose the Authority to legal challenge by way of appeals against decisions on licensing matters or by judicial review.

DOCUMENT INFORMATION

Appendix No	Title
1	A full list of the stakeholders consulted
2	Derbyshire Constabulary Consultation Response
3	Draft Statement of Principles 2026-2029 – Gambling Act 2005
4	Draft Local Area Profile 2026-2029
Background Papers	
None	