

North East Derbyshire District Council

Council

1 December 2025

Adoption of the Council's Statement of Principles under the Gambling Act 2005

Report of the Joint Assistant Director for Environmental Health

Classification: This report is public

Report By: Charmaine Terry

Contact Officer: Charmaine Terry

PURPOSE / SUMMARY

To invite Council to adopt the revised draft Gambling Act 2005 Statement of Licensing Principles together with the draft Gambling Act 2005 Local Area Profile.

DECISION ROUTE AND REASON FOR DECISION BEING BROUGHT TO COUNCIL

The Statement of Licensing Principles under the Gambling Act 2005 is a matter reserved to Council and only Council can determine the matter.

RECOMMENDATIONS

1. That Council approves the final draft Gambling Act 2005: Statement of Principles and accompanying Local Area Profile, as recommended by the Licensing and Gambling Acts Committee, for adoption no later than 16 March 2026.
2. That Council authorises the Environmental Health Service Manager to take all necessary steps to publish and formally adopt the Gambling Act 2005: Statement of Principles and Local Area Profile in accordance with the statutory requirements set out in legislation.

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

IMPLICATIONS

Finance and Risk: Yes ☒ No ☐

Details:

There will be a minor cost associated with the implementation of the policies. 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

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, 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 	Yes, appended.
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Licensing and Gambling Acts Committee Public Stakeholders Portfolio Holder for Environmental Health and Licensing Senior Management Team

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

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 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 sets out three licensing objectives, which the Authority must have regard to when acting in its capacity as the licensing authority. These objectives are central to the regulatory regime established 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 duty upon North East Derbyshire District Council, as the Licensing Authority, to prepare a Statement of Principles (also referred to as the Policy). This Policy serves as the Council's tool for regulating gambling within the district and sets out the controls the Council considers necessary for the effective management of gambling activities. It also provides guidance to Members, applicants, responsible authorities, and the public, with the aim of promoting 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.
- 1.5 The Act requires the Council to review and publish its Policy every three years. The revised Policy must be published at least four weeks before the current version expires. The existing Policy, along with a Local Area Profile ('LAP'), was published on 16 February 2023 and came into effect on 16 March 2023. To comply with legislative requirements, the Council must approve an updated Policy and publish it no later than 16 February 2026.
- 1.6 The Joint Environmental Health Service conducted a review of the existing Policy and LAP and identified several changes needed to ensure the Policy remains up to date, fit for purpose and consistent with the format used by neighbouring authorities.
- 1.7 Following consideration of the draft Policy and LAP by the Licensing and Gambling Acts Committee, a 12-week public consultation was held from 2 June 2025 to 24 August 2025. The consultation was published on the Ask Derbyshire website, publicised via the Council's website and social media platforms, and targeted a range of stakeholders through direct consultation.
- 1.8 Only one response was received during the consultation period, which expressed support for the revised Policy. The response was considered by the Licensing and Gambling Acts Committee on 14 October 2025.
- 1.9 The Committee noted the single supportive response to the consultation and viewed the overall lack of feedback as a positive indication that the revised Policy is fit for purpose and meets stakeholder' expectations. As a result, the Committee approved the draft Policy and LAP for consideration at Council.

2. Details of Proposal or Information

- 2.1 The revised draft Gambling Act 2005: Statement of Principles and Local Area Profile have been drafted in line with the legislation and current guidance issued by the Gambling Commission and can be found attached as **Appendix 1 and 2**.
- 2.2 The fundamental principles of the revised Policy remain the same, and the draft proposals aim 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.
- 2.3 Following an extensive public consultation and thorough member scrutiny, the final draft Policy and Local Area Profile were approved by the Licensing and Gambling Acts Committee on 14 October 2025, subject to final approval at Council.
- 2.4 To adopt the revised Policy and Local Area Profile, the Council must comply with the requirements set out in *The Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006*. Specifically the Council must:
- Publish the revised Policy on the Council website for a minimum of four weeks prior to the date it comes into effect;
 - Make the revised Policy available for inspection at the Council offices for at least four weeks before it comes into effect, and
 - Display a notice of the Council's intention to publish the revised Policy on a public notice board located in or near the Council offices, no later than the first day the Policy is published in line with the requirements above.

3 Reasons for Recommendation

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

4 Alternative Options and Reasons for Rejection

- 4.1 The Council can choose not to prepare and publish a new Statement of Principles; however this would leave the authority open to successful legal challenge by way of appeal against decisions on licensing matters or judicial review.

DOCUMENT INFORMATION

Appendix No	Title
1	Final Draft GA 2005 Statement of Principles
2	Final Draft GA 2005 Local Area Profile
3	Equality Impact Assessment

Background Papers (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 Cabinet you must provide copies of the background papers)

[Derbyshire Joint Strategic Needs Assessment - Gambling](#)
[Gambling-related harms evidence review: summary - GOV.UK](#)

Statistical information from the Council's systems.