

Report to LICENSING COMMITTEE

Gambling Policy Review

Portfolio Holder:

Councillor A.Shah - Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People & Place

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Reason for the Report

The reason for this report is to update Members of the recent review of the Council's Gambling Policy and seek views on the suggested amendments required prior to Council approval.

Recommendations

That Members consider the proposed attached Gambling Policy draft and make any suggestions for further alterations to it prior to it being placed before December Council.

Gambling Policy Review

1 Background

1.1 The Gambling Act 2005 created a new system of licensing and regulation for commercial gambling in this Country. Amongst other changes it gave local authorities new and extended responsibilities for licensing premises for gambling and associated permissions.

1.2 In setting its local policy the Council must show how we will seek to promote the licensing objectives under the Act which are:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime;
- Ensuring gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable people from being harmed or exploited by gambling.

1.3 The role of the licensing authority covers:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for the consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued
- Maintain registers of the permits and licences

2 Current Position

2.1 The current policy was adopted in January 2016 and has to be reviewed every 3 years. Therefore, the attached proposed policy at Appendix 1 proposes amendments since it was last approved. Most gambling policies issued by Councils will use the same template issued by the Local Government Association based on best practice and to ensure a consistent approach nationally.

2.2 The majority of alterations to the policy since the one adopted in December 2015 are tidying up changes to references from national guidance and making certain points clearer.

2.3 A section has been included in the proposed Policy in relation to gambling related harm following a motion debated at Council on 12th July 2018. The motion was:

Council believes that local authorities should be regarded as ‘responsible authorities’ in supporting ‘problem’ gamblers and young people gambling, ensuring they are provided with additional safeguards. Due to an increased trend in online gambling which is carried out away from licensed premises where trained staff could intervene, it is anticipated that there will become more ‘problem’ gamblers and more young people gambling. It is the hope that this sets a recognition that gambling related harm is a public health issue and ensuring that those who are vulnerable and require support are able to get such help.

The main resolution from the Council motion was to ensure that information is displayed on the Council website to ‘signpost’ residents with a gambling ‘problem’ to the providers of relevant services, such as GambleAware, to support them with their addiction. In addition, Council have requested that all schools, colleges and youth centres in the Borough are made aware of the Gambling Toolkit produced by GambleAware, which is available online.

Furthermore, it was resolved that the Council’s Gambling Policy reflects any recommendations that result from the work done to achieve these outcomes by the time of its renewal in January 2019.

- 2.4 The work undertaken by Officers in licensing and public health has shown the Council’s commitment to support those who are suffering or likely to suffer from the effects of gambling and details areas of help and support whilst recognising that there is a problem.
- 2.5 The attached proposed policy is going to be considered by the Overview and Scrutiny Board on the 27th November prior to moving forward for approval to December Council.

3 **Recommendations**

- 3.1 Members are asked to note the report and feedback any comments on its content.

4 **Preferred Option**

- 4.1 N/A

5 **Consultation**

- 5.1 The proposed Gambling Policy Statement was drafted for the purposes of consulting in August 2018 with some amendments suggested from the current policy.

The Consultation lasted for an eight week period and copies of the consultation were circulated widely amongst licence holders and interested parties within the trade. A total of 3 responses were received.

The responses were fairly generic suggesting minor amendments in relation to the wording of paragraphs to ensure consistency.

6 **Financial Implications**

- 6.1 None

7 **Legal Services Comments**

- 7.1 The Gambling Policy Statement sets out the principles the Council proposes to apply in exercising its functions under the Gambling Act during the three year period covered by the Statement. Under section 153 of the Gambling Act, the Council should aim to permit the use of premises for gambling in so far as the Council think it in accordance with the Gambling Policy Statement, any relevant code of practice or guidance issued by the
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Gambling Commission and it is reasonably consistent with the licensing objectives. (A Evans)

8. **Co-operative Agenda**

8.1 Not applicable

9 **Human Resources Comments**

9.1 Not applicable

10 **Risk Assessments**

10.1 Not applicable

11 **IT Implications**

11.1 None

12 **Property Implications**

12.1 None

13 **Procurement Implications**

13.1 None

14 **Environmental and Health & Safety Implications**

14.1 None

15 **Equality, community cohesion and crime implications**

15.1 None

16 **Equality Impact Assessment Completed?**

16.1 Yes

17 **Key Decision**

17.1 No

18 **Key Decision Reference**

18.1 N/A

19 **Background Papers**

19.1 None

20 **Appendices**

20.1 Appendix 1 – Gambling Policy Statement (draft) 2019
