
COUNCIL



Gambling Policy Review

Portfolio Holder:

Councillor A.Shah - Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People & Place

Report Author: John Garforth – Trading Standards & Licensing Manager

Ext. 5026

12 December 2018

Reason for the Report

The reason for this report is to seek Council approval for the revised Gambling Policy.

Recommendations

That Members approve the policy.

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 2 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 was supported by Licensing Committee on 6 November 2018 and the Overview & Scrutiny Board on 27 November 2018.

3 **Recommendations**

- 3.1 Members are asked to approve the report and the revised Gambling Policy due to come into effect in January 2019.

4 **Preferred Option**

- 4.1 That Members approve the report.

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.

One respondent questioned the need to have Gambling Related harm considerations within the Policy. Officers, and Members at Scrutiny, felt that this was an important part of the Policy going forward and therefore it has not been removed.

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 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 These have been considered in the attached Equality Impact Assessment.

16 **Equality Impact Assessment Completed?**

16.1 Yes – attached at Appendix 1.

17 **Key Decision**

17.1 No

18 **Key Decision Reference**

18.1 N/A

19 **Background Papers**

19.1 Consultation responses.

20 **Appendices**

20.1 Appendix 1 – Equality Impact Assessment

Appendix 2 – Gambling Policy Statement (draft) 2019

Appendix 1

Equality Impact Assessment



	Reference:	
Responsible Officer	John Garforth	
Cabinet Member:	Cllr Arooj Shah	
Support Officer	Shamim Iqbal	

Equality Impact Assessment Tool

Service Area:	Licensing
Budget Reduction Title:	N/A

Stage 1: Initial Assessment

1a	Which service does this project, policy or proposal relate to?				
	Licensing				
1b	What is the project, policy or proposal?				
	Gambling Policy				
1c	What are the main aims of the project, policy or proposal?				
	To produce statutory policy framework for the regulation of gambling activity in Oldham				
1d	Who, potentially, could this project, policy or proposal either benefit or have a detrimental effect on, and how?				
	This policy is to aid applicants in making applications and address compliance issues in licensed premises.				
1e	Does the project, policy or proposal have the potential to <u>disproportionately</u> impact on any of the following groups?				
		None	Positive	Negative	Not sure
	Disabled people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Particular ethnic groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Men or women (includes impacts due to pregnancy / maternity)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People of particular sexual orientation/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People in a Marriage or Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People who are proposing to undergo, are undergoing, or have undergone a process or part of a process of gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People on low incomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	People in particular age groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Groups with particular faiths or beliefs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Are there any other groups that you think may be affected negatively or positively by this project, policy or proposal?			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1f	What do you think the overall NEGATIVE impact on groups and communities will be?	None / Minimal		Significant
		<input checked="" type="checkbox"/>		<input type="checkbox"/>

1g	Using the screening and information in questions 1e and 1f, should a full assessment be carried out on the project, policy or proposal?	Yes <input type="checkbox"/>
		No <input checked="" type="checkbox"/>
1h	How have you come to this decision?	
	Likelihood of impact	

Stage 2: What do you know?

What do you know already?
What don't you know?
Further Data Collection

Summary (to be completed following analysis of the evidence above)

1e	Does the project, policy or proposal have the potential to <u>disproportionately</u> impact on any of the following groups?				
		None	Positive	Negative	Not sure
	Disabled people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Particular ethnic groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Men or women (includes impacts due to pregnancy / maternity)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People of particular sexual orientation/s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People in a Marriage or Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People who are proposing to undergo, are undergoing, or have undergone a process or part of a process of gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People on low incomes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	People in particular age groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Groups with particular faiths or beliefs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Are there any other groups that you think may be affected negatively or positively by this project, policy or proposal?					
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Stage 3: What do we think the potential impact might be?

3a	Who have you consulted with?
3b	How did you consult? (include meeting dates, activity undertaken & groups consulted)
3c	What do you know?
3d	What don't you know?

3e	What might the potential impact on individuals or groups be?	
	Generic (impact across all groups)	
	Disabled people	
	Particular ethnic groups	
	Men or women (<i>include impacts due to pregnancy / maternity</i>)	
	People of particular sexual orientation/s	
	People in a Marriage or Civic Partnership	
	People who are proposing to undergo, are undergoing, or have undergone a process or part of a process of gender reassignment	
	People on low incomes	
	People in particular age groups	
	Groups with particular faiths and beliefs	
	Other excluded individuals (<i>e.g. vulnerable residents, individuals at risk of loneliness, carers or service and ex-serving members of the armed forces</i>)	

Stage 4: Reducing / Mitigating the Impact

4a	What can be done to reduce or mitigate the impact of the areas you have identified?	
	Impact 1	Proposal
	Impact 2	Proposal
	Impact 3	Proposal


4b	Have you done, or will you do anything differently, as a result of the EIA?	
4c	How will the impact of the project, policy or proposal and any changes made to reduce the impact be monitored?	

Conclusion

This section should record the overall impact, who will be impacted upon, and the steps being taken to reduce / mitigate the impact

--

Stage 5: Signature

Role	Name	Date
Lead Officer	<i>S. Iqbal</i>	11/10/2018
Approver Signatures		11/10/2018

EIA Review Date:	30/10/2018
-------------------------	------------