

Report to LICENSING COMMITTEE

Gambling Policy Review

Portfolio Holder:

Councillor A. Chadderton - Cabinet Member for Neighbourhoods

Officer Contact: Director of Environment

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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 2019 and has to be reviewed every 3 years by law. In the attached proposed policy at appendix 1 the ten Greater Manchester Authorities have worked collaboratively to develop of common policy framework and content. Local issues and profiling have been added in addition to the common policy text.
- 2.2 The content of the policy centres around the regulatory responsibilities of both operators and the Council in how it administers the gambling system. This includes:
- General principles of the Gambling Act 2005
 - Determining licences
 - Relevant factors to consider
 - Specific considerations for business types
 - Permits and permissions
- 2.3 The Gambling Act defines which statutory bodies are to be consulted on a new premises application and these are:
- Gambling Commission
 - Greater Manchester Police
 - GM Fire & Rescue
 - Planning Authority
 - Environmental Health
 - Safeguarding Partnership
 - HMRC
 - The Licensing Authority
- 2.4 Significant attention has been paid to the public health concerns surrounding gambling additions in the revised policy. Data suggest that in Oldham there are around three thousand problem gamblers and nine thousand at risk gamblers. A Greater Manchester Gambling Harm Reduction Strategy has been compiled with funding allocated to support pathways and research.
- 2.5 The proposed policy also asks operators to submit a return to the Licensing Authority in order to measure the number of interventions they are taking to assist customers and self exclude those who require that option.
- 2.6 The attached proposed policy is going to be considered by the Licensing Committee on the 30th of November 2021 prior to moving forward for approval to Council on 15 December 2021.

3 **Recommendations**

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

4 **Preferred Option**

- 4.1 Not applicable

5 **Consultation**

- 5.1 The proposed Gambling Policy Statement was drafted for the purposes of consulting in July 2021.

The Consultation lasted for an eight week period and copies of the consultation were circulated widely amongst licence holders, trade organisations and interested parties within the trade. A total of three responses were received including Betting & Gaming Council, Director of Public Health for Oldham and the National Association of Bookmakers.

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 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) November 2021