

Report to Council

Gambling Policy Review

Portfolio Holder:

Councillor A. Chadderton - Cabinet Member for Neighbourhoods

Officer Contact: Director of Environment

Report Author: John Garforth – Trading Standards & Licensing Manager

Ext. 5026

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Reason for the Report

The reason for this report is to update members on the recent review of the Council's Gambling Policy and to seek approval of a revised policy to take effect from 1st January 2022.

Executive Summary

The Council, acting in its a position as Licensing Authority, has a statutory to uphold the licensing objectives within the Gambling Act 2005. 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.

Recommendations

That Members approve the proposed Gambling Policy.

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
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- 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 amount of interventions they are taking to assist customers and self exclude those who require that option.

2.6 The attached policy has been considered by the Licensing Committee and the Policy Overview and Scrutiny Committee prior to this meeting.

3 **Options/Alternatives**

3.1 Option 1: To approve the implementation of the updated policy.

3.2 Option 2: No to approve the policy.

4 **Preferred Option**

4.1 Option 1.

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	Implications for Children and Young People
16.1	None
17	Equality Impact Assessment Completed?
17.1	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
