

Report of the Head of Licensing and Registration

Report to Licensing Committee

Date: 8th April 2015

Subject: Gambling Act 2005 Statement of Licensing Policy

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Every three years the Council is required by the Gambling Act 2005 to review the Gambling Act 2005 Statement of Licensing Policy (Licensing Policy), and to consult upon any changes.
2. The three yearly review is taking place this year and officers have reviewed the current policy and made suggestions in line with changes to Gambling Commissions Licence Conditions and Codes of Practice.
3. The next step is to consult with the public and other bodies as required by statute.

Recommendations

4. That Licensing Committee reviews the proposed amendments to the Licensing Policy and consider approving the document for public consultation.

1.0 Purpose of this report

- 1.1 To present to Licensing Committee the Statement of Licensing Policy (appendix 1) and a summary of the changes (appendix 2) for consideration.

2.0 Background information

- 2.1 Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.
- 2.2 The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

3.0 Main issues

- 3.1 This will be the fourth time that the council has reviewed and amended the Gambling Act 2005 Statement of Licensing Policy (Licensing Policy).
- 3.2 In the last three years there have been a number of issues that have come to the attention of councils nationwide. The most publicly reported of which is the increase in the number of Fixed Odds Betting Terminals in premises in deprived areas. In Leeds, although there has not been a significant change in the number of betting shops, there has been movement and more premises are opening in deprived areas.
- 3.3 In response to this concern, the Gambling Commission has consulted upon a change to the Licence Conditions and Codes of Practice (LCCPs) that are attached to Operator's Licence under the Gambling Act 2005 to require operators to complete locality specific risk assessments and show the measures they use to mitigate the risks. Officers have reviewed the new LCCPs and have incorporated the changes into the Licensing Policy. A summary of the changes to the Licensing Policy is attached at Appendix 2.
- 3.4 As part of the review process officers have contacted the responsible authorities (including West Yorkshire Police, Public Health, West Yorkshire Fire and Rescue Services, Leeds Safeguarding Children Board) who have no comment to make at this stage. They will be consulted with further during the public consultation.
- 3.5 The approval of the policy is a matter for full Council. The approval process follows the Budgetary and Policy Framework. The suggested timescale for approval is as follows:

Public Consultation	13 th April to 28 June 2015
Licensing Committee	14 th July 2015
Executive Board	15 th July 2015
Scrutiny Board	Early September 2015

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The Licensing Policy is subject to a statutory consultation. It is planned to use this opportunity to consult with the statutory consultees and ward member, parish and town councils and Citizen Advice Bureaux.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The Licensing Policy review process is subject to a EDCI Assessment, and a screening form has been completed. It is attached at Appendix 3.

4.3 Council Policies and City Priorities

4.3.1 The licensing regime contributes to the following Best Council Plan 2013-17 outcomes:

- Improve the quality of life for our residents, particularly for those who are vulnerable or in poverty;
- Make it easier for people to do business with us.

4.3.2 The licensing regime contributes to our best council objective:

- Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city.

4.4 Resources and Value for Money

4.4.1 A review of the effectiveness of specific consultation methods has been instrumental in reducing costs. The public consultation of the policy is now mostly undertaken by email, which has helped reduce the cost further.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications for this report.

4.6 Risk Management

4.6.1 There are no issues relating to risk management.

5 Conclusions

5.1 Officers have completed an initial review of the Licensing Policy and have produced a draft for public consultation. The main changes include new requirements in relation to the Operator's Licence Conditions and Codes of Practice published by the Gambling Commission and these changes are detailed in Appendix 1

6 Recommendations

- 6.1 That Licensing Committee reviews the changes suggested by officers and, if satisfactory, approve the draft for public consultation.

7 Background documents¹

- 7.1 There are no unpublished background documents that relate to this matter.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.