

### **OVERVIEW AND SCRUTINY COMMITTEE – COMMENTS ON THE STATEMENT OF GAMBLING POLICY.**

On 4 September Overview and Scrutiny Committee received and considered a preliminary report on the Statement of Gambling Policy.

At this stage the Committee made some initial observations which were forwarded to officers and the Leader of Council.

The Committee's greatest concern at this stage was the seemingly limited range of those who have been consulted on the draft policy. Whilst acknowledging that some of its concerns might be alleviated when the full list of those who have been consulted was available, the Committee felt that, as the document stood at that stage it appeared that some key partners had not been consulted, particularly, District Partnerships, Area Committees, PCTs and faith organisations.

The Committee stressed that its wish to see these bodies consulted was not in any way a statement of whether the Committee did or did not support the provision of gambling but a feeling that the absence of views from these organisations weakened the legitimacy of the policy.

It was also the Committee's view that consultation should not end with the publication of the policy, but should continue throughout the life of the document including during any review of its effectiveness.

On 9<sup>th</sup> October 2006 the Committee considered an updated report on the Draft Statement of Gambling Policy as part of the council's budget and policy framework procedure rules. This report included the results of the consultation on the draft policy.

A number of issues emerged from these discussions. Whilst satisfied that further consultation work had been undertaken a key concern of the Committee remained the need for the Council to establish robust mechanisms to ensure a continuing dialogue with those who may wish to comment on gambling. The Committee is not convinced that these mechanisms are in place.

Members also had concerns that the provisions of the Act itself limited the council's ability to exercise its legitimate role of promoting community wellbeing.

The key concepts of the Act, i.e. the licensing objectives of the Act are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
- ensuring that gambling is conducted in a fair and open way, and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The most common local issues such as nuisance, general disorder and public safety are not within the scope of the objectives, and therefore the Licensing Authority would not be able to accept any objection on these grounds as being relevant. This is of concern to the Committee.

The Committee is aware that enforcement and licence condition regulations have not yet been issued. The Council should therefore lobby the Minister of State for the Department of Culture, Media and Sport and the Gambling Commission for the right for councils to ensure community wellbeing.

Notwithstanding the above, members of the Committee are of the view that there are practical actions the council could now do.

Acknowledging the broader responsibilities of the Council, the Committee is of the view that the Council should use other arenas to discuss gambling, for example schools.

A key recommendation coming from the Scrutiny Inquiry into alcohol misuse was;

“That the Director of Legal and Democratic Services and the Director of Development arrange for the Development Plan Panel and the Licensing Committee meets to consider the consequences of licensing and planning policies on each other”.

The Committee recommends that this same approach is taken for gambling.

The alcohol commission also recommended;

“That the Head of Entertainment Licensing provides ward councillors with up to date information on all the on and off licensed premises in their ward, and the licensed hours and opening times for each of the premises”.

The Committee recommends that this principle is extended to premises offering gambling and that Ward Members are informed at the earliest possible opportunity by the Licensing Section and by the Development Department of any proposals relating to proposed gambling premises in their areas.