

# Gambling Act 2005 – Review of Statement of Licensing Policy

Date: 13 November 2024

Report of: Director of Communities, Housing and Environment

Report to: Council

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

Every three years the Council is required by the Gambling Act 2005 (the Act) to review the Gambling Act 2005 Statement of Licensing Policy (Policy), and to consult upon any changes. The three yearly review I has taken place this year.

Officers have reviewed the current Policy and made changes relating to the inclusion of research results and strengthened requirements around risk assessments.

The draft Policy has been subject to public consultation in line with the requirements of the Act as well as referral to Executive Board and Scrutiny Board in accordance with the Budget and Policy Framework procedure. It is now presented to Council for final consideration on recommendation from Executive Board for adoption.

## Recommendations

- a) Council is requested to approve the Gambling Act 2005 Statement of Licensing Policy 2025-2027 to have effect from 31<sup>st</sup> January 2025

## What is this report about?

- 1 The Gambling Act requires that the council's Statement of Licensing Policy is reviewed every three years and that a statutory consultation takes place. Under the council's Budget and Policy framework the review of the Policy is carried out through a specified approval process including being considered by Executive Board and Scrutiny Board. The review of the Policy has followed all the required steps and has been amended following consultation with the public and Scrutiny Board and is now being presented to Full Council for adoption. This process provides a high level of scrutiny which ensures the Policy is robust, fit for purpose and aligns with the council's aims.

## What impact will this proposal have?

- 2 This proposal will ensure a new Policy is in place before the previous policy expires in line with the requirements of the Gambling Act 2005 which states that the licensing authority will have reviewed their statement of principles every three years. The final policy is attached at Appendix 1.
- 3 The Statement of Licensing Policy and the consultation process is subject to Equality Impact Screening, which is attached at Appendix 2.

## How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 4 In Leeds, gambling harms is regarded as a matter of public health, and this has been the case since partnership working to address gambling related harms. Public Health co-lead on the partnership working arrangements and project delivery in the city and continue to provide advice, support, and evidence to guide possible interventions to reduce gambling harms.
- 5 Part of this work is to establish the Leeds Gambling Harms Group. This group, in existence for a number of years, looks at how best to implement change to mitigate gambling harm. It includes officers from all relevant parts of the council, including Entertainment Licensing, Public Health and Financial Inclusion, and external partners which provide support to those experiencing gambling harm such as Citizens Advice, GamCare, Leeds Community Gambling Service and the NHS Northern Gambling Service. This group includes officers that represent those vulnerable to gambling harm, for example Financial Inclusion and the city's Universities.
- 6 Leeds City Council's Public Health and Financial Inclusion teams co-lead partnership working arrangements, treatment service liaison and project delivery. Entertainment Licensing lead on the licensing of physical gambling premises, enforcement of these same premises and lobbying through the Local Government Association and liaison with the Gambling Commission.
- 7 In addition, Public Health and Financial Inclusion have worked with the licensing authority to develop a mapping tool, to inform local area risks assessments (a requirement under the Gambling Act 2005 for applicants), and to further assist and strengthen any objections to licensing and planning applications. This excellent piece of cross council partnership work has already been used to model alcohol harm since 2018.
- 8 When compared to other areas the work to address gambling harm in the city is well developed. The Leeds approach has been recognised nationally by both the Local Government Association and the Gambling Commission and is a key reason for the city now hosting two treatment services (the NHS Northern Gambling Service and Leeds Community Gambling Service) in the city.

- 9 The Statement of Licensing Policy seeks to strengthen the Council's policy in this matter, to make a positive impact on the health and wellbeing of the city's residents.

### **What consultation and engagement has taken place?**

Wards affected: all

Have ward members been consulted?  Yes  No

- 10 The draft policy was initially shared with partner organisations working with the council's Gambling Harm Group, but up to that point the input had been predominantly with Public Health and Financial Inclusion.
- 11 The draft policy was considered by Licensing Committee in July, and released for consultation by the Director of Communities, Housing and Environment by way of a [delegated decision](#). It was subject to a 4 week public consultation with the people and organisations required by the legislation. Briefly these comprise of businesses and people affected by the proposals. As part of this consultation the council's Gambling Harms Group, all ward members, all Members of Parliament, support organisations, and all licensed premises have been consulted. In addition the consultation was advertised on the council's website.
- 12 The public consultation had three responses from the Betting and Gaming Council, Gamcare and Talarus/Luxury Leisure. The council's response to these comments is provided in the consultation report. The policy has been amended in line with the responses.
- 13 The report was referred to Executive Board for consideration with no comments being made.

### **What are the resource implications?**

- 14 No resource implications for the authority have been identified.

### **What are the key risks and how are they being managed?**

- 15 There are no issues relating to risk management identified.

### **What are the legal implications?**

- 16 Review of the Gambling Act Statement of Policy is a legal requirement and is also subject to the Constitutional procedures which control how the review should take place within the Budget & Policy Framework. The steps set out in this report should ensure that both statutory and Constitutional requirements are met.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 17 This is a statutory process set out in the Gambling Act 2005. Therefore options are limited. Council could decide not to adopt the policy, in which case the existing policy would expire and there would be no new policy to replace it. However this risk is low as the Budget and Policy Framework ensures that all interested parties, and all formal committees have been consulted and provided with opportunities to feed into the process.

### **How will success be measured?**

- 18 Publication of an approved policy on 1<sup>st</sup> January 2025.

### **What is the timetable and who will be responsible for implementation?**

- 19 The current policy was adopted by Council in November 2021, came into force on 31<sup>st</sup> January 2022 and expires on 31<sup>st</sup> January 2025.
- 20 The approval of the policy is a matter for full Council.
- 21 The adopted policy will be published on 1<sup>st</sup> January to come into effect on 31<sup>st</sup> January. This publication will be the responsibility of Entertainment Licensing and will be progressed by the report author.

### **Appendices**

- Appendix 1 – Statement of Licensing Policy
- Appendix 2 – Equality Impact Screening

### **Background papers**

- None