

Gambling Act 2005 – Public Consultation on Policy

Date: 23rd September 2021

Report of: Director of Communities, Housing and Environment

Report to: Scrutiny Board (Environment, Housing and Communities)

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

- 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 annual review is due to take place this year.
- The three yearly review is taking place this year and 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 presented to the public for consultation in line with the requirements of the Act. It elicited one response from the Betting and Gaming Council.
- Having reviewed this response the revised Policy is now presented to Scrutiny Board (Environment, Housing and Communities) for comment before referring to Executive Board for onward referral for adoption to Council under the Budgetary and Policy Framework.
- The licensing regime contributes to Best City Priorities 2019/20 (see the [latest version of the Best Council Plan](#)):
 - Culture
 - Safe, Strong communities
 - Inclusive Growth

Recommendations

That Scrutiny Board (Environment, Housing and Communities) consider the contents of the report and provide comments or recommendations to Executive Board in line with the Budgetary and Policy Framework.

Why is the proposal being put forward?

- 1 The purpose of this report is to advise Scrutiny Board (Environment, Housing and Communities) that the triennial review of the Gambling Act 2005 Statement of Licensing Policy is underway with the public consultation having taken place and to request that Scrutiny Board (Environment, Housing and Communities) consider the contents of the report and provide comments or recommendation to Executive Board in accordance with the Budgetary and Policy Framework. The Budgetary and Policy Framework ensures that this Policy receives the proper consultation, scrutiny and clearances at all levels before adoption.

What impact will this proposal have?

Wards Affected: All

Have ward members been consulted? Yes No

- 2 This report presents the draft policy attached at Appendix 1 to Scrutiny Board (Environment, Housing and Communities) and in line with the legislation and the Budgetary and Policy Framework requests that this matter is considered and referred back to Executive Board.
- 3 The Statement of Licensing Policy and the consultation process is subject to Equality Impact Screening, which is attached at Appendix 2.

What consultation and engagement has taken place?

- 4 The draft Policy has been shared with partner organisations working with the council's Problem Gambling Project Group, but the input has been predominantly with Public Health and Financial Inclusion. Licensing Committee has been consulted prior to this report and members have had to opportunity to provide input. At this stage the proposed amendments adequately addressed concerns expressed by Licensing Committee.
- 5 A draft policy was prepared using the previous policy as a basis and the following changes were made:
 - General updating of statistical data, such as population statistics
 - Inclusion of an expanded section on deprivation, introducing the priority areas
 - Information relating to life expectancy and concerns around suicide and risk factors in Leeds
 - The impact of coronavirus (COVID-19)
 - Updated information on the Best Council Plan 2020-2025
 - Updated section on the protection of vulnerable people
 - Introduction of the risk matrix
 - Examples of measures operators could take to mitigate concerns relating to the protection of vulnerable people
 - Updated Primary Authority Schemes

- 6 The draft policy has been subjected to a public consultation, undertaken by email and letter to all licence holders, representatives of licence holders, ward members, local MPs as well as treatment and support services. The consultation is a statutory requirement of the Gambling Act 2005.
- 7 The consultation elicited one response from the Betting and Gambling Council which is attached at Appendix 3. Although the response has suggested that information be removed from the policy, we would seek to provide clarification instead. A formal response to this letter has been provided at Appendix 4 with suggested changes. The draft policy attached at Appendix 2 include these changes.

What are the resource implications?

- 8 No resource implications for the licensing authority have been identified.

What are the legal implications?

- 9 There are no legal implications in relation to this report. The review of the policy is subject to the Budget and Policy Framework and therefore there is no call-in process.

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

- 10 There are no issues relating to risk management.

Does this proposal support the council's 3 Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 11 The licensing regime contributes to Best City Priorities 2019/20:

- Culture
- Safe, Strong communities
- Inclusive Growth

Options, timescales and measuring success

- 12 The current policy was adopted by Council in November 2018 and expires on the 31st January 2022.
- 13 The approval of the policy is a matter for full Council. The approval process follows the Budget and Policy Framework Procedure Rules which stipulate: 'At least two months before a plan/strategy/budget needs to be adopted, the Executive will publish its initial proposals, for the plan, strategy or budget within the Budget and Policy Framework, having first canvassed the views of local stakeholders as appropriate and in a manner suitable to the matter under consideration'.

14 The suggested timescale for approval is as follows:

9 th July to 29 th August	Public Consultation
22 nd September	Executive Board for referral to Scrutiny Board
23 rd September	Scrutiny Board (Environment, Housing and Communities)
20 th October	Executive Board for referral to Council
10 th November	Council
1 st January	28 day notice period starts
31 st January	Policy comes into effect

Appendices

- 15 Appendix 1 – Draft Statement of Licensing Policy with tracked changes.
- 16 Appendix 2 – ECDI Screening.
- 17 Appendix 3 – Response from Betting and Gaming Council via Gosschalks
- 18 Appendix 4 – Formal response to letter from Betting and Gaming Council

Background papers

- 19 None.