

# Gambling Act 2005 Statement of Licensing Policy

Date: 20<sup>th</sup> October 2021

Report of: Director of Communities, Housing and Environment

Report to: Executive Board

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 review is due to take 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 Scrutiny Board in accordance with the Budget and Policy Framework procedure. It is now presented to Executive Board for final consideration before being recommended to full Council for adoption.
- The licensing regime contributes to Best City Priorities 2020-25 (see the [latest version of the Best Council Plan](#)):
  - Culture
  - Safe, Strong communities
  - Inclusive Growth

## Recommendations

Executive Board is recommended to:

- (i) Note the contents of the report and consider the final draft Policy which includes the outcomes from the statutory consultation exercise and any comments/recommendations from Scrutiny Board (Environment, Housing and Communities).
- (ii) Recommend the final draft Policy to Full Council for adoption.

## Why is the proposal being put forward?

- 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 Budgetary and Policy framework the review of the Policy is carried out through a specified approval process including being considered by 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 Executive Board so that it can be recommended 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?

**Wards Affected:** All

Have ward members been consulted?       Yes       No

- 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 draft 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.

## 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. Licensing Committee considered the draft policy but did not require to see the policy post-consultation unless there were extensive amendments.
- 5 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 and elicited one response from the Betting and Gambling Council. The comments have been considered and amendments made which have been considered by Executive Board and Scrutiny Board.
- 6 Scrutiny Board (Environment, Housing and Communities) considered the draft policy, the response from the Betting and Gaming Council and the proposed changes and made no further comment. The report was referred to Executive Board for consideration with no comments.

## What are the resource implications?

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

## What are the legal implications?

- 8 Adoption of the Policy by Full Council will ensure compliance with our statutory obligations set out in the Gambling Act 2005. The review of the Policy is subject to the Budget and Policy Framework and has been presented to Scrutiny Board (Environment, Housing and Communities) as a matter of course. As such the decision of Executive Board is not subject to call-in.

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

- 9 The key risk is that if the draft final Policy is not adopted by Full Council, there will not be a Policy in place when the current Policy expires.

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

- Inclusive Growth       Health and Wellbeing       Climate Emergency

- 10 The licensing regime contributes to Best City Priorities 2020-25:

- Culture
- Safe, Strong communities
- Inclusive Growth

## Options, timescales and measuring success

- 11 The current Policy was adopted by Council in November 2018 and expires on the 31<sup>st</sup> January 2022.
- 12 The approval of the Policy is a function of full Council.
- 13 The suggested timescale for approval is as follows:
- |                           |  |
|---------------------------|--|
| 20 <sup>th</sup> October  | Executive Board recommends referral to Council |
| 10 <sup>th</sup> November | Council adopts the Policy                      |
| 1 <sup>st</sup> January   | 28 day notice period starts                    |
| 31 <sup>st</sup> January  | Policy comes into effect                       |
- 14 Success will be measured by the adoption of the Policy prior to the current Policy expiring. Success can also be measured by the successful application of the new Policy when making decisions on licence applications.

## Appendices

- 15 Appendix 1 – Final Draft Statement of Licensing Policy.
- 16 Appendix 2 - ECDI Screening.

## Background papers

- 17 None.