

# Triennial Review of Gambling Act 2005 - Statement of Licensing Policy 2025-2027

Date: 8<sup>th</sup> July 2024

Report of: Chief Officer Elections and Regulatory

Report to: Licensing Committee

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 to review the Gambling Act 2005 Statement of Licensing Policy (Licensing Policy), and to consult upon any changes. The three yearly annual review is due to take place this year.

Officers have worked with partners across the Council who are interested in the reduction of gambling harms to update the policy and are now requesting a Delegated Decision be made to release the draft policy for public consultation and to refer the matter, post consultation, to Scrutiny Board.

## Recommendations

- a) For permission be given to undertake a public consultation, in accordance with the provisions set out in the Gambling Act 2005.
- b) To refer the Policy, post consultation, to Scrutiny Board, following the Budget and Policy Framework.

## What is this report about?

- 1 The purpose of this report is to obtain permission to undertake a four week public consultation on the draft Statement of Licensing Policy produced under the Gambling Act 2005. The public consultation is required by the Act, and it is the usual practice of the council to consult with Licensing Committee before consultation. This was undertaken on 24<sup>th</sup> July 2024.
- 2 Permission is also required to refer the Policy, post consultation along with the consultation report to Scrutiny Board (Strategy and Resources) for consideration before being referred to Executive Board.
- 3 The final approval of the policy after the consultation has been taken into consideration follows the council's Budget and Policy Framework where it will be presented to Scrutiny Board and Executive Board before being adopted by full Council.

## What impact will this proposal have?

- 4 The requirement to undertake a public consultation is legislative. It will provide businesses and agents who represent them, and the public and those who represent them, via MPs and ward councillors, the opportunity to have a say on Policy. Providing this opportunity for comment ensures that the policy is robust, as this is the time when any issues with the content of the policy can be raised.
- 5 The Policy will receive further scrutiny by being presented to Scrutiny Board (Strategy and Resources).
- 6 The Statement of Licensing Policy and the consultation process is subject to Equality Impact Screening, which is attached at Appendix 3.

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

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 7 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.
- 8 When compared to other local areas the work to address gambling-related harms in the city is well developed. The Leeds approach has been recognised nationally including 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 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.

## What consultation and engagement has taken place?

Wards affected: all

Have ward members been consulted?

Yes

No

- 9 The draft Policy has been shared with partner organisations working with the council's Problem Gambling Project Group, but up to this point the input has been predominantly with Public Health and Financial Inclusion.
- 10 The policy will be subject to a four 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 Problem Gambling Harms Group, all Ward Members, all Members of Parliament, support organisations, and all licensed premises will be consulted.

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

11 No resource implications for the authority have been identified.

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

12 There are no issues relating to risk management identified.

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

13 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 will be presented to Scrutiny Board as a matter of course. As such there is no call-in process.

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

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

14 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.

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

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

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

16 The current policy was adopted by Council in November 2021 and expires on the 31<sup>st</sup> January 2025.

17 The approval of the policy is a matter for full Council. The approval process follows the Budget and Policy Framework. The timescale for approval is as follows:

July	Delegated Decision Notice to release for consultation and refer to Scrutiny Board
July/August	4 week public consultation
16 <sup>th</sup> September	Scrutiny Board
17 <sup>th</sup> September	Licensing Committee (post consultation update)
16 <sup>th</sup> October	Executive Board
13 <sup>th</sup> November	Council
1 <sup>st</sup> January 2025	28 day publication period starts
31 <sup>st</sup> January 2025	Policy becomes effective

18 Due to the Budget and Policy Framework there are several democratic processes that need to be undertaken before the Policy can be approved. As the policy goes to Scrutiny Board as part of this process it is not subject to Call In.

### **Appendices**

- Appendix 1 – Draft Statement of Licensing Policy
- Appendix 2 – Summary of changes
- Appendix 3 – ECDI Screening

### **Background papers**

- None