

Gambling Act 2005 – Review of Statement of Licensing Policy

Date: 16 September 2024

Report of: Chief Officer Elections & Regulatory

Report to: Scrutiny Board (Strategy & Resources)

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, and to consult upon any changes. The three yearly annual review is due this year.

Officers have worked with partners across the Council to review the policy. The draft policy has been presented to the public for consultation in line with the requirements of the Act. It elicited three responses. A consultation report has been produced detailing the amendments to the Policy following initial review and the public consultation. The revised policy and consultation report will be presented to Licensing Committee for information.

The Policy is now presented to Scrutiny Board for comment before being presented to Executive Board and Council under the Budget and Policy Framework.

Recommendations

- a) That Scrutiny Board consider the report and appendices and provide any comment to Executive Board before it is referred to Council for adoption.

What is this report about?

- 1 Every three years the Council is required by the Gambling Act 2005 to review the Gambling Act 2005 Statement of Licensing Policy, and to consult upon any changes. The three yearly annual review is due this year.
- 2 Officers have worked with partners across the Council to review the policy. The draft policy has been presented to the public for consultation in line with the requirements of the Act. It elicited three responses. A consultation report (Appendix 1) has been produced detailing the amendments to the Policy following initial review and the public consultation.
- 3 The Statement of Licensing Policy is part of the council's Budget and Policy Framework and therefore in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Full Council is responsible for its adoption. These arrangements are set out in Article 4 of the council's constitution.
- 4 As required by the Budget and Policy Framework Procedure Rules, it was agreed that the Statement of Licensing Policy (Appendix 2) would be referred to Strategy and Resources Scrutiny Board for consideration.
- 5 The outcome of the Board's deliberations will be reported to Executive Board to inform its consideration of the final proposals. The Executive Board is also required to report to Council how it has taken into account any Scrutiny Board recommendations.

What impact will this proposal have?

- 6 The Statement of Licensing Policy is a statement of the principles the licensing authority (the council) will apply when making determinations under the Gambling Act 2005. It is statutory requirement that the policy is reviewed every three years. The review and revision of the Statement of Licensing Policy ensures that an up to date revised policy is in place when the exiting policy expires on 31st January 2025.
- 7 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

- 8 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.
- 9 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.

10 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

11 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.

12 The policy, having been released for consultation by Licensing Committee, 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.

13 The public consultation had three responses from the Betting and Gaming Council, Gamcare and Talarius/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.

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 There are no legal implications in relation to this report.

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 1st 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 31st January 2022 and expires on 31st January 2025.

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

Scrutiny Board 16th September 2024

Licensing Committee 17th September 2024

Executive Board 16th October 2024

Council 23rd November 2024

Appendices

- Appendix 1 – Draft Statement of Licensing Policy
- Appendix 2 – Consultation Report
- Appendix 3 – Equality Impact Screening

Background papers

- None