

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**LICENSING COMMITTEE – WEDNESDAY, 3 OCTOBER 2018**

Title of report	REVIEW OF GAMBLING ACT STATEMENT OF LICENSING POLICY
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Purpose of report	For Members to consider the draft Gambling Act 2005 Statement of Licensing Policy following the consultation period
Council Priorities	Business & Jobs Homes and Communities
Implications:	
Financial/Staff	No additional financial or staffing implications
Link to relevant CAT	Not applicable
Risk Management	Legislation requires the policy to be reviewed every 3 years
Equalities Impact Screening	Not applicable
Human Rights	None
Transformational Government	None
Comments of Head of Paid Service	The report is satisfactory
Comments of the Section 151 Officer	The report is satisfactory

Comments of Monitoring Officer	The report is satisfactory
Consultees	Leicestershire Police, Gambling Commission, Association of British Bookmakers, British Amusement Catering Trade Association, British Casino Association, Bingo Association, British Horse Racing Board, Working Men's Club and Institute Union, British Beer & Pub Association, Gamcare, Salvation Army, Leicestershire Partnership Trust CAMHS, Leicestershire and Rutland Safeguarding Children Board, Andy Peters Racing, Betfred, Gala Leisure, Flutter Leisure Ltd, , Ladbrokes, Moto Donington, Quicksilver, Gamble Aware, Leicestershire Fire Service, 2 Fat Ladies Leisure Limited, Responsible Authorities, Town and Parish Councils, South Derbyshire District Council, Charnwood Borough Council, local secondary schools / college
Background papers	Gambling Commission – Guidance to licensing authorities 5 th edition. NWLDC – Gambling Act 2005 Statement of Licensing Policy Issue 4
Recommendations	<p>THAT LICENSING COMMITTEE</p> <ol style="list-style-type: none"> 1. RECOMMEND APPROVAL OF THE STATEMENT OF LICENSING POLICY TO COUNCIL AT ITS MEETING ON 13 NOVEMBER 2018 2. DELEGATE THE UPDATING OF THE LOCAL AREA PROFILE TO THE HEAD OF COMMUNITY SERVICES IN CONSULTATION WITH THE PORTFOLIO HOLDER

1.0 BACKGROUND

- 1.1 Under section 349 of the Gambling Act 2005, ('the Act'), Licensing Authorities are required to prepare and publish a statement of principles which they intend to apply when exercising their functions under the Act. This statement of principles is referred to as the Statement of Licensing Policy ('Policy').
- 1.2 Following consultation with a wide range of bodies and agencies, the last review of this Licensing Policy was approved by full Council on 17 November 2015 and came into effect on 31 January 2016.
- 1.3 North West Leicestershire's Gambling Act Statement of Licensing Policy is a policy statement that guides its licensing authority in its decision making with regards to all applications received under the Act.
- 1.4 Section 349 also requires Licensing Authorities to review their Policy every three years. The revised Policy must be in place on or before 31 January 2019.

2.0 REVIEW OF STATEMENT OF LICENSING POLICY

- 2.1 The current Policy has been reviewed in accordance with national statutory guidance issued to licensing authorities by the Gambling Commission. A draft statement of licensing Policy is attached as Appendix 1.
- 2.2 Although the guidance broadly remains unchanged, more detail has been provided in relation to the importance of local risk assessments and local area profiles.
- 2.3 The competent body designated to advise NWLDC about the protection of children from harm has been changed from Leicestershire Police to Leicestershire and Rutland Safeguarding Children Board.
- 2.4 A profile of North West Leicestershire has been reviewed and further developed at Part A, section 11 of the draft Policy. Applicants will use this profile to inform their risk assessment.

3.0 CONSULTATION

- 3.1 The Gambling Act 2005 requires that all local authorities have to widely consult when reviewing their Statement of Licensing Policy.
- 3.2 The reviewed policy was sent out for consultation for 10 weeks commencing on 6 June 2018. A consultation pack was devised consisting of structured questions and was sent to all consultees listed at the front of this report by email. The consultation closed on 10 August 2018.
- 3.3 Responses were received from GambleAware, Gamcare, Kegworth Parish Council, Measham Parish Council and the Equalities Officer of NWLDC.
 - 3.3.1 GambleAware work in partnership with the Gambling Commission and the Responsible Gambling Strategy Board. Although resource constraints meant that they were unable to offer specific feedback on our draft policy they fully support all local authorities which conduct an analysis to identify areas with increased levels risk.
 - 3.3.2 Whilst Gamcare were unable to make comment on our specific draft policy they did provide generic advice and directed us to a number of publications. The generic advice has been read and considered in devising the final draft policy.
 - 3.3.3 Our Equalities Officer provided educational attainment data which has been incorporated into the local area profile.
 - 3.3.4 Kegworth Parish Council and Measham Parish Council considered the draft policy at a meeting and concluded they had no comments to make regarding its content.

4.0 REVIEW OF LOCAL AREA PROFILE

- 4.1 At the time of preparing this statement of licensing policy there has been no evidence presented to North West Leicestershire District Council to support the assertion that any part of the area is experiencing problems from gambling activities. This position will be kept under review by the licensing team and, in the event that it changes the area profile will be revised.

- 4.2 The Gambling Commission has suggested that the local area profile is a separate document which is referenced in the policy or a process be put in place to allow officers to update the profile from time to time. It is recommended that amendments to the profile be delegated to the Head of Service in consultation with the portfolio holder.

5.0 APPROVAL PROCESS

- 5.1 The reviewed Policy will be taken to Council on 13 November 2018 for approval. Once the reviewed Policy has been approved, it must be published 4 weeks prior to it coming in effect on 31 January 2019.