

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 13 NOVEMBER 2018

Title of report	REVIEW OF THE GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY
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Purpose of report	To present the draft Statement of Licensing Policy for adoption by Members
Strategic aims	Homes and communities
Implications:	
Financial/Staff	All staffing costs associated with the preparation, consultation and adoption of the Statement of Licensing Policy are covered by the existing level of approved budget.
Link to relevant CAT	Not applicable
Risk Management	Legislation requires the policy to be reviewed every 3 years.
Equalities Impact Assessment	An Equality Impact Assessment has been undertaken and issues identified have been actioned.
Human Rights	Assessed in the passing of the legislation.
Transformational Government	This relates to the new ways in which councils are being asked to deliver their services
Comments of Head of Paid Service	The report is satisfactory
Comments of 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, Ladbrokes, Moto Donington, Quicksilver, Gamble Aware, Leicestershire Fire Service, 2 Fat Ladies Leisure Limited, 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. www.gamblingcommission.gov.uk NWLDC – Gambling Act 2005 Statement of Licensing Policy Issue 4.
Recommendations	THE GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY BE APPROVED

1.0 BACKGROUND

- 1.1 The Gambling Act 2005 (‘the Act’) came into force on 1 September 2007 and introduced a new regime to control all gambling.
- 1.2 Under section 349 of 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’).
- 1.3 Following consultation with a wide range of bodies and agencies, the last review of this Licensing Authorities’ Policy was approved by Full Council on 17 November 2015 and came into effect on 31 January 2016.
- 1.4 Section 349 also requires licensing authorities to review their policy every three years. The reviewed policy must come into force on 31 January 2019.

2.0 REVIEW OF STATEMENT OF LICENSING POLICY

- 2.1 The current policy has been reviewed in accordance with national 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 the council 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. 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 Gamble Aware, Gamcare, Kegworth Parish Council, Measham Parish Council and the council's Equalities Officer.
 - 3.3.1 Gamble Aware 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 the draft policy they fully support all local authorities conducting an analysis to identify areas with increased levels of risk.
 - 3.3.2 Whilst Gamcare were unable to make comment on the specific draft policy they did provide generic advice and directed officers to a number of publications. The generic advice has been read and considered in devising the final draft policy.
 - 3.3.3 The council's 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 and concluded that they had no comments to make regarding its content.
- 3.4 The Licensing Committee at a meeting on 3 October 2018 agreed to recommend the adoption of the policy to council. An extract of the minutes is attached as **Appendix 2**.

4.0 APPROVAL PROCESS

- 4.1 Once the reviewed policy has been approved by Full Council, it must be published 4 weeks prior to it coming in effect on 31st January 2019.