

<b>Title of Report</b>	<b>GAMBLING ACT STATEMENT OF LICENSING POLICY REVIEW</b>	
<b>Presented by</b>	Andrew Cooper Licensing Team Leader	
<b>Background Papers</b>	<p>Gambling Commission – Guidance to Licensing Authorities 5<sup>th</sup> Edition.  <a href="https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities">https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities</a></p> <p>NWLDC – Gambling Act 2005 Statement of Licensing Policy Issue 5  <a href="#">Gambling Act - Statement of Licensing Policy 2019-2022</a></p>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	<p>The risk of incurring costs arising from any challenge against the policy.</p> <p><b>Signed off by the Section 151 Officer:</b> The report is satisfactory</p>	
<b>Legal Implications</b>	<p>There is a risk that the Council’s Gambling Act Statement of Licensing Policy is challenged. Legal advice has been secured in its preparation to mitigate the risk of challenge.</p> <p><b>Signed off by the Monitoring Officer:</b> The report is satisfactory</p>	
<b>Staffing and Corporate Implications</b>	<p>The workload associated with the review of the policy shall be undertaken within existing resources.</p> <p><b>Signed off by the Head of Paid Service:</b> The report is satisfactory</p>	
<b>Purpose of Report</b>	For members to consider the draft Gambling Act 2005 Statement of Licensing Policy following the consultation period.	
<b>Recommendations</b>	<p><b>THAT LICENSING COMMITTEE</b></p> <ol style="list-style-type: none"> <li><b>1. CONSIDER THE PROPOSED STATEMENT OF LICENSING POLICY ATTACHED AT APPENDIX 1 AND RECOMMENDS APPROVAL OF THE POLICY TO COUNCIL AT ITS MEETING ON 16 NOVEMBER 2021</b></li> <li><b>2. RECOMMEND TO FULL COUNCIL THE CONTINUATION OF THE DELEGATION TO THE HEAD OF SERVICE IN CONSULTATION WITH PORTFOLIO HOLDER FOR THE UPDATING OF THE LOCAL AREA PROFILE</b></li> </ol>	

## **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 (the 'Policy').
- 1.2 Following consultation with a wide range of bodies and agencies, the last review of this Council's Policy was approved by Full Council on 13 November 2018 and came into effect on 31 January 2019.
- 1.3 The Council's Policy is a policy statement that guides 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 2022.

## **2.0 REVIEW OF STATEMENT OF LICENSING POLICY**

- 2.1 The current Policy has been reviewed in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and national statutory guidance issued to licensing authorities by the Gambling Commission. A draft statement of licensing policy is attached as **Appendix 1**.
- 2.2 The Council's Policy remains broadly unchanged by the draft Policy. The main areas of change within the draft Policy relate to the updating of the local area profiles and the insertion of links to interactive maps showing the prevalence of problem gambling severity in each local authority and ward area as well as usage of, and reported demand for, treatment and support for gambling harms.

## **3.0 CONSULTATION**

- 3.1 The Gambling Act 2005 requires that all local authorities have to widely consult when reviewing their Policy.
- 3.2 The consultation has been carried out in two phases. Phase one, which commenced on 1 June 2021, was a targeted consultation seeking data and information from agencies to inform the local area profile. Phase two of the consultation was a broader consultation with relevant businesses, agencies, organisations, and authorities seeking comments on the whole draft policy and commenced on 1 July 2021 and closed on 26 August 2021.
- 3.3 Consultation responses were received from GambleAware and South Derbyshire District Council. A further anonymous response was also received.
- 3.4 GambleAware work in partnership with the Gambling Commission and the Responsible Gambling Strategy Board. Due to resource constraints on a small charity, they were not able to offer specific feedback on our draft Policy. However, they provided GambleAware's recently published [interactive maps](#) which have been designed for use by local authorities. The maps show the prevalence of problem gambling severity in each local authority and ward area, as well as usage of, and reported demand for treatment and support for gambling harms. Our draft Policy has been updated with this information.

The following two local government association publications have been commended by GambleAware for information only and have also been noted by Licensing Officers and will be used to influence the teams future work plan.

- <https://www.local.gov.uk/tackling-gambling-related-harm-whole-council-approach>
- <https://www.local.gov.uk/gambling-regulation-councillor-handbook-england-and-wales>

3.5 South Derbyshire District Council responded to advise they have no comments to make on the draft Policy.

3.6 An anonymous response to the consultation was also received. The consultee commented that the draft Policy is lengthy and heavy reading and suggested we may wish to consider the addition of an executive summary, and to provide information or data, which provides an understanding of harms from gambling within North West Leicestershire. In response, an executive summary and a link to the interactive maps has been added to the draft Policy in addition to a summary of officers' understanding of the harms from gambling activity in North West Leicestershire. It is important to note that the impact of gambling on residents of North West Leicestershire may change during the life of the policy and the reader should use the interactive maps to obtain a knowledge of the current situation.

#### 4.0 DELEGATION

4.1 The profile of North West Leicestershire will continue to change throughout the life of this policy. In order to ensure that any such changes are reflected within the policy without unnecessary reference to Licensing Committee or Council, it is recommended that any such changes be delegated to the Head of Service in consultation with the Portfolio Holder. A delegation was put in place in 2018 and a continuation of this delegation is sought.

#### 5. APPROVAL PROCESS

5.1 The draft Policy will be taken to Full Council on 16 November 2021 for approval. Once the draft Policy has been approved, it must be published 4 weeks prior to it coming in effect on 31 January 2022.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Business and Jobs, Homes and Communities
Policy Considerations:	North West Leicestershire District Council Statement of Licensing Policy - Gambling Act 2005 2019-2022
Safeguarding:	Licensed premises are required to risk assess gambling activity associated with their premises
Equalities/Diversity:	Equality Impact Assessment already undertaken, issues identified actioned
Customer Impact:	Businesses may be impacted by any decision made
Economic and Social Impact:	The policy may reduce the risk of harm from

	gambling activity by influencing the content of the risk assessments carried out by licensed premises
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Consultation with 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, Vital Health Group, Andy Peters Racing, Betfred, Gala Leisure, Flutter Leisure Ltd, Ladbrokes, Moto Donington, Quicksilver, GambleAware, Leicestershire Fire Service, 2 Fat Ladies Leisure Limited, Members, Responsible Authorities, Town and Parish Councils, South Derbyshire District Council, Charnwood Borough Council, local secondary schools / colleges, licensing agents / solicitors
Risks:	There is a risk that the Council's Gambling Act 2005 Statement of Licensing Policy is challenged. Legal advice sought in its preparation to mitigate the risk of challenge.
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