

Title of Report	GAMBLING STATEMENT OF LICENSING POLICY	
Presented by	Councillor Andrew Woodman Portfolio for Community Services	
Background Papers	Gambling Commission – Guidance to Licensing Authorities 5th Edition. NWLDC – Gambling Act 2005 Statement of Licensing Policy Issue 5 Licensing committee agenda and draft minutes	Public Report: Yes
Financial Implications	The risk of incurring costs arising from any challenge against the policy.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	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.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	The workload associated with the review of the policy shall be undertaken within existing resources.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	For members to consider the review of the Gambling Act 2005 Statement of Licensing Policy following the consultation period.	
Recommendations	THAT COUNCIL 1. CONSIDER AND APPROVE THE PROPOSED STATEMENT OF LICENSING POLICY ATTACHED AT APPENDIX 1. 2. APPROVE THE CONTINUATION OF THE DELEGATION TO THE HEAD OF COMMUNITY SERVICES IN CONSULTATION WITH PORTFOLIO HOLDER FOR THE UPDATING OF THE LOCAL AREA PROFILE.	

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 all local authorities 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 team's 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 knowledge of the current situation.

4.0 Licensing Committee

4.1 The draft statement of licensing policy was presented to the Licensing Committee at its meeting on 15 September 2021.

4.2 One member raised that the parish boundary map within the policy document was outdated. The map within the policy has now been updated with the most recent version.

4.3 One member raised a question concerning betting premises in Ibstock stating it had ceased operating. Officers have investigated this and can confirm that the premises have closed. The betting premises licence has been surrendered and the policy updated accordingly.

4.4 Following the comments from some members on the accessibility of the interactive maps linked within the policy document, the Environmental Health Team Manager offered the Committee Members assistance outside of the meeting whenever required. Later in the meeting the Licensing Team Leader demonstrated how to use the interactive maps for the benefit of those members that were unable to access them.

4.5 A question was raised in relation to the data available for the ages of people affected by gambling harm and it was confirmed that a request had been made to Gamcare for this data, but it had not yet been received. No data has been received at the time of writing this report.

4.6 Members were informed that if a member of the public were to contact the council seeking support with a gambling problem, they would be signposted to the relevant organisations for support and directed to the information available on the council's website.

4.7 In response to a request from a Member, the Licensing Team Leader agreed to notify Committee Members when visits to gambling premises were arranged so that they could attend if they wished to.

4.8 Members of the Licensing Committee recommended at their meeting that;

- 1) The Gambling Act Statement of Licensing Policy be approved by Council at its meeting on 16 November 2021.
- 2) The continuation of the delegation to the Head of Service in Consultation with the Portfolio Holder to update the Local Area Profile be approved by Council at its meeting on 16 November 2021.

5.0 DELEGATION

- 5.1 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.

6. APPROVAL PROCESS

- 6.1 Once the reviewed policy has been approved by Council, it must be published 4 weeks prior to it coming in effect on 31 January 2022.

Policies and other considerations, as appropriate	
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:	Initial EHRIA completed October 2021, no negative impacts identified.
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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