

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**LICENSING COMMITTEE – WEDNESDAY 18 SEPTEMBER 2024**



<b>Title of Report</b>	<b>REVIW OF GAMBLING ACT STATEMENT OF LICENSING POLICY</b>	
<b>Presented by</b>	Andrew Cooper Licensing Team Leader	
<b>Background Papers</b>	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>  North West Leicestershire District Council <a href="#">Gambling Statement of Licensing Policy 2022-2025</a>	<b>Public Report:</b> Yes
<b>Financial Implications</b>	The risk of incurring costs arising from any challenge against the policy.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	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.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	The workload associated with the review of the policy shall be undertaken within existing resources.	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	For members to consider the draft Gambling Act 2005 Statement of Licensing Policy 2025 – 2028 following the consultation period.	
<b>Recommendations</b>	<b>THAT LICENSING COMMITTEE:</b>  1. <b>CONSIDERS THE PROPOSED STATEMENT OF LICENSING POLICY ATTACHED AT APPENDIX 1 AND RECOMMENDS APPROVAL OF THE POLICY TO COUNCIL AT ITS MEETING ON 5 NOVEMBER 2024.</b>  2. <b>RECOMMENDS TO FULL COUNCIL THE CONTINUATION OF THE DELEGATION TO THE HEAD OF COMMUNITY SERVICES IN CONSULTATION WITH PORTFOLIO HOLDER FOR THE UPDATING OF THE LOCAL AREA PROFILE.</b>	

## **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 16 November 2021 and came into effect on 31 January 2022.
- 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 2025.

## **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. The draft statement of licensing policy is attached as Appendix 1.
- 2.2 The revised Policy remains broadly unchanged from the previously adopted Policy. The main areas of change within the draft Policy relate to the updating of the local area profiles and updating of information showing the prevalence of problem gambling severity and reported demand for treatment and support for gambling harms. The local area profiles have been moved out of the main body of the policy into Appendix C.

## **3.0 CONSULTATION**

- 3.1 The Gambling Act 2005 requires that all local authorities must widely consult when reviewing their Policy.
- 3.2 The consultation which commenced on 29 May 2024, was a targeted consultation with relevant businesses, agencies, organisations, authorities and councillors, seeking comments on the whole draft Policy. The consultation closed on 11 August 2024.
- 3.3 A consultee response was received from GambleAware. GambleAware work in partnership with the Gambling Commission and the Responsible Gambling Strategy Board. Their response is as follows:

"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.

GambleAware also strongly commends two publications by the Local Government Association which set out the range of options available to local authorities to deal with gambling-related harms using existing powers:

<https://www.local.gov.uk/tackling-gambling-related-harm-whole-council-approach>

<https://www.local.gov.uk/gambling-regulation-councillor-handbook-england-and-wales>

GambleAware is also fully supportive of local authorities which conduct an analysis to identify areas with increased levels of risk for any reason. In particular we support those who also include additional licence requirements to mitigate the increased level of risk. Areas where there are higher than average resident or visiting populations from groups, we know to be vulnerable to gambling harms include children, the unemployed, the homeless, certain ethnic-minorities, lower socio-economic groups, those attending mental health (including gambling disorders) or substance addiction treatment services.”

- 3.4 A consultation response has been received from Leicestershire County Council Public Health. The consultation response details the harms associated with gambling and its impact across Leicestershire. The detailed response has been incorporated within the local area profile at Appendix 1 of the draft Policy.

#### **4.0 DELEGATION**

- 4.1 The profile of North West Leicestershire will continue to change throughout the life of this Policy. 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 was also approved in 2021.

#### **5.0 APPROVAL PROCESS**

- 5.1 The draft Policy will be taken to Full Council on 5 November 2024 for approval. Once the draft Policy has been approved, it must be published four weeks prior to it coming in effect on 31 January 2025.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	Communities and housing – looking after our tenants and keeping our communities safe
Policy Considerations:	North West Leicestershire District Council <a href="#">Gambling Statement of Licensing Policy 2022-2025</a>
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 and Pub Association, Gamcare, Salvation Army, Leicestershire Partnership Trust CAMHS, Leicestershire and Rutland Safeguarding Children Board, Leicestershire County Council Public Health, Vital Health Group, 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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