

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING COMMITTEE – 14 OCTOBER 2015

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 and 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 Assessment	Not applicable
Human Rights	None
Transformational Government	None
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 Constabulary, 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 NHS, Andy Peters Racing, Betfred, Coral, Gala Leisure, Flutter Leisure Ltd, Gaming Centres Ltd, Ladbrokes, Moto Donington, Playland, Quicksilver, Responsible Authorities, Town and Parish Councils.
Background papers	Gambling Commission – Guidance to licensing authorities 4 th edition. Gambling Commission – Draft Guidance to licensing authorities 5 th edition. NWLDC – Gambling Act 2005 Statement of Licensing Policy Issue 3.
Recommendations	THAT THE REVIEWED STATEMENT OF LICENSING POLICY IS RECOMMENDED TO COUNCIL FOR APPROVAL

1.0 BACKGROUND

- 1.1 Under section 349 of the Gambling Act, (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 12 October 2012 and came into effect on 31 January 2013.
- 1.3 North West Leicestershire's Gambling Act Statement of Licensing Principles (Statement) is a policy statement that guides its licensing authority in its decision making with regards to all applications received under the Gambling Act 2005.
- 1.4 Section 349 also requires Licensing Authorities to review their Policy every three years. The revised statement must be in place on or before 31 January 2016.

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, there are two new areas that must be addressed within a licensing policy. These are:
 - Local risk assessments

- Local area profile – mapping out the District's gambling premises licences and the risk they pose.

2.3 A paragraph requiring applicants to carry out and submit a risk assessment relating to their application has been added at Part A, section 9 of the draft policy.

2.4 A profile of the licensed premises/activities within North West Leicestershire has been inserted at Part A, section 10 of the draft policy. Applicants will use this profile to inform their risk assessment. At the time of print there were 17 licensed premises comprising of 10 betting shops, 1 bingo hall and 6 adult gaming centres.

3.0 CONSULTATION

3.1 The Gambling Act 2005 requires that all local authorities have to widely consult when reviewing their Statement and best practice dictates that the consultation time period should be 12 weeks.

3.2 The reviewed Policy was sent out for consultation for 12 weeks commencing on 15 June. The consultation was set up using the software 'citizen space' and was sent to all consultees listed at the front of this report by email. The consultation closed on 6 September.

3.3 The following responses were received:

3.3.1 Both Castle Donington and Measham Parish Councils confirmed that they had no comments to make.

3.3.2 The Bingo Association suggested a small change to the wording relating to the licensed bingo premises within the local profile. This amendment has been made.

3.3.3 Coral Racing Limited stated they are supportive of the policy document. Coral stated that they are pleased to see the requirement to supply risk assessments with future applications. They suggested that risk assessments should be (a) to assess specific risks to the licensing objectives in the local area, and (b) to assess whether additional control measures are needed. The draft policy has been amended to reflect these comments.

3.3.4 A paragraph providing guidance in relation to the sale of lottery tickets on the highway has been inserted following a comment received internally by the licensing team.

3.3.5 No other comments were received.

4. APPROVAL PROCESS

4.1 The reviewed Policy will be taken to Council on 17 November 2015 for approval and adoption prior to the Policy publication in January 2016. Once the reviewed policy has been approved, it must be published 4 weeks prior to it coming in effect on 31st January 2016.