

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – 17 NOVEMBER 2015

Title of report	REVIEW OF THE GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY
Contacts	<p>Councillor Alison Smith MBE 01530 835668 alison.smith@nwleicestershire.gov.uk</p> <p>Chief Executive 01530 454500 christine.fisher@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To present the draft Statement of Licensing Policy for adoption by Members
Council Priorities	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 staff.
Link to relevant CAT	Not applicable
Risk Management	Legislation requires the Policy to be reviewed every 3 years.
Equalities Impact Assessment	Equality Impact Assessment has been undertaken, issues identified 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 Deputy Section 151 Officer	The report is satisfactory
Comments of Deputy 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 Racing Limited, Gala Leisure, Flutter Leisure Ltd, Gaming Centres Ltd, Ladbrokes, Moto Donington, Playland, Quicksilver, Responsible Authorities, Town and Parish Councils, Licensing Committee
Background papers	Gambling Commission – Guidance to licensing authorities 5 th edition. www.gamblingcommission.gov.uk NWLDC – Gambling Act 2005 Statement of Licensing Policy Issue 3.
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 12 October 2012 and came into effect on 31 January 2013.
- 1.4 Section 349 also requires licensing authorities to review their Policy every three years. The reviewed Policy must come into force by 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 10 betting shops, 1 bingo hall and 6 adult gaming centres. Applicants are advised to contact the licensing team for other relevant information such as location of schools and the current health profile of the District.

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.

3.3.6 The Licensing Committee agreed to recommend the adoption of the policy to Council on 14 October 2015.

3.3.7 Minor amendments to the draft policy have subsequently been made by the legal team. A copy of the policy with these minor changes shown in italics is attached as **Appendix 1**.

4.0 APPROVAL PROCESS

4.1 Members' confirmation is sought that the reviewed policy be approved prior to its publication in January 2016. Once the policy has been approved it must be published 4 weeks prior to it coming into effect on 31 January 2016.