

Name of meeting: Licensing and Safety Committee

Date: 10th September 2018

Title of report: Review of Gambling Licensing Policy

Purpose of report

The purpose of this report is to seek approval for a revised draft of the Council's Statement of Licensing Policy (Gambling) in order that it can be released for consultation by 17th September 2018.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports)?	No
The Decision - Is it eligible for "call in" by Scrutiny?	No
Date signed off by Director & name Is it also signed off by the Acting Service Director - Finance, IT and Transactional Services? Is it also signed off by the Service Director - Legal Governance and Commissioning?	Karl Battersby - 30.08.2018 <i>Joanne Bartholomew for and on behalf of</i>
Cabinet member portfolio	Cllr Naheed Mather

Electoral wards affected: All
Ward councillors consulted: N/A

Public or private: Public

1. Summary

1.1 The purpose of this report is to seek approval for a revised draft of the Council's Statement of Licensing Policy (Gambling) in order that it can be released for consultation by 17th September 2018. The report also sets out the process and timescale for the consultation and formal approval for the policy by Council.

2. Information required to take a decision

2.1 The Gambling Act 2005 currently requires Licensing Authorities to publish at least every three years a statement of their licensing policy (gambling). Applications for licences under the Gambling Act 2005 have to be made in accordance with the Licensing Authority's Licensing Policy (Gambling) and the Regulations made under the 2005 Act.

The Council's previous policy came into force on the 31st January 2016 following a statutory consultation and review, and adoption by Full Council on the 9th December 2015.

The Council has now to review the existing policy with a view to having a new policy in force by 31 January 2019. The policy, which has to be approved by the full Council (as the Licensing Authority), has to be the subject of public consultation, and any comments received have to be taken into account before formally adopting the policy.

Set out at Appendix 1 to this report is the consultation draft of the Council's statement of licensing policy (gambling) to be reviewed.

The policy includes minor changes to the format and other minor amendments, as there have been no legislation changes during this period. However, for the first time the Council has included reference to a Local Area Profile as recommended by the Gambling Commission. A Local Area Profile of the Kirklees area will include information held by the Council for example deprivation statistics, population and household data or it can be the ward data reports. It will include a wide range of factors, data and information as well as information held by its partners, such as information about local crime hot spots.

Completion of a Local Area Profile is not mandatory but has significant benefits for both the Council and businesses in that applicants will have better awareness of the local area and risks (both potential and actual).

It will also mean applicant and operators will have to ensure they complete their own local risk assessments taking into consideration the actual demographics and local statistics and information provided by the local area profile.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

N/A

3.2 Economic Resilience (ER)

N/A

3.3 Improving Outcomes for Children

The revised policy, including the introduction of a local area profile, will support this key outcome.

3.4 Reducing demand of services

N/A

4. Consultees and their opinions

Comments will be invited from a wide range of consultees that must be consulted including: -

- Statutory Consultees (Police, Fire, Trading Standards, Social Service)
- Members
- The Gambling Commission
- Parish and Neighbourhood Councils
- All betting shop operators in the district, and
- Trade Representative bodies

The Portfolio Holder is supportive of the draft policy.

5. Next steps

- 5.1 Following approval by the committee the consultation will last for 6 weeks with responses requested back by 26th October 2018
- 5.2 Following the period of consultation officers will consider the responses. Should there not be any relevant representations it is recommended that Group Leader recommends to Council the adoption of the Draft Licensing Policy.
- 5.3 Should relevant representations be received, officers will recommend amendments to the draft policy where appropriate or give reasons why suggested alterations are not made and prepare a report for the Licensing and Safety Committee with a final draft policy for committee to recommend to full Council on 05 December 2018 for adoption by the Council

6. Officer recommendations and reasons

The Committee is recommended:

- i. Approve the Gambling Policy set out at Appendix 1 to this report as a consultation policy, and
- ii. Instruct officers to consult for a period of 6 on the draft policy commencing on 17th September 2018.
- iii. That, subject to their being no relevant representations that the Group Leader for Licensing recommends to the Council adoption of the Draft Gambling Policy.
- iv. Should relevant representations be received, instruct officers to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

7. Cabinet portfolio holder recommendation

Cllr Naheed Mather supports the policy attached and added, that the revised Gambling Policy aims to protect vulnerable people from the risks of harmful gambling, whilst at the same time permitting safe and responsible gambling and encouraging small businesses to thrive.

8. Contact officer

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9. Background Papers and History of Decisions

N/A

10. Service Director responsible

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