

STATEMENT OF GAMBLING POLICY 2023-2025

Reporting Officer: Head of Democratic Services

Summary

- 1.1 At a meeting on 15 December 2022, Cabinet recommended to Council the adoption of a revised Statement of Gambling Policy. The revised version has been subject to statutory consultation and includes minor updates based on changes in guidance and to reflect updated working practices. The document will provide local businesses and residents with an up-to-date and fit-for-purpose policy on gambling matters in the Borough.
- 1.2 This report, therefore, seeks Council's agreement to adopt the revised Policy, as one of the Council's policy framework documents and to amend the Constitution to reflect a minor change to the Ward Councillor Call-in procedure.

RECOMMENDATIONS: That:

- a) the revised Statement of Gambling Policy be adopted as a policy framework document and,
- b) the change to the Ward Councillor Call-in procedure for gambling applications, be approved and included within the Constitution.

SUPPORTING INFORMATION

- 2.1 During 2022, a review of the Council's Statement of Gambling Policy was undertaken, as required every 3 years under legislation. Cabinet on 1 September 2022 agreed to consult on a revised version. The formal consultation period commenced on 12 September 2022 and ended on 24 October 2022 and included responsible authorities, other stakeholders, the Licensing Committee and Residents' Services Select Committee.
- 2.2 There were no comments received from the public consultation and no significant responses from other bodies which have resulted in any changes being made to the revised Policy.
- 2.3 The revised Policy continues to provide the Council with a local licensing framework that is up-to-date and effective in ensuring a safe and regulated environment for service users of gambling establishments. It also ensures that there are methods for robust enforcement and review of problem gambling premises.

Ward Councillor Call-in

- 3.1 Contained within the Policy is a minor change relating to the Ward Councillor call-in procedure on gambling applications received, clarifying that any representations made by Ward Councillors should also set out how the application affects the 4 licensing objectives (as it does already for applications under the Licensing Act in the Constitution and similarly for Planning Committees where valid planning reasons are required).
- 3.2 Council is asked to agree the amended wording below to replace the existing paragraph in the Constitution (Chapter 8) regarding this:

‘Where a Ward Councillor makes representations upon an application within their ward, in writing, to the relevant Head of Service for Licensing, within the appropriate statutory period of consultation for the application, and this representation has been forwarded to the Licensing Authority, that application shall be scheduled to be heard by the Licensing Sub-Committee for determination. The Ward Councillor must include in their representations the reasons why they wish the application to be determined by the Sub- Committee and how the application adversely affects the licensing objectives.’

- 3.3 The Cabinet report and Policy, setting out the rationale for the document’s adoption, is attached including the comments from the Licensing Committee and Select Committee.

Financial Implications

The costs to the Council of implementing the Statement of Gambling Policy are met from gambling licence fees and contained within the existing revenue budgets. The Council’s Licensing Service is able to recover costs through fees and charges relating to gambling licences. The rates of Gambling Licences are defined by statute.

Legal Implications

The consultation process followed by the Council has complied with section 349 of the Licensing Act 2003 and the Licensing Authority Policy Statement (England and Wales) Regulations 2006. There are no legal impediments to Full Council agreeing the recommendation set out in the report.

Background Papers: The Gambling Act 2005; Gambling Commission Guidance to Local Authorities