



1. Purpose

- 1.1 The Statement of Gambling Licensing Policy for the Gambling Act 2005 is due for its 3 yearly review. Members of the Licensing Committee have considered the revised Statement of Licensing Principles following a recent consultation.

2. Recommendations

- 2.1 That Council is recommended to approve a revised Statement of Licensing Principles for the Gambling Act 2005, to take effect from 31st January 2019 for the Borough of Telford & Wrekin

3. Summary

- 3.1 It is a statutory requirement to review the Statement of Gambling Licensing Policy every three years.
- 3.2 Following the review undertaken by Public Protection, Licensing Committee Members approved a 12 week consultation for the revised policy document. There has been one response to the consultation.
- 3.3 The policy and any amendments made as a result of the consultation will need to be approved by Full Council on 22nd November 2018 and published on 3rd January 2019. The Statement of Gambling Licensing Policy will then take effect from 31st January 2019.

4. Previous Minutes

- 4.1 LC-13 9th June 2015
LC-18 14th October 2015
LC-04 11th June 2018

5 Information

5.1 Background

- 5.1.1 The draft review of the Statement of Gambling Licensing Policy has been prepared in accordance with the Gambling Commission's "Guidance to licensing authorities 5th edition".
- 5.1.2 The consultation, was carried out in accordance with the Cabinet Office document "Consultation Principles 2018" which recommends a 12 week consultation and took place from 18th June 2018 to 10th September 2018.
- 5.1.3 A full list of consultees is attached at **Appendix A**.

5.1.5 Public Protection received one response to the Consultation. This was from Gamcare and is attached at **Appendix B**. The issues identified by Gamcare are all referred to in the revised Statement of Gambling Licensing Policy which Members approved on 11th June 2018.

5.1.4 The revised Statement of Gambling Licensing Policy is attached at **Appendix C**. Following the Consultation and having had regard to Gamcare's response, there are no further amendments to the policy document.

5.2 Equal Opportunities

5.2.1 As described in the revised Statement of Gambling Licensing Policy and as part of the consultation process, a wide range of organisations, bodies and individuals concerned with Gambling were approached and given the opportunity to make their views known in relation to the Revised Statement.

5.2.2 The legislation is designed through the promotion of the licensing objectives to take account of the interests of local residents and businesses and the protection of vulnerable people from harm in determining any application.

5.2.3 Following the formal consultation, a Communities Impact Assessment has been carried out and is attached at **Appendix D**.

5.3 Environmental Impact

5.3.1 Not applicable for the purposes of this report.

5.4 Legal Comment

5.4.1 Section 349 of the Gambling Act 2005 requires a Licensing Authority before each successive period of 3 years to publish a Statement of Gambling Licensing Policy that it proposes to apply when exercising its functions under the Act. The current Statement of Gambling Licensing Policy ends in January 2019.

5.4.2 The legal issues concerning this report are contained in the body of the report.

5.5 Links with Corporate Priorities

5.5.1 This report has links to the following Corporate Priorities:

- protect and create jobs as a 'Business Supporting, Business Winning Council'
- protect and support our vulnerable children and adults
- ensure that neighbourhoods are safe, clean and well maintained
- improve the health and wellbeing of our communities and address health inequalities

5.5 Financial Comment

The cost of the consultation exercise to be undertaken on the amendments made to the Statement of Licensing Principles will be met from budgets within Public Protection. Gambling license fees are calculated on a cost recovery basis and are subject to periodic review. The last review was undertaken in 2016/17 with revised license fees implemented from 1st September 2016. MLB 06.04.18

5.7 Risks and Opportunities

5.7.1 In proposing the decision to be made concerning the review of the Statement of Gambling Licensing Policy under the Gambling Act 2005, the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However, not all risks can be managed all of the time and some risks may not have been identified.

5.7.2 The following key risk has been identified:

- that a failure to publish the Statement of Gambling Licensing Policy by 31st January 2019 and in a form that is too prescriptive or significantly deviates from Guidance issued to Licensing Authorities by the Gambling Commission (5th edition) could give rise to challenge by way of judicial review. Having identified this risk, processes and procedures have been put in place to ensure that the review of the Statement of Gambling Licensing Policy is carried out in a manner and within a timescale that should minimise such a risk so far as possible.

6. Ward Implications

6.1 Borough Wide Implications

7. Background Papers

7.1 Gambling Act 2005

7.2 Guidance to Licensing Authorities (5th Edition) issued by the Gambling Commission

7.3 Telford & Wrekin Statement of Licensing Principles 31st January 2016.

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Appendices

Appendix A: List of Consultees

Appendix B: Response from Gamcare to the Consultation.

Appendix C: Revised Statement of Gambling Licensing Policy

Appendix D: Community Impact Assessment