

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 will need to consider the revised Statement of Gambling Licensing Policy and to approve a twelve week consultation in respect of the same.

2. Recommendations

That the Licensing Committee agree the amendments made to the Statement of Gambling Licensing Policy and approve a formal 12 week consultation with all relevant organisations.

That Council is recommended to approve a revised Statement of Licensing Principles for the Gambling Act 2005, to take effect from 31st January 2013 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. Following review we are required to undertake a twelve week consultation.
- 3.2 Following consultation and any amendments made as a result of the consultation the revised Statement of Gambling Licensing Policy 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

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 current number of licences issued under the Gambling Act by Telford & Wrekin Council is :-

- 17 Betting Premises Licences
- 3 Bingo Premises Licences
- 2 Adult Gaming Centres

5.1.3 In terms of forthcoming consultation, the review will be carried out in accordance with the Cabinet Office document “Consultation Principles 2018” which recommends a 12 week consultation. Responsible authorities are named under Section 157 Gambling Act 2005 and Interested Parties are defined under Section 158 of the Act as:

- *Persons living close to the premise*
- *Persons with business interests that could be affected*
- *Persons representing those in the above categories.*

5.1.4 The representatives of holders of existing licences, registered clubs and those who represent businesses, residents and community groups in the Borough will be consulted. The revised Statement of Gambling Licensing Policy will also be made available at the Library in Southwater One, Addenbrooke House and Darby House and a copy will also be posted on the Council’s website similarly inviting representations. A full list of consultees will be included with the report when the review of the Statement of Gambling Licensing Policy goes back before Licensing Committee in November 2018.

5.1.5 The Revised Statement of Gambling Licensing Policy is attached at **Appendix A**. The proposed amendments for this review are:

- Additional information on “Location”
- Additional information on Local Risk Assessments
- Additional information on Protecting Children and Other Vulnerable Persons from being Harmed or Exploited by Gambling
- Codes of Practice for Permit Holders

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 will be 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 will be carried out which will be included with the report when the review of the Statement of Gambling Licensing Policy goes back before Licensing Committee in November 2018.

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: Revised Statement of Gambling Licensing Policy