

Report to:

LICENSING COMMITTEE

Relevant Officer:

Tim Coglan, Service Manager Public Protection

Date of Meeting

4 December 2018

DRAFT STATEMENT OF GAMBLING POLICY

1.0 Purpose of the report:

1.1 Following consultation to consider the statement of policy and principles which would be applied by the Authority when exercising its functions under the Gambling Act 2005 during the period 2019 to 2022.

2.0 Recommendation(s):

2.1 To consider the representation received attached at Appendix 3b and if applicable receive a further update on representations received between the publication of this report and the deadline for consultation responses.

2.2 To consider the Statement of Gambling Policy (Appendix 3a) and recommend its approval to the Executive for recommendation to Council.

3.0 Reasons for recommendation(s):

3.1 The Gambling Act 2005 requires the Council as Licensing Authority to publish a statement of the principles that it proposes to apply in exercising its functions under the Act every three years. The current policy took effect in 2016 therefore the Council needs to approve a new policy to take effect in January 2019.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

A decision not to revise the policy would leave the Council without a valid policy on which to base its decisions.

4.0 Council Priority:

4.1 The relevant Council priority is: “The economy – maximising growth and opportunity across Blackpool”.

5.0 Background Information

5.1 The Gambling Act 2005 (the Act) requires the Council in its capacity as licensing authority to publish a statement of principles that it proposes to apply in exercising its functions under the Act every three years. The current policy is due to be refreshed to take effect in January 2019.

5.2 The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 requires that the following are included in the policy statement:

- A description of the geographical area covered by the Authority;
- A list of persons consulted;
- The principles applied when exercising its powers to designate a body competent to advise the authority about the protection of children from harm;
- The principles to be applied by an authority to determine whether a person is an interested party;
- The principles to be applied by an authority with respect of the exchange of information between it, the Gambling Commission and other persons listed in the Act;
- The principles to be applied with respect to the inspection of premises and the commencement of criminal proceedings for offences contrary to the Act.

5.3 Further guidance on the content of policies is provided by the Gambling Commission in its document “Guidance to Local Authorities”. Local Authorities are required by section 25 Gambling Act 2005 to have regard to guidance issued by the Gambling Commission when carrying out any of its functions under the Act.

5.4 The draft policy (Appendix 3a) has been prepared taking into account the requirements of the Regulations and the advice from the Gambling Commission.

5.5 The main changes from the previous policy are as follows:

- 4.2 – Local Risk Assessments
- 4.3 – Local Area Profile
- 4.8 – General Standards for all gambling premises.

5.6 When exercising its functions under the Act, the authority must aim to permit the use of premises for gambling in so far as the authority thinks that it is:

- In accordance with the relevant codes of practice issued by the Gambling Commission;
- In accordance with the guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the Authority's statement of licensing policy

5.7 Demand is not a factor that can be considered. The only licences that are limited are those for casinos. The Council is not able to set a limit on the number of other gambling establishments it licenses. The current number of premises licensed for gambling activity are as follows:

Casino - 4
 Bingo - 6
 Betting - 34
 Adult Gaming Centre - 18
 Family Entertainment Centre – 7

5.8 At its meeting held on 2 October 2018, the Committee considered the draft policy and recommended a period of public consultation. Consultation took place between 18 October 2018 and 30 November 2018.

5.9 At the time of writing the report one response had been received (Appendix 3b). No changes to the policy are proposed as a result of this response. The Committee will be verbally updated on any further responses at the meeting.

5.10 Does the information submitted include any exempt information? No

5.11 **List of Appendices:**

Appendix 3a – Draft Statement of Policy and Principles under the Gambling Act 2005.
 Appendix 3b – Consultation response

6.0 Legal considerations:

6.1 It is a statutory requirement to prepare, consult on and publish a statement of policy every three years.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 None.

13.0 Background papers:

13.1 None.