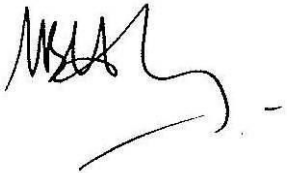


<b>Report to:</b>	Licensing Committee	<b>Date:</b>	24 September 2018
<b>Report title:</b>	Review of the Gambling Policy		
<b>Report from:</b>	Mary Morrissey - Strategic Director, Environment, Housing & Regeneration		
<b>Ward/Areas affected:</b>	Borough Wide		
<b>Chair of Committee/Lead Member:</b>	Councillor Muhammad Sadiq		
<b>Author(s)/Contact Number(s):</b>	David Kingstone, Team Leader Licensing & Environmental Compliance, 020 8770 5162 / 0734 2055 767 Nick Cloke, Licensing Lead Officer, 020 8770 5622 / 020 8547 5600 ext. 4366		
<b>Corporate Plan Priorities:</b>	<ul style="list-style-type: none"> <li>• Making Informed Choices</li> <li>• Keeping People Safe</li> </ul>		
<b>Open/Exempt:</b>	Open		
<b>Signed:</b>		<b>Date:</b>	11 September 2018

## 1. Summary

- 1.1 To consider the outcome of consultation on the draft revised Statement of Licensing Policy under the Gambling Act 2005 and recommend the revised Statement of Licensing Policy for 2019-22 (as attached at appendices A and B) to Council for approval.

## 2. Recommendations

The Licensing Committee is recommended to:

- 2.1 Agree the Statement of Licensing Policy under the Gambling Act 2005, subject to any amendments as may be determined at the meeting, and recommend the Policy for approval by Council.



### **3. Background**

- 3.1 The Licensing Authority is required to prepare, at least every three years, a Statement of Policy outlining the principles it follows in exercising its functions under the Gambling Act 2005. The policy can be revised at any time in the 3-year period to which it applies.
- 3.2 At its meeting of 18 June 2018 the Licensing Committee agreed a draft Licensing Policy for public consultation. This consultation was carried out between 9 July and 30 August 2018, via the Council's website, in addition letters and emails were sent to the statutory consultees set out in the Act including the police, persons carrying on gambling businesses in the Authority's Area and bodies who represent the interests of persons who are likely to be affected by gambling activities including representatives of resident associations, faith groups and other relevant bodies.
- 3.3 The Statement of Licensing Policy has been compiled in consideration of the Gambling Commission's Guidance to Licensing Authorities (2015, part amended September 2016).
- 3.4 A total of 2 responses were made to the consultation, both from persons involved in carrying on gambling businesses in the Borough.
- 3.5 A copy of the draft Statement of Licensing Policy is given at appendix A, together with the Local Area Profile which accompanies the Policy at appendix B.

### **4. Issues**

- 4.1 At its meeting of 18 June 2018 the Licensing Committee agreed a draft Licensing Policy for public consultation. This consultation was carried out between 9 July and 30 August 2018 via the Council's website with letters and emails being sent to the statutory consultees set out in the Act. Consultation included the police, persons carrying on gambling businesses in the Authority's Area and bodies who represent the interests of persons who are likely to be affected by Gambling activities including representatives of resident associations, faith groups and other relevant bodies.
- 4.2 A copy of the responses to the consultation are given at appendix C.

### **5. Options Considered**

- 5.1 As a result of the response to the consultation made by Talarius Limited, two minor amendments have been applied by Officers to the draft Licensing Policy given at appendix A, those being a reference to the Regulators Code is now included (paragraph 22 of the Policy) and a revision to the approach towards premises that are under construction or not yet built (paragraphs 38-41).
- 5.2 In respect of the response from Gosschalks Solicitors on behalf of the Association of British Bookmakers, whilst the typographical error highlighted has been corrected no other amendments to Policy are proposed in consideration of their response.

- 5.3 Members are invited to consider the responses to the consultation and identify whether any further amendments to the Policy are required.

Timescale

- 5.4 The Policy agreed at this meeting will be taken to Council on 12 November 2018 for approval.
- 5.5 In accordance with the Gambling Act 2005 a revised Statement must be published at least four weeks before it comes into effect. The Council's new policy must come into force on 31 January 2019, and therefore the new Policy, once approved at Council, will be published on the website before 3 January 2019.

**6. Impacts and Implications**

Financial

- 6.1 There are no financial implications arising from this report or the publication of the revised Statement of Licensing Policy under the Gambling Act 2005

Legal

- 6.2 Section 349 of the Gambling Act 2005 requires the Licensing Authority to prepare and publish a Statement of Licensing Policy every 3 years. The next Statement must be published by 31 January 2019.
- 6.3 Section 25 of the Gambling Act 2005 requires the Authority to have regard to the Gambling Commission's Guidance when preparing its Statement of Licensing Policy.

## 7. Appendices and Background Documents

Appendix letter	Title
A	Gambling Act 2005 - Statement of Policy and Principles 2019-2022 - DRAFT
B	Local Area Profile
C	Copies of the responses received to the consultation

### Background documents

Gambling Commission Guidance to Licensing Authorities (2015, part amended 2016)

### Audit Trail

Version	Final	Date:11 September 2018
<b>Consultation with other officers</b>		
Finance	No	N/A
Legal	Yes	Guy Bishop
Other Officers: (This row can be deleted if no other comments sought)	Yes	Nick Cloke, Lead Officer Licensing
Equality Impact Assessment required?	Yes	Completed