



Licensing Committee

10th June 2021

Subject: Gambling Act 2005 Statement of Principles (Gambling Policy) - Approval for Consultation

Report by:

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Purpose / Summary:

To seek approval from committee for the updated statement of principles for the Gambling Act 2005 to be consulted upon.

RECOMMENDATION(S):

Committee are asked to:

- a) Approve that the statement of principles, Gambling Act 2005 be consulted upon and subsequently brought back to Licensing Committee for determination on the 16th of September 2021**

IMPLICATIONS

Legal:

West Lindsey District Council as the licensing authority is responsible for the licensing of premises and the issue of permits and authorisation under the Gambling Act 2005.

The Council have a number of functions under the Gambling Act 2005, which are referred to in section 1.3 of the Statement of Principles. Alongside this Licensing Authorities are required by the Gambling Act 2005 to publish a Statement of Principles, which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed as required and any amended parts re-consulted upon, the statement must be then re-published

Financial : FIN/20/22/SSc

The consultation will be done electronically and as a result the cost is expected to be less than £250. These costs can be met within the existing Licensing budget.

The activities referred to within the Statement of Principles are all included within the Council's fees and charges policy and are based on recovering the costs associated with the relevant licensable activity.

Staffing :

There are no staffing implications.

Equality and Diversity including Human Rights :

The Statement of Principles sets out how it aligns with the Council's overall policy approach to licensing and the enforcement of licensing related matters.

The consultation will be conducted in a manner which makes it as accessible as possible be conducted for a period of two months.

Data Protection Implications :

There are no data protection implications.

Climate Related Risks and Opportunities :

None noted.

Section 17 Crime and Disorder Considerations :

As per the Council's role as the licensing authority any premises that fall within the remit of the Gambling Act 2005 will be required to ensure that they act accordingly in relation to crime and disorder. The Council retains the right to deal with these matters in its role as the licensing authority.

Health Implications:

As per the Gambling Commissions Licence Conditions licensees are required to assess the local risks to the licensing objectives posed by the provision of any gambling facilities and have appropriate controls in place to manage this. These controls include measures in relation to mental health support, alongside other requirements outlined within the Statement of Principles.

Title and Location of any Background Papers used in the preparation of this report:

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Risk Assessment :

Legislative consultation requirement – the Council is required to consult as part of its statutory obligations, failure to do this would mean that these obligations are not then met.

Consultation Response Levels – there is no minimum response level required, however the Council is required to consult with certain parties and will endeavour to ensure that these parties respond to the consultation.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Introduction

1.1. The Council is required to publish a Statement of Licensing Principles in relation to gambling licensing. The policy is intended to guide decision makers, applicants, objectors and others regarding the decision making process. Whilst all applications will be judged and determined on their individual merits, the policy will be the basis of the licensing authority's decisions. It also states how the Authority will work to fulfil the licensing objectives.

2. Context

2.1. The Gambling Act 2005 applies to casinos, bingo clubs, betting shops, track betting, amusement arcades, gaming machines, prize gaming, lotteries and other forms of gambling.

2.2. The Council work with the Gambling Commission and license gambling premises in the West Lindsey district as well as issuing permits in relation to gaming machines and other forms of gambling. The Gambling Commission is responsible for granting operating and personal licences for gambling operators and personnel working in the gambling industry.

2.3. Any person or business that wishes to operate a gambling business in West Lindsey, such as a betting shop or amusement arcade, must first apply for an operating licence and any relevant personal licences from the Gambling Commission. After this they can then apply to us for a premises licence.

2.4. The Council is required to publish a Statement of Licensing Principles in relation to gambling licensing. The policy is intended to guide decision makers, applicants, objectors and others regarding the decision making process. Whilst all applications will be judged and determined on their individual merits, the policy will be the basis of the licensing authority's decisions. It also states how the Authority will work to fulfil the licensing objectives.

3. Consultation

3.1. The Statement of Principles must be published at least every three years, alongside being reviewed as required and any amended parts being re consulted upon.

3.2. The consultation is proposed to take place from the 14th of June 2021 to the 13th of August 2021 and will be published on the Council's website.

3.3. A number of stakeholders are required to be consulted with under the Gambling Act 2005 and these are outlined in section 4.21 of the Statement of Principles.

3.4. Following on from the consultation, the Licensing Committee will consider the final document on the 16th of September 2021 and if approved it will be considered by Full Council on 1st of November 2021 for final approval to be sought.

4. Recommendations

Committee are asked to:

- a) Approve that the statement of principles, Gambling Act 2005 be consulted upon and subsequently brought back to Licensing Committee for determination on the 16th of September 2021