

**TELFORD & WREKIN COUNCIL**

**LICENSING COMMITTEE – 12<sup>TH</sup> OCTOBER 2021**

**REVIEW OF STATEMENT OF GAMBLING LICENSING POLICY**

**REPORT OF ANITA HUNT PUBLIC PROTECTION GROUP MANAGER**

**LEAD CABINET MEMBER – CLLR RICHARD OVERTON**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

- 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 Licensing Principles following a recent consultation.

**2. RECOMMENDATIONS**

- 2.1 That the Licensing Committee recommend that the Statement of Gambling Licensing Policy for the Gambling Act 2005 is presented to Full Council for approval on 18<sup>th</sup> November 2021.

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	Every child, young person and adult lives well in their community. All neighbourhoods are a great place to live Everyone benefits from a thriving economy
	Will the proposals impact on specific groups of people?	
	Yes	<b>People of different ages</b> This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will

		<p>therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.</p> <p><b>People with ill health or people with a disability and People affected by deprivation</b>  In the policy, the Licensing Authority notes that as regards the term "vulnerable persons" the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis.</p>
<b>TARGET COMPLETION/DELIVERY DATE</b>	31 <sup>st</sup> January 2022	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	Yes	<p>The cost of the consultation exercise of the revised Statement of Gambling Licensing Policy was met from Public Protection budgets. Gambling license fees are calculated on a cost recovery basis and are subject to periodic review, the last review was undertaken in 2020/21.  MLB 16.09.21</p>
<b>LEGAL ISSUES</b>	Yes	<p>Section 349 of the Gambling Act 2005 requires a Licensing Authority before each successive period of 3 years to prepare and 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 2022. AG 20.01.2021</p>

<p><b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b></p>	<p>Yes</p>	<p>The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.</p> <p>(i) That a failure to publish the Statement of Gambling Licensing Policy by 31<sup>st</sup> January 2022 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.</p>
<p><b>IMPACT ON SPECIFIC WARDS</b></p>	<p>Yes</p>	<p>This report has implications for all wards in the Borough.</p>

## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

- 4.1 It is a statutory requirement to review the Statement of Gambling Licensing Policy every three years.
- 4.2 The current number of licences issued under the Gambling Act by Telford & Wrekin Council is :-
- *18 Betting Premises Licences*
  - *3 Bingo Premises Licences*
  - *2 Adult Gaming Centres*
- 4.3 After reviewing the Council's Policy and having had regard to the Guidance for Licensing Authorities issued by the Gambling Commission, one amendment has been made to the existing policy about Gaming Machines, paragraph 12. in the policy document (tracked). This is in line with an amendment the Gambling Commission have made to their Guidance. The rest of the policy remains unchanged.
- 4.4 Following the review undertaken by the Public Protection Team, the Chair of the Licensing Committee approved an 8-week consultation for the revised policy document from 1<sup>st</sup> July 2021 to 31<sup>st</sup> August 2021. There were no responses received to the consultation. A full list of consultees is attached at **Appendix A**.
- 4.5 The draft policy will require approval by Full Council on 18<sup>th</sup> November 2021 to enable publication of the updated policy on 3<sup>rd</sup> January 2022. The Statement of Gambling Licensing Policy will then take effect from 31<sup>st</sup> January 2022. The updated draft policy is attached at **Appendix B**.
- 4.6 The draft review of the Statement of Gambling Licensing Policy has been prepared in accordance with the Gambling Commission's "Guidance to licensing authorities".

### **5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

The following areas are included in the an inspection:

Policies and procedures designed to prevent underage gambling or problem gambling  
Information how to gamble responsibly  
Mandatory information on gaming machines  
Position of cash machines  
A test-purchasing regime is in place to ensure compliance

Premise supervision to ensure that children are prevented from entering/participating in gambling.  
Operation of and participation in a multi-operator exclusion scheme  
Set times and monetary thresholds when using higher stakes machines  
Evidence that policies, procedures and control measures mitigate risks identified within the Local Area Risk Assessment.

**6. PREVIOUS MINUTES**

There are no previous Minutes.

**7. BACKGROUND PAPERS**

7.1 Gambling Act 2005

7.2 Guidance to Licensing Authorities issued by the Gambling Commission – Updated 1<sup>st</sup> April 2021

**Report prepared by:**

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