



# Committee Report

Date	<b>28 November 2018</b>
Classification	<b>For General Release</b>
Title or report	<b>Gambling Policy Review and Adoption Update – Completion of Phase 1.</b>
Report of	<b>Director of Policy, Performance and Communication</b>
Decision maker	<b>Licensing Committee</b>
Wards involved	<b>All</b>
Financial summary	<b>There are no direct financial implications as a result of this report. All costs associated with the Gambling Policy will be met through existing budgets.</b>
Report author and telephone	<b>Mr Kerry Simpkin, Licensing Service Consultation Team Manager. Tel: 020 7641 1840</b>

## 1. Executive Summary

- 1.1 This report sets out the end of the 1<sup>st</sup> phase of the approach adopted relating to consulting on a new Statement of Licensing Principles for Gambling and meeting the councils City for All commitment. This phase saw the re-adoptions of the previous version of the councils Statement of Licensing Principles for Gambling to meet the statutory deadline for reviewing and publishing its policy document before the 30<sup>th</sup> January 2019.

## 2. Recommendations

- 2.1 That the Licensing Committee notes the contents of this report and the direction of travel for the next phases of the development of a new Statement of Licensing Principles for Gambling to meet the 2018/19 City for All commitment.

## 3. Background, including Policy Context

- 3.1 The Council's Statement of Licensing Principles for Gambling expires on the 30<sup>th</sup> January 2019. The Gambling Act 2005 (the Act) requires the Licensing Authority to prepare and publish a new three year Statement of Licensing Principles which will be effective from the 31<sup>st</sup> January 2019.

- 3.2 The Licensing Authority is adopting a phased approach to the consultation and preparation of its Statement of Licensing Principles for Gambling. This phased approach will ensure that the council meets its statutory obligation to review and publish its Statement every three years and its City for All commitment to consult on a new gambling policy, leading the way nationally on setting the standards for the industry and protecting the most vulnerable in our neighbourhoods by providing better regulation of betting shops across the city.
- 3.3 The council consulted on the re-adoption of the current Statement of Licensing Principles for Gambling with minor amendments relating to changes to the Gambling Commissions Guidance and Codes of Practice. The consultation carried out September 2018.
- 3.4 Following public consultation the amended Statement of Licensing Principles for Gambling was formally approved by the Cabinet Member for Public Protection and Licensing and referred to Full Council for adoption. The Council approved the adoption of the amended Statement of Licensing Principles for Gambling at its meeting on the 7<sup>th</sup> November 2018. It was agreed that the amended Statement of Licensing Principles for Gambling would come into force on the 31<sup>st</sup> January 2019.
- 3.5 The council will publish a statutory public notice in a local paper and on its notice board concerning the adoption of its Statement of Licensing Principles for Gambling in early December. This statutory notice will set out the adoption of the Statement of Licensing Principles and that it has been agreed by Full Council to come into effect from the 31<sup>st</sup> January 2019.
- 3.6 Officers have started preparing for the second phase of the agreed process for the consultation on a new Statement of Licensing Principles for Gambling. The consultation for the second phase is planned to commence in the new year.

#### **4. Financial Implications**

- 4.1 The consultation and delivery of the Statement of Licensing Principles for Gambling will be delivered within Public Protection & Licensing and Policy Performance & Communications existing budgets.

#### **5. Legal Implications**

- 5.1 Section 349 of the Gambling Act 2005 requires the Statement of Licensing Principles for Gambling (“Statement”) to be reviewed by the council (as Licensing Authority) no later than every three years. Any amendments to that Statement are required to be formally considered and approved by full Council following a consultation exercise. The Statement must be published before the expiry of each three year period.
- 5.2 Section 349(2) of the Gambling Act 2005 allows the Licensing Authority to review its Statement from time to time if it is deemed necessary. If the Statement is revised further, following that review, the revised Statement will have to be formally considered and approved by full Council and published by the council. It is proposed that the proposed revision/new Statement produced under phase 3 of this process will

be undertaken under this sub-section. Subject to the comments received it is anticipated that the council will produce a fundamental revised or new Statement.

- 5.3 The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 ("Regulations) specifies the legal requirements and procedure for drafting and preparing the Statement and any revision to that Statement.
- 5.4 Regulation 7 of these Regulations sets out the procedure for publishing the Statement or revised Statement on the council's website and placing copies of these documents for inspection in any of the following places, including:-
  - 5.4.1 public libraries within Westminster and
  - 5.4.2 other premises within Westminster as the council considers appropriate.
- 5.5 A notice regarding the adoption of the Statement and any revised Statement must also be published in either a local newspaper, a local newsletter for the borough or on a public notice board.

## **6. Staffing Implications**

- 6.1 There are no staffing implications as a result of this decision.

## **7. Equalities Impact Assessment**

- 7.1 In preparing the proposed policy, officers have had regard to its Public Sector Equality Duty imposed under section 149 of the Equality Act 2010. This requires public bodies to consider how the decisions they make, and the services they deliver, affect people who share different protected characteristics including age, race and disabilities etc. It is considered that the policies in the revised Statement of Licensing Principles for Gambling will not negatively impact on any of the protected categories within the Equality Act 2010.

**If you have any queries about this report or wish to inspect any of the background papers, please contact:**

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Interim Licensing Policy and Strategy Manager  
Policy, Performance and Communications

## **Background Papers**

Responses from the consultation of the proposed Statement of Licensing Principles for Gambling  
Report to the Cabinet Member for Public Protection and Licensing for the formal decision to adopt the proposed revised Statement of Licensing Principles for Gambling - Oct 2018  
Gambling Act 2005 and associated Regulations  
Gambling Commission – Licensing Authority Guidance 5<sup>th</sup> Edition