

**REPORT TO:** LICENSING COMMITTEE

**DATE:** 8 MARCH 2022

**TITLE:** PROPOSED GAMBLING ACT 2005 LICENSING POLICY STATEMENT

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**RECOMMENDED that:**

- A** The Licensing Committee recommend to Full Council adoption of the Gambling Licensing Policy Statement for the purposes of the Gambling Act 2005 as proposed in the body of the report, and attached as Appendix A to the report.

**BACKGROUND**

1. Harlow Council is the Local Licensing Authority for the purposes of the Gambling Act 2005 (the Act). Under Section 349 of The Gambling Act 2005 The Licensing Authority is required to publish a Statement of Gambling Act Policy and review the Policy at three-yearly intervals. The Council's current policy was adopted by Full Council in December 2018 and took effect from March 2019.
2. Under section 25 of the Act the Gambling Commission issues guidance to licensing authorities on how they should discharge their functions and duties. The current edition of the Commission's guidance (GLA) was issued in April 2021. The proposed replacement Gambling Licensing Policy Statement that is set out in Appendix A to the report reflects that guidance.
3. On 16 November 2021 Licensing Committee considered a draft Gambling Licensing Policy Statement and approved it for public consultation which took place between 19 November 2021 and 28 January 2022.
4. Three responses have been received, from:
  - a) Poppleston Allen acting for Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited
  - b) Poppleston Allen acting for Power Leisure Bookmakers Ltd
  - c) Martin Harris, Team Rector St Paul's and St Mary's Church.
5. The consultation responses are set out in Appendix B to the report.

## ISSUES/PROPOSALS

6. The Licensing Team have considered the consultation responses received and, as a consequence, has proposed appropriate amendments to the draft policy. The changes made reflect the Gambling Commission's Licence Conditions and Codes of Practice (LCCP/Social Responsibility Codes) while ensuring child protection is given appropriate weight in the application process.
7. A new district map in Annex D to the Policy also now identifies premises and other relevant areas to be considered as part of any Local Area Risk Assessment. So that changes from the existing policy can be readily identified, the text in Appendix A is coded as follows:
  - a) Black – the text of the existing policy
  - b) Red & Green – amendments to form the consultation draft
  - c) Blue – proposed amendments following consultation
  - d) Struck through – text to be removed
8. It is proposed that the amended Gambling Licensing Policy Statement as attached at Appendix A to this report, subject to struck through text being omitted and without colour coding, be recommended for adoption at the next Full Council meeting.
9. It is proposed that a further review of the Council's Gambling Licensing Policy Statement be carried out in the light of the White Paper, now anticipated in May 2022, following the Government's review of the Gambling Act 2005.

## IMPLICATIONS

### **Strategic Growth and Regeneration**

None specific.

**Author: Andrew Bramidge, Director of Strategic Growth and Regeneration**

### **Finance**

None specific.

**Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance**

### **Housing**

None specific.

**Author: Andrew Murray, Director of Housing**

### **Communities and Environment**

As set out in the report.

**Author: Jane Greer, Director of Communities and Environment**

### **Governance and Corporate Services**

The Council is under a duty to review its Gambling Act Policy every three years and to consult on any changes. The Council has fulfilled its requirement

to consult under the Act and the received responses have resulted in changes to the policy.

**Author: Simon Hill, Director of Governance and Corporate Services**

## **Appendices**

Appendix A – (Amended) GAMBLING LICENSING POLICY STATEMENT

2022-2025 Final Version

Appendix B – Consultation Responses

## **Background Papers**

The Gambling Commission Guidance to licensing authorities published on 1<sup>st</sup> April 2021 and last updated on 13<sup>th</sup> May 2021.

<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

The Gambling Commission 'Review of The Gambling Act 2005 Terms of Reference and Call for Evidence'. Published 8<sup>th</sup> December 2020.

<https://www.gov.uk/government/publications/review-of-the-gambling-act-2005-terms-of-reference-and-call-for-evidence/review-of-the-gambling-act-2005-terms-of-reference-and-call-for-evidence#how-to-respond>

## **Glossary of terms/abbreviations used**

GLA - The Gambling Commission Guidance to licensing authorities.

The Act - The Gambling Act 2005