

Report No.

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Wednesday 25 July 2018

Decision Type: Non-Urgent Non-Executive Non-Key

Title: DRAFT STATEMENT OF GAMBLING LICENSING POLICY 2019-2021

Contact Officer: Joanne Stowell, Assistant Director: Public Protection
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Chief Officer: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

To seek Members agreement to undertake public consultation on the draft Statement of Gambling Licensing Policy for 2019-2021.

2. **RECOMMENDATION(S)**

Members are asked to:

a. Agree that draft gambling policy attached to this report be subject to public consultation until 16th September 2018.

b. Receive feedback from the consultation at the next meeting on 25 September 2018

Impact on Vulnerable Adults and Children

1. Summary of Impact: This policy is required under section 349 of the Gambling Act 2005, and the Act promotes safer practice at premises where gambling activities take place. Under the legislation, licensees and their operators have a legal responsibility to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.
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Corporate Policy

1. Policy Status: Existing Policy: Statement of Gambling Policy 2016-2019
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres:
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Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Public Protection and Safety Portfolio Budget
 4. Total current budget for this head: £ 2.103M
 5. Source of funding: Existing controllable revenue budgets 2018/19
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Personnel

1. Number of staff (current and additional): 51 FTE
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
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Procurement

1. Summary of Procurement Implications: Not Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 150 licensed premises and all residents and businesses living and trading in the vicinity of licensed premises
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Gambling Act 2005 replaced most of the existing law about gambling in Britain save that it does not include, within its scope, the National Lottery.
- 3.2 The Act has three core objectives:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 3.3 Local authorities have responsibility for publishing a three-year Statement of Gambling Licensing Policy and next revised policy must be published by 31 January 2019.
- 3.4 In producing its Statement of Principles the Licensing Authority must have regard to the Licensing objectives of the Gambling Act 2005 and the Guidance for local Authorities issued, and updated periodically, by the Gambling Commission.
- 3.5 The current policy was reviewed by Members of GP&L on 17 September 2015, adopted by Council on 19 October 2015 and came in effect on 31 January 2016.
- 3.6 The current policy is now due for review and a working draft is attached (Appendix 1).
- 3.7 The current policy was revised taking into account any amendments to the current guidance, licence conditions & code of practice from the Gambling Commission. There are no changes to the intent or direction of this revised policy, which sets out how the Council seeks to regulate gambling activities under its control and provide a framework for consistent decision making. However, updated information has been highlighted by the use of tracked changes. The main changes reflect the latest version of the Gambling Commission's Guidance document, updated links to various websites, and updated contact details.
- 3.8 The revised policy is now ready for statutory public consultation and comments can be made until 1st September 2018.
- 3.9 Details of any representations and the result of the consultation will be reported to GP&L on 26 September 2018.
- 3.10 The consultation timetable is presented in Table 1:

Table 1

Report to General Purpose 7 Licensing Committee	25 July 2018
Public Consultation	27 July - 16 September 2018
Consideration of policy in response to consultation	26 September 2018
Adoption of policy by Council	8 October 2018
Publication (statutory publication date)	31 January 2019

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

This policy is required under section 349 of the Gambling Act 2005, and the Act promotes safer practice at premises where gambling activities take place. Under the legislation, licensees and their operators have a legal responsibility to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.

5. POLICY IMPLICATIONS

The Council is obliged to adopt and publish a Statement of its Gambling Policy. It is also under a duty to keep the policy under review and to revise it when appropriate. Before adopting a revised policy there needs to be a process of public consultation including specified bodies.

6. LEGAL IMPLICATIONS

The Council, as the Licensing Authority has a requirement under section 349 of the Gambling Act 2005 to prepare and publish a statement of principles for gambling. 7.2 Section 349(1) requires the Licensing Authority to prepare and publish a Statement of Principles before each successive period of three years.

Non-Applicable Sections:	Financial, Personnel, procurement
Background Documents: (Access via Contact Officer)	Gambling Act 2005. Guidance issued by the Gambling Commission 5th Edition. Bromley's Gambling Policy 2016-2019