

Meeting: Overview, Scrutiny and Policy Development Committee

Date: 7 July 2021

Title: Gambling Act 2005 Draft Statement of Licensing Policy (Gambling)

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Service: Environment, Housing and Leisure

Wards affected: All

1. Purpose of Report

Local authorities are required by the Gambling Act 2005 (“the Act”) to publish a Statement of Licensing Policy and to revise the Policy at least every three years. The Statement of Licensing Policy provides guidance as to how the Authority will exercise its functions under the Act. It is a legal requirement that the Statement of Licensing Policy is consulted on in accordance with the 2005 Act before it is approved by the Authority.

This report outlines the initial proposals approved by Cabinet for the public consultation of the revised draft Policy, which forms part of the Authority’s Budget and Policy Framework. There have been minor changes made to the Policy, with additional information included in relation to gaming machine permits.

2. Recommendations

The Committee is asked to consider the draft Statement of Licensing Policy (Gambling), and if necessary, make recommendations and observations to Councillor Carole Burdis, the Cabinet Member for Community Safety and Public Protection on the draft Policy and advise if a report is to be brought to a future Committee at the conclusion of the consultation exercise

3. Details

On 28 June 2021 Cabinet received a report from the Head of Housing, Environment and Leisure in relation to the draft Statement of Licensing Policy (Gambling) that must be published by the Authority as a Licensing Authority under Section 349 of the Gambling Act 2005 and be in force by the 31 January 2022. The revised Policy will replace the existing Policy that came into force on the 31 January 2019.

The draft Policy statement is subject to a 6 week period of consultation commencing on 5 July 2021 and ending on 15 August 2021. The 6 week period of consultation is considered appropriate for a document that forms part of the Authority’s policy

framework. Members of the public, members of the trade, all North Tyneside MPs, Councillors and Heads of Service will have an opportunity of commenting on the draft Policy statement.

As the Statement of Licensing Policy (Gambling) forms part of the Authority's Policy Framework the process set out in the Authority's Constitution for the preparation, consideration and approval of such plans must be followed. With that in mind, the initial proposals were presented to Cabinet on 28 June 2021. This Committee is now being presented with the initial proposals and final proposals will be presented to this Committee as required. Thereafter, the final proposals will be presented to Cabinet on 18 October 2021 together with any comments from this Committee and details of any consultation responses and then full Council on the 25 November 2021.

Appendices:

Appendix 1 – Report to Cabinet 28 June 2021

Appendix 2 – Draft Statement of Licensing Policy (Gambling)

4. Background Information

The following documents have been used in the compilation of this report and may be inspected at the offices of the author.

- Report to Cabinet – 28 June 2021
- Minutes of Cabinet – 28 June 2021
- Gambling Act 2005
<https://www.legislation.gov.uk/ukpga/2005/19/contents>
- Gambling Commission's Guidance issued under section 25 of the Gambling Act 2005
<http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx>
- The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006
<http://www.legislation.gov.uk/uksi/2006/636/contents/made>
- The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)
<https://www.legislation.gov.uk/uksi/2000/2853/contents/made>