

GENERAL PURPOSES AND LICENSING COMMITTEE – 13 SEPTEMBER 2019

GAMBLING POLICY – REVIEW OF CONSULTATION RESPONSES

1.0 INTRODUCTION

- 1.1 The purpose of this report is to ask Members of the Committee to note the consultation undertaken, consider the responses received and the subsequent amendments made to Council's revised Statement of Gambling Principles (in relation to the Gambling Act 2005).
- 1.2 It is a statutory requirement that the Statement of Gambling Principles must be approved by Full Council as this is not a function that can be delegated to the General Purposes and Licensing Committee.

2.0 BACKGROUND

- 2.1 The New Forest District Council is the Licensing Authority for this area and is required to discharge its responsibilities in relation to the Gambling Act 2005.
- 2.2 The licensing objectives which underpin the Gambling Act are;
- 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;
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.3 The Statement of Gambling Principles outlines the Authority's policy in respect of granting licences, permits and registrations issued under the Gambling Act 2005 in order to promote the licensing objectives.
- 2.4 The policy is to be reviewed every three years, to ensure that it remains current and reflects any changes in legislation or statutory guidance. The draft statement including the proposed changes must be subject to a consultation process.
- 2.5 In reviewing the Statement of Gambling Principles, Officers have revised the format and content to reflect the latest guidance issued to licensing authorities by the Gambling Commission.
- 2.6 The report presented on 14 June 2018 advised Members of the new draft policy (**Appendix 1**) and the consultation process taking place.
- 2.7 This report details the consultation which has taken place and outlines the comments received and any amendments made to the Council's revised Statement of Gambling Principles.

3.0 CONSULTATION

- 3.1 The consultation took place between 7 May 2019 and 26 July 2019.
- 3.2 The Consultees included, The Gambling Commission, Hampshire Police, Hampshire Fire Service, Local Authority, persons representing gambling businesses and persons representing the interests of people likely to be

affected by gambling.

- 3.3 All statutory consultees, relevant premises and specific bodies were advised of the revised Statement of Gambling Principles and its availability on the Council website.
- 3.4 Eight responses were received during the consultation period. These included; an organisation representing the betting trade, a gaming machine supplier, two Parish Councils, Hampshire County Council Public Health Department, two organisations who support those with gambling issues and an organisation that does not currently have any shops in the district. The responses are provided in full as **Appendix 2**.
- 3.5 Responses covered a variety of areas, together with general support of the Policy from two Parish Councils. Trade and statutory consultees often receive a large number of Policies to consider and this is reflected in some of the responses received. A supplier of gaming machines requested that the register on the Council's website also indicate which premises have machines on the premises. This has now been implemented.
- 3.6 The Gambling Act 2005 requires the Licensing Authority to consider all comments received except those based on a dislike of gambling, moral objections or comments on the demand or need for gambling premises in the district, as precluded by the Act. The responses and proposed amendments are provided in **Appendix 3**.

4.0 CONCLUSION

- 4.1 It is a statutory requirement that the Licensing Authority review and revise the Statement of Gambling Principles.
- 4.2 The adoption of the revised Statement of Gambling Principles is required by Members.

5.0 FINANCIAL IMPLICATIONS

- 5.1 There are no additional financial implications of the proposals contained within this report.

6.0 ENVIRONMENTAL IMPLICATIONS

- 6.1 There is minimal environmental impact of these proposals.

7.0 LEGAL IMPLICATIONS

- 7.1 The Licensing Authority is a regulatory service important to protecting the public but also ensuring the balance between development, economic viability and protection of the community. The fair application of the licensing functions in undertaking its duties under the Gambling Act 2005 is essential for the reputation of the Council.

8.0 EQUALITY and DIVERSITY IMPLICATIONS

- 8.1 Where applicable the Gambling Act Policy will cover the approach taken by the Council to address equality and diversity matters.

9.0 RECOMMENDATIONS

- 9.1 That Members note the consultation undertaken and responses received and having regard to the suggested amendments in **Appendix 3**, consider whether the suggested relevant paragraphs in the draft policy should be amended to reflect the changes. (Alternatively, Members may wish to note the comments following review and make no change to relevant paragraphs).
- 9.2 That subject to any changes arising from 9.1 above, General Purposes and Licensing Committee commends the revised Statement of Gambling Principles, in relation to the Gambling Act 2005, to the Council for approval at its meeting on 14 October 2019.

Background Papers:

Statutory Guidance issued under s25 of the Gambling Act 2005 (5th Edition)
The Gambling Act 2005

Appendices:

1. NFDC Draft Statement of Principles (Draft Gambling Policy)
2. Responses received during the consultation
3. Responses and suggested changes