

COMMITTEE:	CENTRAL LICENSING COMMITTEE
DATE:	6 MARCH 2017
TITLE:	REVIEW OF STATEMENT OF GAMBLING POLICY
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF REGULATORY DEPARTMENT

1. **PURPOSE**

- 1.1 The purpose of this report is to present the draft Statement of Gambling Policy for consideration and approval before public consultation in accordance with the Gambling Act 2005. (appendix A)

2. **BACKGROUND AND INTRODUCTION**

- 2.1 Gwynedd Council is a Licensing Authority for the purpose of the Gambling Act 2005 (the Act) and is responsible for the issue and regulation of premises licence, including premises offering bingo, betting offices , amusement arcades etc. The Authority is also responsible for registering small lotteries and for issuing permits to pubs for gaming machines.
- 2.2 Not all forms of gambling are regulated by Local Authorities, for example the Financial Services Authority and the National Lottery Commission continue to regulate spread betting and the National Lottery respectively.
- 2.3 The Gambling Commission are responsible for granting operating and personal licences for commercial gambling (such as casinos and bingo halls) and to personnel working in the industry.
- 2.4 The Act contains three licensing objectives which underpin the functions of the Licensing Authority . These are -
 - Preventing gambling from being a source of crime and disorder, being associated with crime and 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.
- 2.5 Section 349 of the Act requires all Licensing Authorities to prepare and publish a statement of Licensing principles that they propose to apply in exercising their functions under the Act every three years.
- 2.6 The current Statement of Gambling Policy has not been subject to

significant amendments in the past. In determining its Policy, the Authority must have regard to Guidance issued by the Gambling Commission under section 25 of the Act.

- 2.7 The draft policy statement has been reviewed and amended in accordance with the 5th Edition of the Gambling Commission's Guidance to Local Authorities which was issued late 2015.
- 2.8 In its latest Guidance, the Commission has introduced new provisions which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. This change in national policy is intended to provide a well evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling. In making these risk assessments ; licensees must take in to account the Licensing Authority's Statement of Gambling Policy.
- 2.9 The new Guidance also encourages Licensing Authorities to develop Local Area Profiles highlighting the key characteristics for consideration by operators.
- 2.10 The draft Policy has been prepared in consultation with the North Wales Licensing Group with the aim of achieving consistency of approach across the region

3. **ADOPTION PROCEDURE**

- 3.1 The draft Statement of Gambling Policy if approved by this Committee will be consulted upon in accordance with s349 of the Act with the following -
 - The Chief Officer of Police
 - One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area
 - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's function under the Gambling Act 2005
- 3.2 The public consultation period will run for 12 weeks, and the Licensing Authority must have regard to the responses received during the consultation process; and this Committee will be asked to consider any potential changes resulting from the consultation process.
- 3.3 Once the Licensing Committee agrees a final draft of the Statement of Gambling Policy; Section 154 of the Act states that adoption of the policy must be undertaken by full Council.

4. **RECOMMENDATION**

- 4.1 The Committee is requested to consider the draft Statement of Gambling Policy in accordance with the Gambling Act 2005 and approve for public consultation