

CABINET

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| Date of Meeting | Tuesday, 23 rd May 2023 |
| Report Subject | Statement of Gambling Policy |
| Cabinet Member | Cabinet Member for Planning, Public Health and Public Protection |
| Report Author | Chief Officer (Planning, Environment & Economy) |
| Type of Report | Operational |

EXECUTIVE SUMMARY

To present the Draft Statement of Gambling Policy to Cabinet for their consideration prior to it being presented to Council on Tuesday 20th June 2023.

Flintshire County Council is required to review its Statement of Gambling Policy in accordance with the requirements of the Gambling Act 2005. The purpose of the Policy is to set out the principles that the local authority will apply when carrying its role under the Act.

RECOMMENDATIONS

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| 1 | That Cabinet endorses the Statement of Gambling Policy in advance of its presentation to Council for consideration. |
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REPORT DETAILS

| 1.00 | BACKGROUND | | | | | | | | | | | | | | | | | | | | |
|-------------|--|---------|--------|----------|---------|-------|--|-------|---|-------|--|-------|---|-------|--|-------|---|-------|--|-------|--------------------------------------|
| 1.01 | The Council is required to develop, consult on, produce and periodically review its Statement of Gambling Policy with regard to how it exercises its functions in accordance with the Gambling Act 2005. | | | | | | | | | | | | | | | | | | | | |
| 1.02 | Flintshire County Council's Licensing Team have worked collaboratively with the North Wales Licensing Group in reviewing its Statement of Gambling Policy. Each authority has had to retain area-specific content, but each individual authority has also followed the same structure to make the policies more consistent and accessible across the North Wales region. | | | | | | | | | | | | | | | | | | | | |
| 1.03 | Subject to Council approval, the Policy will come into force on 21 st June 2023 and will be valid for three years. | | | | | | | | | | | | | | | | | | | | |
| 1.04 | The Draft Policy is shown at Appendix A, with changes shown in red font. | | | | | | | | | | | | | | | | | | | | |
| 1.05 | The Policy must contain objectives regarding the following: <ul style="list-style-type: none"> • Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime; • Ensuring gambling is conducted in a fair and open way; and • Protecting children and other vulnerable persons from being harmed or exploited by gambling. | | | | | | | | | | | | | | | | | | | | |
| 1.06 | A full summary of changes can be seen below: <table border="1" data-bbox="319 1283 1385 2096"> <thead> <tr> <th>Section</th> <th>Change</th> </tr> </thead> <tbody> <tr> <td>Foreword</td> <td>Removed</td> </tr> <tr> <td>1.2.2</td> <td>Changes to statistics in line with Census 2021</td> </tr> <tr> <td>1.2.3</td> <td>Changes to information in line with Census 2021</td> </tr> <tr> <td>3.1.3</td> <td>Inserted "consult the National Strategy to reduce Gambling Harms, and"</td> </tr> <tr> <td>3.1.4</td> <td>Added "The completed local risk assessment for that specific premises."</td> </tr> <tr> <td>3.3.5</td> <td>Inserted "where an application is granted by the Secretary of State"</td> </tr> <tr> <td>4.1.1</td> <td>Inserted "but are not limited to" and added " Well-being of Future Generation (Wales) Act 2015"</td> </tr> <tr> <td>4.2.2</td> <td>Changed 'Flintshire Unitary Development Plan' to 'Flintshire Local Development Plan'</td> </tr> <tr> <td>6.4.5</td> <td>Inserted "and local risk assessment"</td> </tr> </tbody> </table> | Section | Change | Foreword | Removed | 1.2.2 | Changes to statistics in line with Census 2021 | 1.2.3 | Changes to information in line with Census 2021 | 3.1.3 | Inserted "consult the National Strategy to reduce Gambling Harms, and" | 3.1.4 | Added "The completed local risk assessment for that specific premises." | 3.3.5 | Inserted "where an application is granted by the Secretary of State" | 4.1.1 | Inserted "but are not limited to" and added " Well-being of Future Generation (Wales) Act 2015" | 4.2.2 | Changed 'Flintshire Unitary Development Plan' to 'Flintshire Local Development Plan' | 6.4.5 | Inserted "and local risk assessment" |
| Section | Change | | | | | | | | | | | | | | | | | | | | |
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| 1.2.2 | Changes to statistics in line with Census 2021 | | | | | | | | | | | | | | | | | | | | |
| 1.2.3 | Changes to information in line with Census 2021 | | | | | | | | | | | | | | | | | | | | |
| 3.1.3 | Inserted "consult the National Strategy to reduce Gambling Harms, and" | | | | | | | | | | | | | | | | | | | | |
| 3.1.4 | Added "The completed local risk assessment for that specific premises." | | | | | | | | | | | | | | | | | | | | |
| 3.3.5 | Inserted "where an application is granted by the Secretary of State" | | | | | | | | | | | | | | | | | | | | |
| 4.1.1 | Inserted "but are not limited to" and added " Well-being of Future Generation (Wales) Act 2015" | | | | | | | | | | | | | | | | | | | | |
| 4.2.2 | Changed 'Flintshire Unitary Development Plan' to 'Flintshire Local Development Plan' | | | | | | | | | | | | | | | | | | | | |
| 6.4.5 | Inserted "and local risk assessment" | | | | | | | | | | | | | | | | | | | | |

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| | 7.1.3 | Inserted “children’s recreational facilities” |
| | 7.4.4 | Inserted “but not limited to” |
| | 8.1.4 | Inserted “safeguarding strategies, and public health strategies” |
| | 8.1.7 | Inserted “and local risk assessment” |
| | 8.1.16 | Added “Motor racing track or similar” |
| | 8.1.23 | Inserted “and local risk assessment” |
| | 8.3.2 | Added “Unlicensed Family Entertainment Centre” |
| | 8.4.3 | The process and principles for refusing registrations is in accordance with the Gambling Commission’s ‘Lotteries and the Gambling Act 2005 Guidance for Local Authorities’ |
| | 8.5.5 | Inserted “children’s recreational facilities” |
| | 8.5.6 | Added “Operators are required to make the premises specific Risk Assessment available to licensing authorities when an application is submitted. A copy should be kept on the premises, or otherwise on request. This will form part of the Council’s inspection regime, and will be considered during the investigation of complaints” |
| | Appendix D | To remove the summary of gaming machine categories and entitlements table and refer to Gambling Commission website for up to date summary |
| 1.07 | The Council must have regard to any relevant code of practice issued by the Secretary of State and, guidance issued by the Gambling Commission on how they exercise their functions consistently with the objectives and in accordance with the policy itself | |
| 1.08 | Consultation has taken place with relevant bodies and interested parties. Information relating to the consultation is set out in section 4 below. | |
| 1.09 | No responses were received in respect of the consultation. | |
| 1.10 | The Policy was presented at Flintshire County Council’s Licensing Committee on 1 st March 2023. Members of the Licensing Committee endorsed the new Policy and recommended its approval to Full Council. | |

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| 2.00 | RESOURCE IMPLICATIONS |
| 2.01 | The document has no effect on fees and charges for licenses and permits |
| 2.02 | Officers will continue to implement and enforce the policy as required by the Gambling Act 2005. |

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| 3.00 | IMPACT ASSESSMENT AND RISK MANAGEMENT |
| 3.01 | N/A |

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| 4.00 | CONSULTATIONS REQUIRED/CARRIED OUT |
| 4.01 | Consultation took place between 16 th January 2023 and 20 th February 2023. Relevant parties were invited to make representations. |
| 4.02 | The following stakeholders were consulted in accordance with the Gambling Act 2005: <ul style="list-style-type: none"> • The Chief Officer of Police for the Authority's area • 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 Authority's functions under the Act. |
| 4.03 | In addition to mandatory consultees, the consultation was extended to all Members of Flintshire County Council, and Town and Community Councils. |
| 4.04 | The consultation was available to Members of the public: <ul style="list-style-type: none"> • On Flintshire Council's website • By way of a Public Notice displayed in the reception areas at County Hall and Ty Dewi Sant • By way of a Public Notice displayed in libraries across the County. |
| 4.05 | No responses were received from any interested party. |

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| 5.00 | APPENDICES |
| 5.01 | Appendix A – Draft Statement of Gambling Policy June 2023 to June 2026 (English & Cymraeg) |

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| 6.0 | LIST OF ACCESSIBLE BACKGROUND DOCUMENTS |
| 6.1 | Gambling Commission Guidance to Licensing Authorities in respect of the policy statement: https://www.gamblingcommission.gov.uk/manual/guidance-to-licensing-authorities/part-1-licensing-authority-policy-statement Flintshire County Council's current Statement of Gambling Policy: https://committeemeetings.flintshire.gov.uk/mgConvert2PDF.aspx?ID=52995 |

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| 7.00 | CONTACT OFFICER DETAILS |
| 7.01 | <p>Contact Officer: Gemma Potter Team Manager: Licensing & Pest Control</p> <p>Telephone: 01352 703371</p> <p>E-mail: gemma.potter@flintshire.gov.uk</p> |

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| 8.00 | <p>GLOSSARY OF TERMS These are provided corporately on the Infonet (link) and maintained by the Executive Office</p> |
| | <p>Gambling Act 2005: Legislation regulating all forms of gambling</p> <p>Statement of Gambling Policy: The Act requires the Licensing Authority to prepare and publish this document to reflect the principles they will apply in exercising their functions under the Act.</p> <p>Gambling Commission: The Commission regulates most types of Gambling in the United Kingdom. They also provide advice and guidance to businesses that offer gambling.</p> |