

**FLINTSHIRE COUNTY COUNCIL**

<b>Date of Meeting</b>	Tuesday, 29 <sup>th</sup> January 2019
<b>Report Subject</b>	Statement of Gambling Policy Renewal
<b>Report Author</b>	Chief Officer (Planning and Environment)

**EXECUTIVE SUMMARY**

To seek Member approval for the Draft Statement of Gambling Policy, which is due to commence 31 January 2019.

**RECOMMENDATIONS**

1	That Members approve the Draft Policy for adoption, for the period 31 January 2019 to 30 January 2022.
2	That any minor changes made during the life of the policy are delegated to Licensing Committee.

## REPORT DETAILS

1.00	EXPLAINING THE POLICY
1.01	The Gambling Act received royal assent in April 2005 and consolidates regulation of casinos, bingo, gaming machines, lotteries, betting and remote gambling in one Act.
1.02	The Act established a non-departmental public body – the Gambling Commission – which has responsibility for advising both central and local government on issues relating to gambling. In addition the Gambling Commission has responsibility for issuing Operating Licences and Personal Licences to organisations and individuals who wish to undertake certain activities under the Act.
1.03	The Gambling Commission is required by section 25 of the Act to issue Guidance to licensing authorities on the discharge of their functions under the Act. This Guidance deals primarily with matters intended to assist licensing authorities in the development of their gambling policy, and sets out the principles that must be applied by the licensing authority in exercising its functions under the Act.
1.04	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.
1.05	The current policy came into force on 31 January 2013.
1.06	Flintshire have played an active part in the North Wales Licensing Group plan to bring in line the contents of all the separate Gambling Policies to make them follow the same order. Each Authority has had to keep area specific content, but each individual authority has followed the same structure to make the policies more user friendly across the North Wales regions.
1.07	The new policy will be required to commence on 31st January 2019, in accordance with the Gambling Act 2005. The draft policy is shown as Appendix A. This report sets out the procedure and draft policy statement.
1.08	The Policy must contain objectives regarding the following; <ul style="list-style-type: none"><li>• preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,</li><li>• ensuring that gambling is conducted in a fair and open way, and</li><li>• protecting children and other vulnerable persons from being harmed or exploited by gambling.</li></ul>
1.09	The Council must have regard to <ul style="list-style-type: none"><li>• any relevant code of practice issued by the Secretary of State,</li><li>• any guidance issued by the Gambling Commission,</li><li>• how they exercise their functions in accordance with the objectives and the policy itself.</li></ul>

1.10	Consultation has taken place with relevant bodies and interested parties. The results are set out in section 3 below.
1.11	The Gambling Commission responded to the consultation, and made recommendations.
1.12	The policy includes a section relating to the Social Responsibility Code and local Risk Assessments.
1.13	The Policy was approved by the Chair of the Licensing Committee, prior to it being taken before Licensing Committee on 8 <sup>th</sup> November, where it was approved by all Licensing Committee Members.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	The document has no effect on fees and charges for licenses and permits.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Although there have been significant changes to the aesthetics of the Policy, i.e. changes to the format, rewording of paragraphs and changes to the order in which paragraphs appear, there has been no material change to the content. The changes were made to bring the document in line with the policies in place for all of the North Wales Authority areas. This collaboration project was undertaken by the North Wales Licensing Group in order to make the process easier to follow for individuals and organisations who hold licences or wish to apply for licenses is more than one location in North Wales.
3.02	The legislation now requires licence holders to complete a risk assessment for their premises, and therefore a section has been added to account for this. This addition is shown in section 8.5 of the draft policy.
3.03	Consultation took place in October and November 2018. Relevant parties were invited to make representations.
3.04	The following Bodies were consulted in accordance with the Gambling Act 2005: <ul style="list-style-type: none"> <li>• The Chief Officer of Police for the Authority's area</li> <li>• One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area, e.g. holders of any licenses under the Gambling Act within Flintshire</li> <li>• 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, e.g. Members, Town Councils, charities dealing specifically with problem gambling.</li> </ul>

3.05	The Council consulted with the Public Health Authority, holders of licenses/permits, gambling addiction support agencies and the Gambling Commission. Flintshire County Council Members and Community Councils. The consultation was available to any member of the public on Flintshire's website.
3.06	The Gambling Commission (GC) provided a response to the consultation, which raised two issues. The first was in relation to the keeping of risk assessments on the premises, and resulted in the addition of paragraph 8.5.6. The second was a suggestion to remove reference to the stakes and prizes in Appendix D. The table was removed and the reader directed to the Gambling Commission website.
3.07	There were no other responses.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	None.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix A – Draft Statement of Gambling Policy, January 2019 (V3).

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p><b>Link to consultation:</b></p> <p>Consultation and Policy: English  <a href="https://www.flintshire.gov.uk/en/Business/Licences-and-permits/Gamblingpremises-licence.aspx">https://www.flintshire.gov.uk/en/Business/Licences-and-permits/Gamblingpremises-licence.aspx</a></p> <p>Consultation and Policy: Cymraeg:  <a href="http://www.siryfflint.gov.uk/cy/Business/Licences-and-permits/Gamblingpremises-licence.aspx">http://www.siryfflint.gov.uk/cy/Business/Licences-and-permits/Gamblingpremises-licence.aspx</a></p> <p><b>Contact Officer:</b> Gemma Potter – Team Leader  <b>Telephone:</b> 01352 703371  <b>E-mail:</b> <a href="mailto:gemma.potter@flintshire.gov.uk">gemma.potter@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Gambling Act 2005:</b> Legislation regulating all forms of gambling</p> <p><b>Statement of Gambling Policy:</b> 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><b>Gambling Commission:</b> An executive non-departmental public body of the government, responsible for regulating gambling and supervising gaming law in Great Britain.</p>
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