

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S

REPORT TO

Licensing and Public Protection Committee

02 November 2021

Gambling Act 2005 – Review of Statement of Licensing Principles (Gambling Policy)

Submitted by: Head of Environmental Health/Licensing Administration Team Manager

Portfolio: Finance, Town Centre & Growth

Wards Affected: All

Purpose of the Report

To consider the representations received in relation to the consultation on the draft Gambling Policy and to agree upon a final version of the draft policy for submission to Full Council on 17th November 2021.

Recommendations

1. That the Committee consider the responses received to the consultation exercise.
2. That the updated Policy be presented for approval to Full Council at its meeting on 17th November 2021.

Reasons

Under section 349 of the Gambling Act 2005 the Council has a statutory duty to review its Gambling statement set out in the Gambling Policy every 3 years.

1. Background

- 1.1 At the meeting held on 27th July 2021 the Committee determined to approve a 6 week consultation period for the Council's draft Gambling Policy.
- 1.2 The Council have consulted with:
 - The Gambling Commission;
 - Staffordshire Police;
 - Staffordshire County Council;
 - Neighbouring Local Authorities;
 - Representatives of local businesses ;
 - Local residents and their representatives;
 - Town and Parish Councils in the Borough;
 - Local Members of Parliament;
 - National bodies representing the gambling trade;
 - National charities concerned with the social impact of gambling;
 - Representatives of existing licence holders;

- Newcastle Partnership;
- Department of Regeneration and Planning Services, Newcastle Borough Council;
- Staffordshire County Council Trading Standards;
- Aspire Housing; and
- Members of the Public (via the website and printed copies at Council Offices)

1.3 The consultation period ended on 17th September 2021 and the Council received one response which is attached at **Appendix A**. The response was from:

- The Company Secretary of charity Gamble Aware.

1.4 The Company Secretary stated that they did not have the resource to offer any specific feedback however provided information on their recently published interactive map tools that show the prevalence of problem gambling severity and reported demand for treatment and support for gambling harms in each local authority and ward area.

1.8 Under section 349 of the Gambling Act 2005 the Council has a statutory duty to review its Gambling statement set out in the Gambling Policy every 3 years. It must be published by the 3rd January 2022 and in force by 31st January 2022 to ensure there is a 28 day period between publication and implementation. A copy of the proposed Policy following consultation is attached as **Appendix B**.

2. **Issues**

2.1 It is suggested that the updated draft policy be sent to Full Council on 17th November 2021 for approval, and subsequent implementation in January 2022 in line with the timetable at 3.2 of the report.

2.2 Due to the lack of responses the policy proposed for implementation is the same as the draft document consulted upon during the summer.

3. **Options Considered**

3.1 The Council have a statutory duty to consult on, publish and implement a Gambling Policy every 3 years as required by the Gambling Act 2005. It is requested that Members agree that the Policy detailed in Appendix B may be sent to Full Council for approval, and subsequent implementation, in line with the table below:

3.2 **Timetable**

| | |
|--|--|
| 2 nd November 2021 | Meeting of Licensing Committee to discuss response to the consultation and amend Policy as required. Approval is given to send to Full Council for agreement |
| 17 th November 2021 | Proposed Policy to be considered by Full Council |
| December 2021 (or in any case before 3 rd January 2022) | Publish the Policy |
| January 2022 (before 31 st) | Implement the new Policy |

4. **Recommendation**

4.1 To receive the report

- 4.2 To approve the draft Gambling Policy for Newcastle-under-Lyme.
- 4.3 That the updated Policy be presented for approval to Full Council at its meeting on 17th November 2021 in order that the Policy is published prior to 3rd January 2022.

5. Decision Required

- 5.1. The Council have a statutory duty consult on, publish and implement a Gambling Policy every 3 years as required by the Gambling Act 2005.

6. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

- 6.1 The contents of this report relate to the following corporate priorities:

- Growing our people and places.
- A healthy, active and safe borough.
- A town centre for all.

7. Legal and Statutory Implications

- 7.1 The Council have a statutory duty consult on, publish and implement a Gambling Policy every 3 years as required by the Gambling Act 2005.

8. Earlier Cabinet/Committee Resolutions

- 8.1. No Casino Resolution in 2007.
- 8.2. To implement a Gambling Policy in 2019, 2016, 2013, 2010, 2007

9. Background Papers

- 9.1 The Council Gambling Policy 2019-2022