

DELEGATED

AGENDA NO

LICENSING COMMITTEE

10 July 2018

**REPORT OF ASSISTANT DIRECTOR
ADMINISTRATION, DEMOCRATIC AND
ELECTORAL SERVICES**

REVIEW OF THE STATEMENT OF PRINCIPLES FOR GAMBLING PREMISES IN STOCKTON

SUMMARY

The Authority is required, by the Gambling Act 2005, to publish a Statement of Principles that it proposes to apply when exercising its functions under the Act, in the form of a Gambling Policy. This Policy statement must be published every three years. The Council's current Policy statement was in effect from 31 January 2016 and is now due for review.

RECOMMENDATIONS

1. That Members views be received.
2. That the Licensing department carries out consultation on the draft Policy document with relevant stakeholders.

DETAIL

1. The Gambling Act 2005 created a new system of licensing and regulation for commercial gambling in this Country. Amongst other changes it gave local authorities new and extended responsibilities for licensing premises for gambling and associated permissions.
2. The dual system shares the enforcement responsibilities between the Gambling Commission and Local Authorities. The Commission is responsible for issuing Operator Licenses for businesses and individuals who provide traditional gambling activities such as arcades, betting shops and casinos as well as operators who provide remote gambling services.
3. The Local Authority's responsibilities include issuing Premises Licenses to Operators for betting shops, bingo premises and casinos premises; issuing permits for low stake gambling in venues such as pubs and registering societies to hold small lotteries.
4. The Gambling Act also requires that before each successive period of 3 years, the Licensing Authority must prepare and publish a Statement of Principles that it proposes to apply in exercising its functions under the Act.
5. The Act requires that the Authority carries out its various licensing functions with a view to promoting the following three licensing objectives:
 - Preventing gambling from being a source of crime and disorder; being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is carried out in a fair and open way;

- Protecting children and vulnerable person from being harmed or exploited by gambling.

The Current Position

6. The current Statement of Principles was adopted in January 2016 and has to be reviewed every 3 years. Therefore, the attached proposed Policy, proposes amendments since the last approval. Changes are indicated in track changes red to enable Members to discuss the proposals.

Gambling Commission Licence Conditions and Codes of Practice

7. Since the last Policy Statement was issued the Gambling Commission have published revised Licence Conditions and Codes of Practice (LCCP) with changes coming into force in April 2018. The LCCP can be viewed at <http://www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/LCCP/Licence-conditions-and-codes-of-practice-sector-extracts.aspx>

Gambling Commission Guidance to Licensing Authorities

8. Since the last Policy statement was issued the Commission has also produced updated guidance, which came in effect in September 2016. The up to date guidance can be viewed at <http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx> The proposed policy has been prepared in accordance with this guidance.

Current Premises Licences

9. Since 1 January 2016 no premises applications (all for betting premises) have been received or granted. A further 25 registrations for small lotteries have been received and 7 applications for gaming machine permissions in pubs and clubs have been issued.

We have the following active licences / permits:

Type of licence / permit	Active licences or permits at 1/1/5
Casino	1
Bingo	3
Betting shops	34
Adult Gaming Centre	8
Family Entertainment Centre	0
Small Lottery	93
2 or less gaming machines (automatic entitlement for pubs)	85
3 or more gaming machines permit (for pubs)	23
3 or less gaming machines permit (for clubs)	21

10. All of these licences and permits (except the automatic entitlement for 2 or less gaming machines in pubs) are renewed annually.

Main Policy Changes

11. A copy of the revised Statement of Principles is attached at Appendix 1.

The main changes to the Policy area are as follows:

Paragraph	Summary of Changes
3	Updated information has been added about the profile of the Borough including a population profile; details of ethnic composition and affluence levels.
4	Updated data from the Health on the High Street Report and the Gambling Prevalence Survey added
12	Updated details of the national Primary Authority Scheme. This scheme allows businesses to form a statutory partnership with one local authority, which then provides reliable advice that other regulators must take account of when carrying out inspections or dealing with non-compliances.
14.23	Amended definition from vulnerable adult to an Adult at Risk of following the introduction of The Care Act 2014
Appendix D & E	Updated contact/website details

Consultation

12. It is proposed that Consultation on the draft Statement of Principles is undertaken for a period of 4 weeks with:

- Cleveland Police Force;
- Cleveland Fire Brigade;
- Trading Standards, SBC
- Planning Services, SBC
- Community Safety, SBC
- Regeneration & Economic Development, SBC
- The Local Safeguarding Children's Board;
- Members of the trade
- Trade Associations
- Licensing Committee
- Members
- Representatives of residents in the Stockton Borough Council area;
- A number of Solicitors Practices who undertake licensing work in this area.

Scrutiny Review of Gambling Harm in Stockton

13. The aim of the review is to conduct an investigation into the scale and effect of gambling in Stockton-On-Tees. The review will consider the availability of information on local gambling activity, the types of activity, the licensing regime, and the relationships with local economic activity, health and wellbeing, and community safety.

14. This could include problem gambling, risk factors, and the services/initiatives in place to provide support as well a local area profile.

Next Steps

15. Following the consultation any feedback will be considered by Cabinet on 11 November 2018 before being recommended to the Council on 12 December 2018.

Assistant Director Administration Democratic and Electoral Services

Contact Officer:

Telephone Number:

Email Address:

Financial Implications:

Margaret Waggott

Simon Mills

01642 526566

simon.mills@stockton.gov.uk

The cost of licensing gambling premises and issuing gaming permits and lottery registrations will be met from the fees paid by applicants. The fee structure, in terms of the application / renewal fees to be charged, will be determined with a view to full cost recovery.

Environmental Implications:

None

Legal Implications:

The Gambling Act 2005 requires the Licensing Authority to prepare a statement of principles every three years. The Council's current Policy statement was in effect from 31 January 2016 and is now due for review. The adoption of the Policy will assist members and officers when considering applications and businesses intending to submit applications. It will give a clear outline of the Authority will consider when assessing applications. A Statement of Principles can be challenged by way of judicial review.

Community Safety Implications

The administration and enforcement of the licensing regime should assist in reducing crime and disorder.

Human Rights Implications

None

Background Papers

None

Ward

Not ward related