

Report to:	Licensing and Regulatory Committee Council	Date of Meeting:	Monday, 14 June 2021 Thursday, 16 September 2021
Subject:	Final draft revised Statement of Gambling Licensing Policy – Gambling Act 2005		
Report of:	Head of Highways and Public Protection	Wards Affected:	(All Wards);
Portfolio:			
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To seek Members' comments on the final draft revised Statement of Gambling Licensing Policy and to then refer to Council for approval.

Recommendation(s):

That the Licensing and Regulatory Committee:

- i) Consider and agree the final draft of the revised Statement of Gambling Licensing Policy, attached at Annex 2; and,
- ii) Refer the agreed revised Statement of Gambling Licensing Policy to Council for approval.

That Council:

- i) Approve the revised Statement of Gambling Licensing Policy, attached at Annex 2.

Reasons for the Recommendation(s):

To enable the timely review of the Statement of Gambling Licensing Policy.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

There are no financial costs associated with the proposals in this report

(B) Capital Costs

There are no financial costs associated with the proposals in this report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None.	
Legal Implications: None.	
Equality Implications: There are no equality implications.	
Climate Emergency Implications: The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y
This is an information Report concerning the production of the new Licensing Policy.	

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Yes
Facilitate confident and resilient communities:
Commission, broker and provide core services: Yes
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services has been consulted and notes the report indicates no direct financial implications for the Council. (FD 6384/21).

The Chief Legal and Democratic Officer has been consulted with regard to any legal implications and any comments have been incorporated into the report. (LD 4585/21).

(B) External Consultations

Consultation exercise took place between 8 February 2021 and 5 April 2021.

Implementation Date for the Decision

Immediately following the Committee meeting.

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Appendices:

Annex 1 – Responses received to consultation exercise.

Annex 2 – Final draft revised Statement of Gambling Licensing Policy.

Background Papers:

There are no background papers available for inspection.

1. Background

- 1.1 Members will recall that Section 349 of the Gambling Act 2005 (“the GA05”) requires that all licensing authorities prepare and publish a statement of the principles that they propose to apply in exercising their functions under the GA05 during the three-year period to which the policy applies. A licensing policy statement will last for a maximum of three years, but can be reviewed and revised by an authority at any time.
- 1.2 The existing Policy has been kept under review since coming into force on 31 January 2019, no revision has been deemed necessary to date. The Policy requires revising during 2021 for it to take effect from 31 January 2022 (when the new three-year cycle will commence).
- 1.3 Section 349 (3) of the GA05 requires that the Licensing Authority consult the following on the Policy (or any subsequent revision):
 - 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; and,
 - 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 functions under this Act.

- 1.4 The views of the above must be given appropriate weight when the Policy is being determined.
- 1.5 In addition to the above, the Authority must also have regard to Guidance issued under Section 25 of the GA05 by the Gambling Commission.

2.0 Consultation process

2.1 The consultation took place between 8 February 2021 and 5 April 2021.

2.2 The consultation consisted of:

- i) Publishing the draft revision, a consultation response proforma and general information on the Sefton Council Website (www.sefton.gov.uk) and via Sefton Council's Online Consultation Hub (<https://yourseftonyoursay.sefton.gov.uk/>);
- ii) News items placed on the various Sefton Council social media pages;
- iii) Placing copies of the draft Policy in local libraries; and,
- iv) Through press releases to all local press agencies.

2.3 In addition to the general consultation/awareness raising referred to above specific consultations also took place where a letter and copy of the draft Policy were forwarded for comment to:

- i) Letter and meetings, as required, with Merseyside Police.
- ii) Letter and meetings, as required, to include: the Gambling Commission; local fire and rescue authority; Sefton Council Planning; Sefton Council Environmental Health & Licensing Section; Sefton Council Safeguarding Children's Unit; and HM Revenue and Customs.
- iii) Letters to the following Organisations: The Betting and Gaming Council; British Amusement Catering Trade Association (BACTA); The Bingo Association; National Association of Bookmakers; Association of British Bookmakers Ltd (ABB); Hospice Lotteries Association; The Lotteries Council; The British Association of Leisure Parks; Piers and Attractions Limited (BALPPA); The Racecourse Association Limited; The British Beer and Pub Association; and Gamcare.
- iv) Letter to Liverpool & Sefton Chamber of Commerce and the Southport BID.
- v) Letter to all Borough Councillors, Sefton Members of Parliament and Parish Council Clerks.

2.4 A full list of responses to the consultation exercise, together with the officer appraisal of those responses, is provided at Annex 1 to this report.

3.0 Draft Policy v.2

3.1 As a result of the consultation no amendments have been made to the Policy.

3.2 A copy of the Final Draft of the Policy is to be found within Annex 2.