

MINUTES OF LICENSING AND REGULATORY COMMITTEE

Wednesday, 1 May 2019
(7:00 - 7:35 pm)

Present: Cllr Moin Quadri (Chair), Cllr Lee Waker (Deputy Chair), Cllr Toni Bankole, Cllr Peter Chand, Cllr Kashif Haroon, Cllr Mohammed Khan, Cllr Giasuddin Miah, Cllr Adegboyega Oluwole and Cllr Glenda Paddle

Apologies: Cllr Amardeep Singh Jamu

7. Declaration of Members' Interests

There were no declarations of interest.

8. Minutes - 6 February 2019

The minutes of the meeting held on 6 February 2019 were confirmed as correct.

9. Sub-Committees Minutes - 27 March and 10 April 2019

The minutes of the Licensing Sub-Committee meetings held on 27 March and 10 April 2019 were confirmed as correct.

10. Draft Statement of Gambling Licensing Policy 2019 - 2022 Consultation

The Council's Service Manager, Public Protection (SMPP) presented a report on the Council's Draft Statement of Gambling Policy 2019 which asked for members' observations on four key changes officers were proposing to the Policy. The SMPP summarised the changes proposed as follows:

- Two of the proposed changes related to controls over category B2 machines (fixed betting terminals). Since the last policy was adopted, the Government had announced that the maximum stake permissible in category B2 would reduce from £100 to £2, and these machines could only be located within betting shops and would be restricted to a maximum number of four per shop. Officers were therefore proposing that the policy recognise this and also that a statement be added to explain that a reassessment of the risks posed by gaming machines was likely to be appropriate for future reviews of the policy when the full implications of the changes would become clear.
- The third change proposed that a statement be added to the policy to recommend that the applicants for each category of gambling premises licence seek the views of staff working in the premises in undertaking their local business risk assessments, in recognition of the fact that staff working in gambling premises often have significant insight into the local area where they work; and
- The final change related to premises plans submitted as part of the licensing application process based on the Gambling Commission publishing guidance recommending that a higher level of detail be shown on premises plans, in order to help ensure appropriate supervision of

premises.

The SMPP stated that the revised draft Policy would go out to public consultation for six weeks between May and June 2019. Following the consultation, all responses would be considered and appropriate amendments to the Policy made. The final proposed version of the Policy would require the approval of both the Cabinet and Assembly.

In response to questions from Members, the Council's Senior Licensing Officer stated that:

- Betting shops were regulated by the Gambling Commission (a national organisation). It was very unlikely that gambling premises licence holders would breach the new rules around B2 machines as they would risk losing their operating licence, and if they were a chain business, this could be very detrimental. He predicted that up to 25 percent of gambling premises could close as a result of these changes and therefore, Members could potentially see this in some of the Borough's wards.
- It was not for the Local Authority to check if licence holders were monitoring particular users. The Gambling Commission had social responsibility requirements which are reflected in operating systems in shops. They could, for example, offer self-exclusion to customers who wished to stop gambling.
- The purpose of the Gambling Act 2005 was to facilitate gambling in a way which was consistent with the three licensing objectives stipulated in the Act. The reason the Government had announced that the maximum stake permissible in category B2 would reduce from £100 to £2 was because there was evidence that the maximum permissible stake of £100 was causing people harm.
- With regards to anti-social behaviour, the Police and Local Authority engaged with premises licence holders and asked them to take appropriate action to minimise it. It was not common for gambling premises licences to be reviewed as generally, licence holders tended to be very cautious around any negative publicity and were keen to work with local authorities and the police to resolve any issues;
- Although the changes to the Policy being proposed were relatively minor, the Council had a legal duty to consult with the public. The experience so far with consultations in this Service had been that there was little engagement from the public and most responses to the consultation were from the trade.
- There were no direct financial implications on the Council of the changes proposed as any costs associated with them would be met from existing Council resources.
- The Gambling Commission dealt very effectively with the issue of money laundering. Premises were required to report suspicions of money laundering themselves and non-compliance with their duties in that respect would result in serious repercussions. Premises across the country had been prosecuted for non-compliance and the highest known fine was approximately £7 million.
- The Council was not able to stop particular individuals from gambling. The aim of the Gambling Act was to facilitate gambling. There were many avenues a person could take to gamble, such as buying scratch cards,

online gambling, gambling abroad and increasingly, gambling on mobile phones; and

- The Council had never received a complaint from a member of the public that they were not able to access gambling services due to barriers around translation. Issues around translation to aid access were for gambling premises to consider.

The SSPP stated, in response to questions, that:

- Officers did make changes to policies based on comments received in consultations if they were appropriate. The current policy reflected comments received from the trade when a review of the Policy was undertaken in 2017;
- The consultation would be carried out online and notification of it would be sent to all gambling premises in the Borough, the trade association and all councillors. The Council's Policy and Participation Service would oversee the consultation; and
- The intention was that the consultation would be in English; however, he would check with the Policy and Participation Service what the Council's policy was around other translation to other languages.

Members thanked the officers for the report.

11. Licensing Applications and Appeals - Update

The Committee noted the report.