

MINUTES OF LICENSING AND REGULATORY COMMITTEE

Monday, 3 October 2022
(7:05 - 7:50 pm)

Present: Cllr Adegboyega Oluwole (Chair), Cllr Faraaz Shaukat (Deputy Chair), Cllr Irma Freeborn, Cllr Mohammed Khan, Cllr Olawale Martins, Cllr Hardial Singh Rai and Cllr Sabbir Zamee

Apologies: Cllr Alison Cormack, Cllr Victoria Hornby and Cllr Lynda Rice

4. Declaration of Members' Interests

There were no declarations of interest.

5. Minutes - 23 September 2020

The minutes of the meeting held on 23 September 2020 were confirmed as correct.

6. Minutes - 23 June 2021

The minutes of the meeting held on 23 June 2021 were confirmed as correct.

7. Gambling Act 2005: Draft Statement of Gambling Licensing Policy 2022 - 2025 for Public Consultation

The Service Manager, Environmental Health and Public Protection (SMEH) presented a report on the draft Statement of Gambling Licensing Policy 2022 – 2025, which the Council, as the local Licensing Authority, was required to publish in accordance with a statutory three-year cycle. The review of the Policy, which would be the subject of a statutory public consultation, was primarily intended to bring the document in line with current law and guidance. A further updated version of the Policy, following public consultation between October and December 2022, would be presented to this Committee in January 2023, before the proposed final version of it being presented to Assembly for approval.

In response to questions, the SMEH stated that:

- The law required local licensing authorities to operate on a presumption to grant applications, which meant that applications for gambling premises licence must be granted unless there was a valid reason to object to the licence;
- The Local Area Profile, produced by the Council's Insights team, provided data on local demographics and factors such as deprivation, which helped the Council identify areas which were particularly vulnerable to gambling related harm;
- Applicants for gambling premises licences based in areas which were particularly vulnerable to gambling related harm were expected to show how they would mitigate the risks, including the risk to children and young people, as part of their application;

- Spot checks and test purchases to check whether licenced premises were complying with the law and the conditions of their licence were a very important part of the Service, and the team were also proactive in keeping contact with premises licence holders to support them with these aims;
- She was confident that the refreshed Policy was fit for purpose and the public consultation would provide an opportunity to test this;
- The changes to the Policy, which primarily related to the responsibilities of gambling premises applicants, were minimal in that there were no substantial new requirements imposed by the law;
- The law stipulated the key persons and bodies that must be consulted when changes were made to the Policy; however, the Council would go further and also consult all councillors, all responsible authorities and the Council's Public Health team, as the Service recognised that a wide range of factors affected the level of risk of gambling related harm, and it was therefore important to reach a wide range of consultees;
- If a gambling premises was found to be in breach of the law and/or the conditions of the premises licence, the licence could become the subject of a review and a decision on the course of action to be taken would need to be made, including whether the licence should be revoked. These decisions must be based on the statutory licensing objectives and be made in light of the Council's Policy and statutory guidance;
- Online gambling was directly regulated by the Gambling Commission, not local licensing authorities; and
- She had raised the issue of the local support and information available to those suffering with gambling addiction to see if this could be built into the refresh of Local Area Profile or the refreshed Policy, if the consultation demonstrated that this was necessary.

Members thanked the SMEH for the report.

8. Update on Licensing Applications and Appeals

The Committee noted the report.