

## ADDITIONAL PAPERS

# LICENSING COMMITTEE

**Tuesday, 11th January, 2022, 7.00 pm - Microsoft Teams (watch it [here](#))**

**Members:** Councillors Gina Adamou (Chair), Sheila Peacock (Vice-Chair), Barbara Blake, Luke Cawley-Harrison, Liz Morris, Reg Rice, Viv Ross, Yvonne Say, Daniel Stone, Noah Tucker and Sarah Williams

**Quorum:** 3

### **6. MINUTES (PAGES 1 - 4)**

- i) To confirm and sign the minutes of the Licensing Committee meeting held on 21 June 2021 as a correct record.

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Thursday, 06 January 2022

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## **MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON MONDAY, 21ST JUNE, 2021, 7.00 - 8.05 PM**

**PRESENT:** Councillor Gina Adamou (Chair), Councillor Sheila Peacock (Vice-Chair), Councillor Barbara Blake, Councillor Luke Cawley-Harrison, Councillor Reg Rice, Councillor Viv Ross, Councillor Yvonne Say, and Councillor Noah Tucker.

### **1. FILMING AT MEETINGS**

The Chair referred to the notice of filming at meetings and this information was noted.

### **2. APOLOGIES**

Apologies for absence were received from Councillor Liz Morris, Councillor Daniel Stone, and Councillor Sarah Williams.

### **3. URGENT BUSINESS**

There were no items of urgent business.

### **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

There were no deputations, petitions, presentations, or questions.

### **6. MINUTES**

#### **RESOLVED**

1. To confirm and sign the minutes of the Licensing Committee meeting held on 27 May 2021 as a correct record.
2. To note the Special Licensing Sub-Committee decisions from May 2021.

### **7. CONSULTATION ON THE DRAFT STATEMENT OF GAMBLING POLICY**

The Licensing Team Leader introduced the report which sought to consult the Licensing Committee on the draft Statement of Gambling Policy 2022-2025 and the

draft Local Area Profile. It was noted that it was a requirement to review the Council's Statement of Gambling Policy every three years. The current policy was adopted in January 2019 and was therefore due for review in 2021, to be published in January 2022.

The Licensing Team Leader explained that there were three licensing objectives for gambling: ensuring that gambling was conducted in a fair and open way; preventing gambling from being a source of crime or disorder; and protecting children and other vulnerable persons from being harmed or exploited by gambling. It was noted that gambling was legal but did have the potential to cause harm. It was explained that problem gambling disproportionately affected certain groups, including ethnic minorities, young people, those in the criminal justice system, and homeless people.

The Committee was informed that there had been a government 'call for evidence' on the review of the Gambling Act 2005 which had closed in March 2021. The council had responded to the call for evidence and had asked for a stronger commitment to empower councils to listen to the concerns of the local community by removing the 'aim to permit' requirement. It was noted that a copy of the response was included alongside the report, at Appendix 3.

It was highlighted that no major changes were proposed to the Statement of Gambling Policy and Local Area Profile as there had been no new legislation of Gambling Commission guidance. However, there would be updated and more detailed data, including census data, crime data, and Indices of Deprivation 2019 data. It was noted that the draft documents would be subject to wide consultation and were due to be presented to Cabinet in November 2021 and to Full Council in December 2021.

The Chair commented that it would be useful for some external research to be conducted to better inform the Local Area Profile and suggested that it could be helpful to work with universities who might be able to obtain grants for research. The Licensing Team Manager noted that external research was very costly and she did not believe that any local authorities had existing data which demonstrated gambling harm. The Chair suggested that it would be helpful to bring this to the attention of the Cabinet Member and the Committee noted that the University of Salford specialised in gambling research.

Some members noted that it would have been beneficial for the Licensing Committee to see the draft response to the call for evidence on the review of the Gambling Act 2005. It was commented that the Committee might have asked for stronger comments in relation to advertising and to restrictions for additional costs within gambling apps, such as 'lootboxes' which encouraged players to pay for additional prizes. It was agreed that future responses would be shared with the Committee and/ or the lead member.

It was suggested that it would be helpful to include a mandatory Challenge 25 policy for premises. The Principal Lawyer noted that gambling was prohibited for those under 18 years of age and so it was only mandatory to challenge those under 18. It was explained that Challenge 25 and Challenge 21 schemes were used but that these were considered on a case by case basis and that local authority could not make this mandatory.

The Committee noted that the last sentence on page 78 of the agenda pack stopped abruptly. The Licensing Team Manager confirmed that this had been amended in the online consultation.

It was noted that the Local Area Profile presented information on a ward basis but some members of the Committee commented that some high streets, where gambling premises were focused, were located on or near ward boundaries and it was enquired whether Local Area Profiles should be based around the movement of people or high streets rather than ward boundaries. The Licensing Team Manager explained that this information was normally generated by ward but that it might be possible to look into changing this if any external research was undertaken. It was noted that the possibility of changing the council's internal data would need to be checked with data analysts. The Committee added that some ward boundary changes would come into effect in 2022 and that it might be useful to consider whether the council's wider data could be collected differently; it was asked that this was suggested to the Director.

The Committee acknowledged that the national legislation gave very little power to local authorities to react in areas where gambling was an issue. The Licensing Team Leader explained that the Gambling Act 2005 was permissive and required local authorities to 'aim to permit' activities. It was noted that research could be done to demonstrate that there was gambling related harm but the Licensing Team Leader was not aware of any local authorities that had been able to substantiate these claims. It was noted that the Local Area Profile was used as context to ensure that the operator was responding to the challenges of an area through risk assessments and/or conditions. It was added that the local authority could not make moral determinations or have a restrictive policy in place.

The Committee noted that many residents found the process of objecting to gambling applications frustrating and it was enquired whether anything could be done to make the process clearer to residents. The Licensing Team Leader noted that it was difficult to object to gambling applications as the legislation required local authorities to 'aim to permit'. It was explained that the Gambling Act 2005 was designed to identify solutions and mitigations rather than enable refusals. The Principal Lawyer noted that, if research was undertaken and provided evidence that there was gambling related harm, this would raise the threshold for a risk assessment.

The Committee noted that Public Health often objected to gambling applications but that the comments provided were too generalised and were not specific to the area where the application was proposed. The Licensing Team Leader commented that this had been noted with Public Health. It was added that the Local Area Profile had been updated to include more detail.

### **RESOLVED**

1. To consider the draft Statement of Gambling Policy 2022-2025, set out in Appendix 1 to the report, and the draft Local Area Profile, set out in Appendix 2 to the report. The Committee did not make any specific comments or recommendations to Cabinet on the draft Statement of Gambling Policy 2022-2025 or the draft Local Area Profile. The Committee made a number of comments that

were noted in the minutes for consideration by the Licensing Team and the Cabinet Member.

2. To note that, following consultation, a further report would be presented to Cabinet to recommend the Statement of Gambling Policy to Full Council for final adoption.

**8. NEW ITEMS OF URGENT BUSINESS**

There were no new items of urgent business.

CHAIR: Councillor Gina Adamou

Signed by Chair .....

Date .....