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| **REPORT TO** | **ON** |
| **Full Council** | **5 December 2018** |
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| **TITLE** | **REPORT OF** |
| Revised Gambling Policy 2019-2022 | Head of Legal Services/Interim Monitoring Officer |

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| Is this report confidential? | **No**  |

1. **PURPOSE OF THE REPORT**

The report invites full Council to formally adopt the proposed Statement of Gambling Policy which will come into effect on the 31st January 2019.

 To review and consider the consultation responses to the Statement of Gambling Policy

1. **RECOMMENDATIONS**
2. **Full Council is requested to:-**
	1. 1 formally adopt the final version of the proposed Statement of Gambling Policy, which if adopted would come into force on the 31st January 2019.
3. **EXECUTIVE SUMMARY**
	1. A short report went before the General Licensing Committee in September 2018 setting out the legal requirement to review the Gambling Policy. A draft policy was considered and an agreed period of consultation including a list of consultees was set. The period of consultation was the 13th September 2018 till the 8th November 2018.
	2. A formal response was received by Lancashire County Councils Public Health Team who appear to have a pool of conditions or recommendations that are sent to all Local Authorities in the region. These recommendation will be particularly relevant to areas of intense outlet density especially where there is high levels of deprivation.
	3. South Ribble does not fall into either category and is reported as being one of the lower risk areas in Lancashire, with this in mind the some of the recommendations maybe less relevant than others.
4. **CORPORATE PRIORITIES**

The report relates to the following corporate priorities:

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| Excellence and Financial Sustainability | x |
| Health and Wellbeing |  |
| Place |  |

Projects relating to People in the Corporate Plan:

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| People  |  |

1. **BACKGROUND TO THE REPORT**

5.1 Defining geographic areas of vulnerability and risk, there are 2 wards in the South Ribble area that stand out in relation to deprivation. They are Broadfield which is ranked as the 188th most deprived ward in the County and Seven Stars which is 1469th. We also have very affluent wards which are at the other end of the spectrum such as Howick and Priory which is ranked 7503rd in the region. The recommendation is to identify areas of vulnerability so a map has been created highlighting these two wards which also pin points the locations of existing Gambling Premises.

5.2 **Provide guidance on local risk assessments**,

This issue was raised by a Committee member in the September 2018 meeting where a request was made to possibly look into providing an example or template risk assessment. Further enquires revealed that not much was available publically but the Gambling Commission did have a guidance document on what to include in a risk assessment. The salient parts of that guidance have been incorporated into the draft policy and can be found at paragraph 3.2.of the draft policy. The items included in the policy already largely replicate what Public Health are suggesting. Advice has been sought from the Gambling Commission who have directed us to the January 2018 Bulletin, looking at this document 2 local authorities are highlighted, York and West Dunbartonshire. Both policies do not have an example risk assessment but they do have a list of points they consider necessary when formulating risk assessments, our draft policy is sufficient with regards to the advice on formulating local area risk assessments.

5.3 The third point Public Health raise is to possibly publicise pathways to treatment. The small number of premises and overall prosperity in the Borough will mean the number of problem gamblers will be modest compared with bigger cities and deprived towns. The beacon trust who are the main service provider for Gamcare have been contacted and provided us with some suggested wording for the policy, which is as follows:-

“Operating staff (particularly those involved with customer interaction and self exclusion) should be aware of National and Local Problematic Gambling support systems available and individuals identified as being in need of support should be made aware of the National Problem Gambling Helpline. All operators should be aware of and publicise the local , confidential FREE and immediate service offered through local treatment provider THE BEACON COUNSELLING TRUST , who deliver services across the North West and whose closet location for service provision is Preston [www.beaconcounsellingtrust.co.uk](http://www.beaconcounsellingtrust.co.uk) telephone 0151 226 0696  who will arrange a local appointment.”

**7. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION**

**7.1** A broad consultation took place between the13th September 2018 and the 8th November 2018 a list of consultees is found on page 37 of the draft policy. One response was received by Public Health which was duly considered by the Licensing Committee on the 20th November 2018 and have determined to include the pathway to treatment statement found at paragraph 5.3 above and the Local Area Profile map discussed in paragraph 5.2 of this report.

**8. Financial implications**

8.1 There are no financial implications arising from this report**.**

**9. LEGAL IMPLICATIONS**

9.1S349(1) of the Gambling Act 2005 requires the Council to prepare and publish a statement of principles every 3 years. The previous policy expires on **31st January 2019**. The draft policy once approved by Council will therefore become effective on **31st January 2019.**

Before a statement comes into effect, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 requires licensing authorities to publish a notice of their intention to publish a statement or revision. The notice must comply with the following points:-

1. Specify the date on which the statement or revision is to be published
2. Specify the date on which the statement or revision will come into effect
3. Specify the internet address where the statement or revision will be published and the address of the premises at which it may be inspected (for 4 weeks before it comes into effect )
4. Publish the statement or revision on the authority’s website (for 4 weeks before it comes into effect ) and
5. In or more of the following places:-
6. In a local newspaper circulating in the area covered by the statement
7. A local newsletter, circular or similar document circulating in the area covered by the statement
8. A public notice board in or near the principal office of the Council

**10. COMMENTS OF THE STATUTORY FINANCE OFFICER**

10.1 N/A

**11. COMMENTS OF THE MONITORING OFFICER**

The Act requires the Council to review its Statement of Gambling Principles every 3 years. As stipulated at Paragraph 7 in the report, the statement or revision will have to be published 4 weeks before it comes into effect. Failure to comply with the statutory requirements, could lead to possible legal challenges, costs to the Council and adversely affect the reputation of the Council

**12. OTHER IMPLICATIONS:**

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| * **HR & Organisational Development**
* **ICT / Technology**
* **Property & Asset Management**
* **Risk**
* **Equality & Diversity**
 | None identifiedN/AN/ANone identifiedAn Equalities impact has been considered but no protected characteristics under the Equalities Act 2010 are impacted other than age, and this catered for adequately under the Gambling Objective- Protecting Children and Vulnerable Persons from being Harmed |

**13. BACKGROUND DOCUMENTS**

Copy of the Representation from Public Health

**14. APPENDICES**

**Appendix A- Draft Gambling Policy January 2019-January 2021**

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| Report Author: | Telephone: | Date: |
| Mark Marshall | 01772 625401 | 23rd November 2018 |