

REVIEW OF GAMBLING AND LICENSING POLICIES

- Summary: To present draft revisions to the Council’s Statement of Licensing Policy under the Licensing Act 2003, and the Statement of Principles under the Gambling Act 2005.
- Conclusions: Approval of the Licensing Policy and to note and make any comments on the draft Gambling Policy which is to be approved formally by Full Council.
- Recommendations: That the proposed revisions to the Council’s Statement of Licensing Policy under the Licensing Act 2003, and the Statement of Principles under the Gambling Act 2005, be recommended to Council for approval and that these are then published in accordance with legislative requirements.

Cabinet Member(s) Councillor Nigel Lloyd – Portfolio Holder Councillor Dr Pierre Bütikofer - Chair of the Licensing Committee	Ward(s) affected - All
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1. Background

- 1.1 Two of the major regulatory regimes under which the Council has statutory responsibilities are the licensing of alcohol supplies, regulated entertainment and late night refreshment under the Licensing Act 2003; and of non-remote gambling activities such as betting, prize gaming (including bingo and poker), provision of gaming machines and promotion of lotteries under the Gambling Act 2005.
- 1.2 A more detailed overview and relevant documents are included later in the report and appendices. Both of these Acts require licensing authorities to publish written policies, setting out how they intend to exercise the licensing and enforcement powers conveyed to them under the Acts, the principles that they will follow, and their expectations of licensees. These policies must be periodically reviewed, so as to ensure that they reflect the current legislation, and are relevant to the issues arising in the authority’s area. North Norfolk District Council last reviewed its licensing policies in 2010
- 1.3 North Norfolk District Council last reviewed its licensing policies in 2015 (Licensing Act 2003) and 2018 (Gambling Act 2005). Both policies are due for review and replacement. Licensing Act 2003 by January 2021 and the Gambling Act 2005 by January 2022, in order to satisfy the statutory requirements of the Acts. (The timescale for the Licensing Act was not met due to the global pandemic and dealing with Covid –19 (however a 2021 issue date is still expected).

- 1.4 Officers have prepared the revised licensing policy documents under both Acts to take into account any recent legislative change and case law. These documents can be found in **Appendix 1** (Licensing) and **Appendix 2** (Gambling).
- 1.5 Both Acts specify a number of requirements for consultation on policy change, including lists of the categories of people who should be consulted, and the 6- week consultation on the revised policies has been carried out with regard to these requirements, and to the Government's consultation principles.
- 1.6 The final decision to adopt or revise a licensing policy under these Acts must be made by Full Council. The Committee will be asked to resolve to recommend the adoption of the revised Licensing Policy and to agree the Gambling Policy which has been presented to Full Council (with any additional revisions after considering the consultation responses).
- 1.7 To date we have not received any consultation responses to either policy

2. Changes to the Statement of Principles of Licensing Policy (Licensing Act 2003)

- 2.1 The proposed draft Statement has undergone a thorough review, with a number of changes being made to bring the policy up to date and in line with the latest [Section 182 Guidance](#) document (published April 2018 changes can be seen in, the attached, **Appendix 1**
- 2.2 That said, there are no major changes proposed to the policies adopted by the licensing authority, nor the approach that will be taken to the exercise of functions under the Act. The amendments made aim to improve the advice and statements of expectations made to licensed businesses, current and prospective, and to other persons affected by those businesses
- 2.3 The update policy will be approved and issued as soon as reasonably practicable before the end of 2021.

3 Changes to the Gambling Licensing Policy (Statement of Principles) (Gambling Act 2005)

- 3.1 The gambling legislation has seen far fewer changes in recent years, with the majority of amendments affecting the regulation of remote gambling, regulated by the Gambling Commission, rather than non-remote gambling which falls to licensing authorities. As a consequence, fewer changes have been proposed to the Statement of Principles.
- 3.2 Generally the Policy remains substantially unchanged, save for some tidying up to remove duplication and to improve ease of use. The changes can be seen (as track changes) in **Appendix 2**.
- 3.3 New sections have been added in respect of the Cultural Activities, Planning, Review Process, Promotion of Equality and Entitlement to Work in the UK. These changes are in line with the [Gambling Commission's guidance](#) to licensing authorities.
- 3.4 The updated policy will be approved and issued on 31st January 2022.

4 Implications and Risks

4.1 None

5 Financial Implications and Risks

5.1 None

6 Sustainability

6.1 Not Applicable to this report.

7 Equality and Diversity

7.1 Not Applicable to this report.

8 Section 17 Crime and Disorder considerations

8.1 Not Applicable to this report.