

## APPROVAL OF THE STATEMENT OF LICENSING POLICY 2021-2026 AND THE STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT POLICY 2022-2025

Summary:	To present the final policies to the Council's Statement of Licensing Policy under the Licensing Act 2003, and;  The Statement of Principles under the Gambling Act 2005
Options considered:	None. The Policies were approved by Licensing and Appeals Committee on 27 <sup>th</sup> September 2021.
Recommendations:	<b>That Council approves the Statement of Licensing Policy 2021-2026 and the Statement of Principles under the Gambling Act Policy 2022 -2025</b>
Reasons for Recommendations:	That the proposed versions to the Council's Statement of Licensing Policy under the Licensing Act 2003, and the Statement of Principles under the Gambling Act 2005, be approved and that these are then published in accordance with legislative requirements and timeframes.

### LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

None

Cabinet Member(s)  
Councillor Nigel Lloyd –  
Portfolio Holder

Ward(s) affected - ALL

Contact Officer, telephone number and email:

Tracy Howard 01263 591613 [tracy.howard@north-norfolk.gov.uk](mailto:tracy.howard@north-norfolk.gov.uk)

Lara Clare 01263 516252 [lara.clare@north-norfolk.gov.uk](mailto:lara.clare@north-norfolk.gov.uk)

## 1. Introduction

- 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.

## **2. Licensing Policies**

- 2.1 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 scheduled with the approval of both of these policies).
- 2.2 The revised policy documents under both Acts have been revised to take into account any recent legislative change and case law. These documents can be found in **Appendix 1** (Licensing) and **Appendix 2** (Gambling).
- 2.3 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. Both policies have undergone a 6-week consultation process to statutory consultees and promoted on the Council's website and social media platforms. Only one response was received on 29<sup>th</sup> September 2021 with regard to the Gambling Policy and this was mainly a typographical error in relation to section 15 of the policy on 'Public Health'. The response can be found in **Appendix 3** of this report. Changes have been made to the final version of the Gambling Policy since receiving this response. No other responses have been received.
- 2.4 The final decision to adopt the policies under these Acts must be made by Full Council. The Licensing and Appeals Committee have resolved the recommendation to adopt both revised policies (with any additional revisions after considering the consultation responses).
- 2.5 **Changes to the Statement of Principles of Licensing Policy (Licensing Act 2003)**
- 2.6 The 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 **Appendix 1**).
- 2.7 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

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

2.9 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. The Policy remains substantially unchanged, save for some tidying up to remove duplication and to improve clarity. A typographical error has been corrected in section 15 of the policy following consultation. The final report can be seen in **Appendix 2**.

2.10 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.

2.11 Both policies should be approved and issued on 31<sup>st</sup> January 2022.

**3. Corporate Plan Objectives**

3.1 Quality of Life

**4. Medium Term Financial Strategy**

N/A

**5. Financial and Resource Implications**

N/A

**6. Legal Implications**

6.1 It is a legal duty for the Council to have both Policy Statements in place and up-to-date.

**7. Risks**

7.1 Not meeting statutory requirements or policies to provide a framework for service delivery.

**8. Sustainability**

N/A

**9. Climate / Carbon impact**

N/A

**10. Equality and Diversity**

N/A

**11. Section 17 Crime and Disorder considerations**

- 11.1 The Statement of Licensing Policy underpins the Council's approach to tackling one of the main Licensing Objectives of Reducing Crime and Disorder in the District working with businesses and partner agencies to secure North Norfolk as a safe place to live, work and visit.

**12. Conclusion and Recommendations**

- 12.1 Approval of the both Policies by Full Council.