

## **‘Get Involved’ Website Consultation Details**

### **Why are we consulting?**

Under the Gambling Act 2005 (‘the Act’), the council is the licensing authority and is responsible for licensing and overseeing local gambling establishments. Part of this responsibility is the duty to prepare and publish a statement of the principles (a policy) that the council proposes to apply in exercising its functions under the Act.

The council’s current Gambling Act policy came into effect on the 1 June 2013 and will cease to have effect on the 31 May 2016. The council must be in a position to formally adopt a revised policy with effect from 1 June 2016. It is, however, the aim to bring the adoption date forward to the 1 April 2016 and, in order to satisfy the specific legal requirements set down in the Gambling Act 2005, the council needs to carry out the consultation process during October and November.

The proposed Gambling Policy statement is available to view as an attachment on this page.

### **What does the revised policy seek to achieve?**

The council has taken the opportunity to significantly revise the format and content of the policy to reflect the latest guidance issued to licensing authorities by the Gambling Commission, to provide greater practical clarity to existing and potential licence holders and to assist council officers to correctly apply the legal provisions of the Gambling Act 2005.

In particular:

- a) There is a greater focus on setting out the overarching principles that the council intends to consider when exercising its functions under the Act, including those that the Council will specifically consider in relation to each of the licensing objectives as set out in the Act.

- b)** It is recognised nationally that there is a greater need to focus on understanding and mitigating gambling related harm more broadly, rather than focussing on problem gambling alone. In this respect, the revised policy is intended to emphasise the Council's focus on protecting children and young people, particularly in relation to child exploitation, and also other vulnerable people from harm.
- c)** Nationally, gambling policy and the regulatory environment overall has an increasing focus on risk. Whilst not compulsory, it is now recommended that the Council creates a 'local area profile' (an initial draft is included as part of the revised policy) to inform its understanding of risk and to allow appropriate decisions to be made and steps taken to mitigate these risks. From April 2016, gambling establishment operators must undertake 'local area risk assessments' before submitting a premises licence application or variation and will be expected to give due consideration to the information available in the Council's 'local area profile'. It is wholly anticipated that the Council's 'local area profile' will develop over time and will be influenced by information and intelligence from key partners and other stakeholders.
- d)** The Act singles out children and vulnerable people for special regulatory attention; consequently, the revised policy is intended to have a greater focus on protecting these particular groups.
- e)** The application processes applicable to each different type of licence are set out, together with the requirements that must be satisfied before an applicant can obtain and then retain any such licence.
- f)** The premises licence review process is set out to ensure all stakeholders understand when and how this process may be utilised in accordance with the provisions of the Act.
- g)** A detailed explanation setting out the way in which the Council deals with the exchange of information is included.

**h)** The Council's overarching approach to inspection, compliance, enforcement and complaints is clearly stated and links made to the Council's Better Regulation and Enforcement Policy.

## **On what does the council particularly want to receive feedback?**

The Council welcomes and encourages all interested parties to provide feedback in relation to the content and format of the whole policy. However, we are particularly keen to hear views in relation to the following matters:

- a)** Have we adequately considered safeguarding as it applies to both children and adults as it relates to gambling activities?
- b)** Have we appropriately identified who is vulnerable, why and under what circumstances in relation to gambling activities? If not, who have we missed?
- c)** Have we included appropriate controls in relation to vulnerable groups?
- d)** What other data and information could be included in the local area profile to increase the Council's ability to determine additional/different principles under which it will exercise its functions under the Act and to also assist applicants to produce effective local area risk assessments?
- e)** Should the Council have a 'no casino policy'? If yes, why?

We want to hear your views. You can submit your response by:

- Email: [Licensing@shropshire.gov.uk](mailto:Licensing@shropshire.gov.uk)
- Telephone: Licensing 0345 678 9026
- Post: Licensing Service, Public Protection, Shirehall, Abbey Foregate, Shrewsbury SY2 6ND

The consultation period will end at midnight on Sunday 29 November 2015.

## Documents

- [Proposed Gambling Policy statement 2016 to 2019](#)