

PLANNING, REGULATORY & LICENSING COMMITTEE

Date Written	18 ^h August 2021
Report Author	Joanne Baber/Simon Jones
Service Area	Protection and Safety
Exempt/Non Exempt	Non Exempt
Committee Date	1 st September 2021

To: Chair, Ladies and Gentlemen

Review of Statement of Licensing Principles 2022 - 2025 under the Gambling Act 2005

1.0 SUMMARY OF THE REPORT

- 1.1 To inform Councillors of the legal requirement to review Merthyr Tydfil County Borough Council's Statement of Licensing Principles for Gambling and for Councillors to agree the basis of the revised policy prior to consultation.
- 1.2 Delegated power is also sought to enable the Head of Protection and Safety Services to consider responses to the proposed policy and to make amendments to the Policy if it is considered appropriate. This delegated power shall be exercised in consultation with the Chair of the Planning Licensing and Regulatory Committee who reserves the right to refer the amendments to the Planning, Regulatory & Licensing Committee.

2.0 RECOMMENDATION(S)

- 2.1 The draft Statement of Licensing Policy 2022 – 2025 appended to this report as the basis of a revised policy be approved.
- 2.2 The draft policy detailed in 2.1 above be subject to public consultation for an 8-week period be approved.

- 2.3 Delegated power to the Head of Protection and Safety Services to consider responses to the proposed policy and to make amendments to the Policy if it is considered appropriate be approved.
- 2.4 The delegated power given in 2.3 above shall be exercised in consultation with the Chair of the Planning Licensing and Regulatory Committee who reserves the right to refer the amendments to the Planning, Regulatory & Licensing Committee be approved.
- 2.5 A final version of the Statement of Licensing Policy 2022 – 2025 be put to Full Council for approval and adoption from the 31st January 2022 be approved.

3.0 INTRODUCTION AND BACKGROUND

- 3.1 The Gambling Act 2005 created a new system of licensing and regulation for commercial gambling in the UK and as part of the changes, Merthyr Tydfil County Borough Council assumed responsibility for licensing premises, issuing permits and authorisations for the temporary use of premises amongst other matters.
- 3.2 Councillors will be aware that the existing Statement of Licensing Policy under the Gambling Act 2005 was approved by Council on the 19th December 2018 and came into force on the 31st January 2019.
- 3.3 Section 349 of the Gambling Act 2005 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy at least every three years. The Authority's existing statement came into effect on the 31st January 2019 and therefore the policy needs to be reviewed with a revised statement of licensing principles in force by the 31st January 2022. This will be the fifth review of the Authority's Statement of Licensing Policy.
- 3.4 The draft revised Statement of Licensing Policy is appended to this report as the proposed basis of the revised policy. The existing statement of Licensing Principles has been updated to reflect current legislation and guidance.
- 3.5 Amendments to the existing policy are highlighted in grey and a copy of the existing Policy is in the background papers to allow members to compare the two policies.

4.0 TIME FRAME

- 4.1 Before determining its Statement of Licensing Principles for any three-year period the Authority must put the draft revised Statement out for consultation. Due to the limited number of amendments to the current policy it was decided to undertake an 8-week consultation.
- 4.2 Following consultation, the views of the persons consulted must be considered before a final revised statement is put before Full Council for approval.
- 4.3 It is proposed that the responses to the consultation be considered by the Head of Protection and Safety Services in consultation with the Chair of the Planning

Licensing and Regulatory Committee who reserves the right to refer the amendments to the Planning, Regulatory & Licensing Committee be approved.

- 4.4 A revised final policy will then be prepared and put to Full Council on the 1st December 2021. If approved the revised final statement must be published for a further 4 weeks which must end before the expiry of the existing statement on the 31st January 2022.

5.0 FINANCIAL IMPLICATION(S)

- 5.1 There are no financial implications save for the cost of the press notice and this cost will be met from the current budget of the Licensing Department.

Alyn Owen, Deputy Chief Executive

**Cllr Kevin O'Neill, Portfolio member for
Housing and Public Protection**

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Gambling Licensing Policy 2019 - 2022	19 th December 2018	Council website
Does the report contain any issue that may impact the Council's Constitution?		No