

**Gambling Act 2005
Licensing Board Policy****Report by Alan Turpie, Clerk****1 Purpose of Report**

The purpose of this report is to seek authority from the Board to go out to consultation on a proposed Gambling Act policy to take effect from 31 January 2019 to 30 January 2022.

2 Background

2.1 The Board's current Gambling Act policy covers the period from 31 January 2016 to 30 January 2019 and a new policy will require to be approved to cover the three year period from 31 January 2019 onwards. An updated draft policy has been prepared for consideration by the Board and is attached as an Appendix to this report. This draft policy has been track-changed to show the major amendments from the 2016-19 policy.

2.2 Gambling is currently the fastest growing leisure industry in Scotland. This in turn has brought concerns about the level of gambling taking place and the amount of money being staked. The Gambling Act 2005 is very clear however that, in determining an application, the Board should not consider the morality of gambling per se but rather whether an application conforms to the licensing objectives in terms of the Gambling Act. Accordingly, in preparing the Licensing Policy Statement, priority has been given to actions which will promote and support those objectives.

2.3 It is proposed that, as well as a public consultation, the following bodies be asked to comment on the draft policy:

- Midlothian Council
- Police Scotland,
- Scottish Fire & Rescue Service,
- Midlothian Child Protection Committee,
- Community Councils within the Midlothian area
- East Lothian and Midlothian Public Protection Committee,
- Gambling Commission
- HM Revenue and Customs

It is recommended that consultation take place over 4 weeks following this meeting.

2.4 A copy of the proposed 2019-2022 Gambling Act Policy is attached at Appendix 1. Board members are invited to suggest any amendments and otherwise to agree that it be put out for consultation.

3 Report Implications

3.1 Resource

There are no resource implications in this report.

3.2 Risk

The current policy will expire on 30 January 2019. The Board would not be fully supporting the Licensing Objectives if decisions were based on an out of date Policy.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- x None of the above

3.4 Key Priorities within the Single Midlothian Plan

This report does not affect key priorities within the Midlothian Single Plan

3.5 Impact on Performance and Outcomes

This report does not have an impact on performance and outcomes.

3.6 Adopting a Preventative Approach

This report does not affect the preventative approach

3.7 Involving Communities and Other Stakeholders

In addition to a public consultation the views of the communities and other stakeholders detailed in paragraph 2.4 above will be sought.

3.8 Ensuring Equalities

An EQIA will be carried out during the process to ensure the new Policy will not have a negative impact on any equalities group.

3.9 Supporting Sustainable Development

There are no sustainable development issues raised in this report.

3.10 IT Issues

There are no IT issues raised in this report.

4 Recommendations

The Licensing Board are requested to approve that the 2019-2022 Gambling Act Policy Statement be put out to consultation.

Date 01 November 2018

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