



Leicester  
City Council

## MINUTE EXTRACT

### Minutes of the Meeting of the LICENSING AND PUBLIC SAFETY COMMITTEE

Held: TUESDAY, 23 OCTOBER 2018 at 5:30 pm

#### P R E S E N T:

Councillor Thomas (Chair)  
Councillor Singh Johal (Vice Chair)

Councillor Cank

Councillor Sangster

Councillor Unsworth

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#### **39. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Byrne, Fonseca, Hunter and Shelton.

#### **40. DECLARATIONS OF INTEREST**

Councillor Unsworth declared an Other Disclosable Interest in Agenda Item 9, Ultra Low Emission Vehicle, as his son had helped in the design of the vehicle under discussion.

In accordance with the Council's Code of Conduct the interest was not considered so significant that it was likely to prejudice Councillor Unsworth's judgement of the public interest. Councillor Unsworth was not therefore required to withdraw from the meeting during consideration and discussion on the item.

#### **48. GAMBLING POLICY - CONSULTATION**

The Director of Neighbourhood and Environmental Services submitted a report which sought the Committee's views on the Council's Gambling Policy for the coming three years, prior to its determination by Full Council on 15 November 2018.

The Committee was recommended to note the report and to make any comments on the proposed policy, which would be reported to Full Council.

The Chief Licensing Officer presented the report. Members noted that every three years the policy had to be reviewed, and the authority was required to

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publish its new Gambling Policy no later than the 3<sup>rd</sup> January 2019. Public consultation has taken place between 14 August and 18 September 2018. The consultation responses and the comments from Scrutiny and the Licensing and Public Safety Committee would be submitted to Full Council on 15 November 2018, and Council would be asked to approve the Gambling Policy for 2019-21.

Members were informed that a 'no casino' policy made no difference to existing casinos, but it did limit the issuing of new licenses. In the Gambling Act itself there was a limit to 17 new casinos nationally; in the city there were three licensed casinos.

Members were asked to note the minor changes to the existing policy. A local area profile had not been produced for Leicester, though the Council intended to do so.

Members asked if a recent case highlighted in the media had implications. The organisation had been found not to identify and assist a known gambler using fixed odds betting terminals. The organisation had to pay back money the customer had stolen from an employer and to her debit card, and made a payment of £60k to the Gambling Commission in lieu of a financial penalty- £94k in total.

It was noted there was nothing in the Gambling Policy that could assist in the prevention of people losing large amounts of money in the machines, though the government was to limit amount that could be spent at any one time to £2 in 2019. A highlighted document showing the changes made to the Gambling Policy was circulated to Members.

A discussion took place on applications for premises. It was noted that if no one objected to an application, it would be granted. If objections were received, and a hearing held, the panel was under a duty to aim to permit the application. Guidance under the Gambling Act was that a premises needed to be reasonably compliant, and the licensing objectives under the Gambling Act were not as paramount as they were under the Licensing Act.

When dealing with applications, the Committee could not refuse betting terminals within gambling premises, and guidance was geared towards granting and relied on the operator and code of conduct from the Gambling Commission to be monitored. The recent case reported in the media had shown organisations were not always doing the right thing.

The licensing authority cannot have a view on the morality of gambling. It is a legal operation as set out in the Gambling Act 2005. The Council was in the process of recruiting more Licensing Enforcement Officers.

Members said the Gambling Policy had some measure of protecting the public, but were concerned that the betting office part of the Policy was not restrictive enough. They acknowledged the authority was limited by law in what it could do and were supportive of the Policy as drafted.

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### **RESOLVED:**

that the Licensing and Public Safety Committee support the Council's Gambling Policy for 2019-2021.

### **REASON FOR THE DECISION**

The Members of the Licensing Public Safety Committee said they were content with the policy as it was, but Members expressed concerns around the inadequacy of the law, particularly around betting shops and fixed odds betting terminals.