

**Manchester City Council  
Report for Resolution**

**Report to:** Licensing Policy Committee – 15 November 2021

**Subject:** Revised Licensing Act Policy 2022 – 2025

**Report of:** Director of Planning, Building Control & Licensing

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**Summary**

To present a revised Gambling Policy for approval by the Committee

**Recommendations**

That the policy is approved for consultation

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**Wards Affected:** All

<b>Environmental Impact Assessment</b> - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
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None
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<b>Manchester Strategy Outcomes</b>	<b>Summary of the contribution to the strategy</b>
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	An effective licensing regime works with Operators and other agencies to ensure, as far as it is able, matters of equality and local issues are addressed.

<p>A liveable and low carbon city: a destination of choice to live, visit and work.</p>	<p>The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications to safeguard local place based interests. Representations have to be directly related to the licensing objectives; in relation to the Licensing Act these are the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm.</p>
<p>A connected city: world class infrastructure and connectivity to drive growth</p>	<p>Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.</p>

**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

**Financial Consequences – Revenue**

None

**Financial Consequences – Capital**

None

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**Background documents (available for public inspection):**

## 1.0 Introduction

- 1.1 The Gambling Act received royal assent in April 2005 and consolidates regulation of casinos, bingo, gaming machines, lotteries, betting and remote gambling in one Act.
- 1.2 The Act established a non-departmental public body – the Gambling Commission – which has responsibility for advising both central and local government on issues relating to gambling. The Gambling Commission also issues Operating Licences to organisations and individuals, which are required to operate licensed premises and Personal Functional Licences, which are required by individuals who perform any function which enables them to influence the outcome of gambling, or relating to the receiving or paying of money in connection with gambling, such as a dealer or croupier.
- 1.3 The Gambling Commission is required by section 25 of the Act to issue Guidance to licensing authorities on the discharge of their functions under the Act. This Guidance deals primarily with matters intended to assist licensing authorities in the development of their gambling policy and sets out the principles that must be applied by the licensing authority in exercising its functions under the Act.
- 1.4 The City Council has responsibilities under the Act to issue premises licences, permits and temporary use notices in respect of premises where it is proposed that gambling should take place. Additionally, the City Council will continue to be responsible for the registration of Small Society Lotteries.
- 1.5 Members will be aware that under the Act the Council, as Licensing Authority, is required to produce a policy every three years setting out how it intends to implement the Act. Our next revision is required to be in place with effect from January 2022.
- 1.6 The draft policy was publicly consulted upon for an 8-week period concluding on 15 October.
- 1.7 This report provides the Committee with details of the responses received to the consultation and a copy of the proposed final policy for approval.

## 2.0 Updates to policy

- 2.1 Three responses were received to the consultation:
- 2.2 Response 1: Manchester citizen  
*“It's a mugs game we've stopped slavery kids in factories so bin gambling it's far more productive to be a gambling free zone and something the council can do easier than making Manchester nuclear free”*
- 2.3 Response 2: Betting and Gaming Council submitted by Gosschalks solicitors. A copy of this response is provided in Annex 1.

- 2.3.1 In summary, the response claims that the policy adopts an “anti-gambling stance, is over prescriptive and should be simplified”. Points raised include:
- i. There should be greater recognition of the licensing authority’s statutory duty to “aim to permit”
  - ii. Concerns raised in relation to research quoted in the policy and the figures used in relation to levels of gambling-related harm
  - iii. Amendments to expectations on the content of local area risk assessments
  - iv. Removal of requirements for operators to share data with licensing authorities

2.4 The third response was from Trafalgar Leisure, a gambling operator, and relates to sections in the policy on gaming machine provisions at bingo premises (Annex 2).

2.5 A summary of the responses, our consideration of them, and any proposed amendments is provided at Annex 3.

2.6 A copy of the proposed final policy is provided at Annex 4.

### 3.0 **Key Policies and Considerations**

3.1 The proposals relate the Council’s Gambling Policy, also referred to as its Statement of Principles, under the Gambling Act 2005.

### 4.0 **Conclusion**

4.1 The Committee is asked to consider the consider the responses received to the consultation and proposed amendments.