

DONCASTER METROPOLITAN BOROUGH COUNCIL
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THURSDAY, 4TH NOVEMBER, 2021

A MEETING of the OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE was held at the COUNCIL CHAMBER - CIVIC OFFICE, DONCASTER on THURSDAY, 4TH NOVEMBER, 2021 at 10.00 AM

PRESENT:

Chair - Councillor Jane Kidd

Councillors John Healy, Daniel Barwell and Leanne Hempshall, David Nevett (substituting for Councillor Khan) and Martin Greenhalgh (substituting for Councillor Smith)

Invitee – Paul O'Brien (GMB)

ALSO IN ATTENDANCE:

Nasir Dad, Head of Service Regulation and Enforcement
David Smith, Licensing Officer

APOLOGIES:

Apologies for absence were received from Councillors Richard A Jones and Majid Khan

		<u>ACTION</u>
20	<u>TO CONSIDER THE EXTENT, IF ANY, TO WHICH THE PUBLIC AND PRESS ARE TO BE EXCLUDED FROM THE MEETING.</u>	
	There were no items on the agenda.	
21	<u>DECLARATIONS OF INTEREST, IF ANY.</u>	
	There were no declarations made.	
22	<u>MINUTES FROM THE MEETING OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE HELD ON 19TH AUGUST, 2021</u>	
	RESOLVED: That the minutes of the meeting held on 19 th August, be agreed as a correct record.	
23	<u>PUBLIC STATEMENTS.</u>	

	There we no public statements made.	
24	<u>STATEMENT OF LICENSING POLICY 2022 - GAMBLING ACT 2005</u>	
	<p>The Committee was provided with an overview of the Statement of Licensing Policy 2022 and noted that the Gambling Act 2005 required that the Local Authority determined applications for licensed premises to provide facilities for gambling. This included bingo halls, book makers and racetracks. The Local Authority was also required to publish its Licensing Policy every 3 years.</p> <p>The Committee addressed the following issues:</p> <p><u>Consultation</u> – the Committee noted the 4 week consultation period, set out in the report, but requested clarification on a number of areas. It was noted that the Policy was largely unchanged and therefore had not generated a large response. It was also acknowledged that as part of the consultation Public Health would provide comments on issues including Complex Lives. Public Health was not a stand alone statutory consultee, however, Doncaster Local Authority asks for Health implications on each application received as part of its application evidence for consideration.</p> <p><u>Licensing Principles</u> – The Committee noted that the three gambling principles were set by the Gambling Commission and it was the Commission’s responsibility to Licence operators that wished to run Gambling premises. Operators then approached the Local Authority seeking approval of a Premise Licence, to open a gambling establishment.</p> <p>As part of an application to the Local Authority a Local Area profile addressing community issues, possible crime, deprivation, complex lives and comments from Public Health, must be provided. The Local Authority’s Policy reinforced the Gambling Commission’s requirements. The Gambling Act states a Local Authority could grant a Premise License if it met all requirements and that mitigated problems highlighted locally through the Risk Assessment. A Premise License could be reviewed and if in breach could be reconsidered by the Licensing Committee.</p> <p><u>Problematic Gambling and vulnerable people</u> – It was recognised that</p>	

	<p>Gambling problems were not visible and the Policy referred to vulnerable groups that could be affected more than others. Nationally, the Gambling Commission required Gambling establishments to undertake a number of checks on people who, for example, had been gambling all afternoon, to see if they needed a break. The Policy provided detail of a vulnerable person and it was acknowledged that they could be from any community and walk of life. In response to a query it was explained that the Gambling Commission required establishments to check if someone was showing signs of a gambling problem. For Example, a person could visit a gambling premise at the same time each week / month and gamble away their wage.</p> <p>A person could present themselves to a gambling operator as having a problem and ask to self exclude themselves, therefore it was the operators responsibility to keep a national register of these people.</p> <p><u>Policing and enforcement of operators</u> – The Gambling Commission held a complaints system and regular inspections. Inspections could also be undertaken by the HMRC or Local Authority and if operators did not comply with regulations they were heavily fined.</p> <p><u>Online Gambling</u> – the problems this facility provided individuals who had a gambling problem was acknowledged, however it was noted that the Gambling Commission regulated the operators, not the Local Authority.</p> <p>RESOLVED: That the Statement of Licensing Policy, be supported.</p>	
25	<p><u>OVERVIEW AND SCRUTINY WORK PLAN AND THE COUNCIL'S FORWARD PLAN OF KEY DECISIONS</u></p>	
	<p>The Committee Chair provided an outline of the Scrutiny Work Plan and the Council's Forward Plan of key decisions.</p> <p><u>RESOLVED:</u> That the report, be noted.</p>	