



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 24 JANUARY 2019
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON**

Board Members Present:

Councillor F Dugdale (Convener)
Councillor L Bruce
Councillor J Goodfellow
Councillor J Henderson
Councillor W Innes
Councillor J McMillan

Clerk of the Licensing Board:

Mrs K MacNeill, Service Manager, Licensing, Administration and Democratic Services

Attending:

No Council Officers were present

Committee Clerk:

Ms J Totney

Apologies:

None

Declarations of Interest:

None

1 MINUTES FOR APPROVAL – 22 NOVEMBER 2018

The minutes of the East Lothian Licensing Board meeting of 22 November 2018 were approved as a true record.

2 STATEMENT OF PRINCIPLES, 2019 TO 2022 – GAMBLING ACT 2005 (CONSULTATION)

The Clerk presented a report detailing the Board's proposed Statement of Principles, 2019- 2022 - Gambling Act 2005 (The Gambling Policy/the policy). She explained that the policy requires to be updated every three years; advised that the consultation responses were attached to the Board report; and highlighted that the main changes include the introduction of a local risk assessment and the future development of a local area profile. She informed members that if the Board approved the proposed policy, it would be subject to publication on East Lothian Council's website for 28 days, after which time it would come into force.

Councillor Goodfellow welcomed the report, and in particular, the references to children and vulnerable people, given that it is recognised that gambling can be an addictive activity, and that the social impact can be severe. He also welcomed statutory changes which have significantly reduced the stakes for fixed odds betting terminals. However, he stated that central Government policy does not make any provision for over-provision, adding that he feels that there is over-provision in some areas of deprivation.

The Clerk confirmed that the Gambling Act 2005 does indeed preclude over-provision as a consideration when determining gambling licences.

Councillor Innes commented on the commitment to create a local area profile and suggested that officers contact the area partnerships who already have area profiles.

Councillor Henderson commented that there would also be some cross over with the local area profile for the Board's Licensing Policy.

Councillor Bruce echoed the concerns about the absence of an overprovision policy and enquired if the Board could write to the Scottish Government with their concerns.

The Clerk advised that this was not a devolved matter and that the thinking was that market forces would dictate the number of gambling establishments.

Councillor McMillan spoke about gambling addiction and the key issue of being observant to such behaviours and signals.

Councillor Henderson remarked that gambling can be extremely destructive and crosses all walks of society; there is a moral duty to recognise it as an illness; and there is a need to seriously address the problems.

The Clerk highlighted the consultation feedback and mentioned that the Director of Public Health had asked to be regarded as a consultee for all applications. She pointed out that this is included in the policy at point 1.5; Councillor Dugdale welcomed the consultation with public health.

Councillor Innes commented that the majority of people going into gambling establishments are not addicted to gambling and that it is important to be aware of that.

He welcomed the fact that over the years, the industry had been encouraged to move into the high street and to provide good quality facilities and remarked that there is formidable opposition to an over-provision policy from what is a powerful gambling industry.

Councillor Bruce concurred that it is a very small percentage of gamblers who have a gambling addiction. However, he felt there is nonetheless an issue that it is impossible to avoid gambling shops on some high streets but that this is a matter for the UK Government. The Clerk informed the Board that this is a role for the Gambling Commission.

Decision

The Board thanked the Clerk and council officers for the clear and thorough policy document and agreed:

- i. to adopt the draft Gambling Policy for the period 2019-2022 with no amendments
- ii. that the existing Gambling Policy will remain in place until the 2019-2022 policy has been published for the statutory time period and comes into force; and
- iii. to delegate to the Clerk of the Board to finalise the policy in respect of any formatting and typographical changes required to the draft consultation version of the policy

Signed

Councillor Fiona Dugdale
Convener of East Lothian Licensing Board