

ABERDEEN CITY COUNCIL

COMMITTEE	Aberdeen City Council Licensing Board
DATE	28 th January 2025
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Gambling Policy Statement 2025 to 2028
REPORT AUTHOR	Laura McGhee, Solicitor

1. PURPOSE OF REPORT

- 1.1 To recommend that Aberdeen City Licensing Board ('the Board') agree to the adoption of the revised Statement of Policy in terms of Section 349(1) of the Gambling Act 2005 ('the Act'). The revised Statement is attached to the report at Appendix 1.

2. RECOMMENDATION(S)

That the Board: -

- 2.1 notes the contents of the report; and
- 2.2 approves the Statement of Policy 2025-2028, as detailed in Appendix 1, for publication in accordance with the statutory timescales.

3. BACKGROUND

- 3.1 Section 349(1) of the Act provides: -

A licensing authority shall before each successive period of three years—
(a) prepare a statement of the principles that they propose to apply in exercising their functions under the Act during that period, and
(b) publish the statement.

The Licensing Authority Statement of Policy will last for a maximum of three years but can be reviewed at any time. The Board's current policy runs from January 2022 to January 2025.

The Policy requires to be reviewed, revised and published by 31st January 2025. Officers have carried out a review of the existing Policy and a draft Statement of Policy for 2025-2028 is attached ("Appendix 1").

- 3.2 The Board undertook a consultation process which concluded on 15th January 2025.

- 3.3 At the close of the consultation, responses were received from:

Councillor Michael Hutchison

Police Scotland
Shona Milne, Chief Officer Education and LL Learning
Phil Mackie, Consultant in Public Health, NHS Grampian
William Rae, Vice Chair of the Community Council forum

The full consultation responses can be read at Appendix 2 of this report.

- 3.4 Officers have considered the responses received and noted the comments contained therein. The response from Police Scotland confirms they are happy with the revised Policy.

The response from Shona Milne, Chief Officer Education and LL Learning confirms there is nothing of concern to her in the revised Policy, and that the issues related to the proximity to schools have been highlighted.

Councillor Michael Hutchison makes a suggestion that the revised Policy is amended to clarify that Aberdeen is the 25th largest local authority and the 8th most populous in Scotland.

- 3.5 However, the response from Phil Mackie, Consultant in Public Health, NHS Grampian (Mr Mackie), highlights some concerns he has with the current draft of the Policy, in particular, in relation to the focus of the Policy being on gambling in a licensed premises. Mr Mackie has been advised that the Licensing Board have no authority over remote gambling.

Mr Mackie has requested the opportunity to speak to the Board in relation to the points that he has raised in his response which he advises are drawn, in part, from his experiences chairing the Scottish Implementation Board for National Strategy to Reduce Gambling Harms on behalf of the Gambling Commission.

Additionally, William Rae, Vice Chair of the Community Council forum has also raised some queries the Community Council forum have regarding the revised Policy.

- 3.6 Accordingly, the Board will require to decide whether they wish for a further review of the Policy to be carried out to take account of the feedback received as part of the consultation, and whether they wish to allow for Mr Mackie to speak to the Board in relation to the points he has raised in his draft response. Any delay beyond 31st January 2025 to publish the revised Policy could result in an out-of-date existing Policy which could be open to challenge.

The Act allows for a licensing authority to review and revise the Policy Statement at any time (as long as it is produced following consultation with those bodies and persons set out in s349(3) of the Act). Therefore, the Board may wish to approve the Statement of Policy 2025-2028, as detailed in Appendix 1, for publication in accordance with the statutory timescales and consider whether they wish for a further review of the policy to be carried out at a further date.

4. APPENDICES

- 4.1 Appendix 1 Statement of Policy 2025-2028
- 4.2 Appendix 2 Consultation Responses

5. REPORT AUTHOR CONTACT DETAILS

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