

## GAMBLING ACT 2005 STATEMENT OF PRINCIPLES COMMENTS

Document Number	Paragraph No	Comment	Licensing Officers' Response	Cross-Party Working Group Response
1	7 Enforcement	The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.	The appropriate point of contact details should be identified from the application form. This information would be used to make contact in the event of any compliance issues.  <u>Recommendation:</u> No amendment necessary	Agreed
10	7.1	I believe the Council's role in enforcement could be clarified and emphasised e.g. 'The main enforcement and compliance role for this LA will be to ensure compliance with the premises licence and other permissions which it authorises'	Licensing Officers agree.  <u>Recommendation:</u> To replace the first line of the paragraph, to read:  "The main enforcement and compliance role for this LA will be to ensure compliance with the premises licence and other permissions which it authorises. Premises will be inspected using a risk-based approach. This will allow.....etc"	Agreed

<b>9</b>	<b>8.1 8.2 8.3</b>	Does this mean that all premises that play bingo for a prize rather than for money have to be licensed? Eg. Residential/nursing homes, warden controlled complexes, day centres, pop-in centres etc. Many of these places play bingo as part of every day/week entertainment.	Specific query not related to the statement.  <u>Recommendation:</u> No amendment necessary	Agreed. But to advise Committee when the Regulations are published.
<b>10</b>	<b>9.6</b>	Wording...'A premises cannot be granted.....?	<u>Recommendation:</u> To remove the word 'for'	Agreed.
<b>1</b>	<b>9.9 Other Matters</b>	We would be grateful if it could be noted that many betting offices are located near schools or in residential areas but under 18's are not permitted on the premises. Equally in relation to vulnerable persons most bookmakers operate extremely effective self exclusion policies. We would therefore suggest that location should not be a factor when considering a betting office premises licence application.	Although the officers recognise the consultee's concern, the applicant will be able to demonstrate how they intend to achieve the 3 licensing objectives in their application.  <u>Recommendation:</u> No amendment necessary.	To amend the word 'school' to 'educational establishment' to include colleges and higher education.
<b>5</b>	<b>9.12 Prevent gambling from being a source of crime</b>	The forum disagrees that the statement will prevent gambling from being a source of crime and disorder.	It is not the purpose of the statement to prevent gambling being a source of crime & disorder. The statement outlines how the Council will exercise its responsibilities under the GA 2005.  <u>Recommendation:</u> No amendment necessary.	Agreed.
<b>8</b>	<b>9.14</b>	The Council should not consider a premises licence in an area noted for particular problems with organised crime. Door supervisors, if employed by the said premises. Will admit those people whom the owners wish to admit – in this instance quite possibly criminals.	This is outside the scope of the Act. The Council must consider applications on a case by case basis.	Agreed.

			<u>Recommendation:</u> No amendment necessary.	
10	9.14	Before specific controls need to be applied to the licence, consideration should be given to whether gambling premises are suitable to be located there Does not cover all aspects of identifying and dealing with crime and disorder as detailed in the first licensing objective. For example the paragraph talks about organised but what considerations/actions will be apparent regarding premises being a source of crime and disorder?	These issues will need to be considered by the relevant responsible authorities at the application stage.  <u>Recommendation:</u> No amendment necessary.	Agreed.
10	9.16	Does not help gambling to be conducted in a fair and open way.	The Council will not have direct responsibility for ensuring gambling is conducted in a fair and open way. The paragraph clearly states this.  <u>Recommendation:</u> No amendment necessary.	Agreed.
1	9.29 Door Supervisors	There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.	Comments have no significance to the wording of the statement.  <u>Recommendation:</u> No amendments necessary.	Agreed.
10	9.29	Door supervisors – considered in regard to full definition of licensing objective. If door supervisors are not licensed by the SIA, what measures will be put in place to ensure persons performing this role are suitable and adequately trained?	The applicant will need to set out this information in their application which will need to be considered by the relevant	To amend the paragraph to read:  “Door supervisors working at casinos or bingo premises do not

			<p>responsible authority. The Council may also impose conditions.</p> <p><u>Recommendation:</u> No amendment necessary.</p>	<p>have to be licensed under the Private Security Industries Act 2001. The Council will expect operators of casino or bingo premises and other types of gambling premises, to demonstrate that staff, who have door supervisory roles are competent and have adequate training. Areas of training should cover all areas of work, including searching individuals and dealing with potentially aggressive persons, etc.”</p>
<b>3</b>	<b>9.29 Door Supervisors</b>	Object to the possibility of door supervisors being a condition on premises licences for Adult Gaming Centres, and urge that if a condition is imposed, it should only be in appropriate cases.	<p>An applicant will have the opportunity to appeal against any conditions added to their licence. Any such conditions would only be imposed in appropriate cases.</p> <p><u>Recommendation:</u> No amendment necessary.</p>	Agreed.
<b>8</b>	<b>9.29</b>	If door supervisors do not have to be licensed then they should certainly be fully vetted and preferably independent of the premises they are supervising. The training element is essential.	The applicant will need to demonstrate how they intend to achieve the 3 licensing objectives in their application which	See earlier item for changes to paragraph wording.

			<p>could cover these issues and the relevant responsible authority will need to consider the information.</p> <p><u>Recommendation:</u> No amendment necessary.</p>	
<b>11</b>	<b>9.29 10.1 11.2</b>	<p>Paragraphs not consistent with government guidance. Gambling premises of the kind envisaged have been operating in the authorities' area for more than 40 years or thereabouts and those premises have operated satisfactorily without the need for conditions of the nature envisaged. The Council's policy statement appears to establish a 'pool of conditions' contrary to the guidance.</p> <p>Suggest 9.29 is replaced with: The authority is aware that the mandatory and default conditions imposed by the Gambling Commission will normally be sufficient to regulate gambling premises. In exceptional cases where there are specific risks or problems associated with a particular locality, specific premises or class of premises the authority may consider attaching individual conditions related to the licensing objectives.</p> <p>I suggest reference to conditions be omitted from 10.1 &amp; 11.2</p>	<p>The guidance does establish a link between protecting children from harm and the provision of door supervisors. The Council has not established a 'pool of conditions' but merely given a guide as to what areas conditions may occur.</p> <p><u>Recommendation:</u> No amendment necessary.</p>	Agreed.
<b>2</b>	<b>10.1 Adult Gaming Centres</b>	Add 'Gamblers Anonymous' to helpline paragraph.	<p>Agree.</p> <p><u>Recommendation:</u> Wording to be amended to include Gamblers Anonymous.</p>	Agreed.
<b>1</b>	<b>14.1 Betting Machines</b>	While the authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will consider limiting the number of machines only	The Council is required to follow the guidance issued by the Gambling Commission. The	Agreed.

		where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter.	existing wording adequately reflects this.  <u>Recommendation:</u> No amendment necessary.	
9	16.2	Is a calendar year from 1/1 – 31/12 or can it be a rolling year?	The Guidance clearly states a calendar year rather than a rolling 12 month period.  <u>Recommendation:</u> No amendment necessary.	Agreed.
6	20 Alcohol Licensed Premises Gaming Machine Permits	Believe supervision of machines is important (reinforced by the British Beer and Pub Association code of practice), and when operators apply for additional machine permits and are complying with the Gambling Commission code of practice (which replaces BBPA code) there is no reason why these should not be granted. Statement should reflect this.	All applications are dealt with on a case by case basis. Applicants will need to include this kind of information in their applications, which will help the Licensing Authority to consider their application.  <u>Recommendation:</u> No amendment necessary.	Agreed
7	20 Alcohol Licensed Premises Gaming Machine Per	Believe supervision of machines is important (reinforced by the British Beer and Pub Association code of practice), and when operators apply for additional machine permits and are complying with the Gambling Commission code of practice (which replaces BBPA code) there is no reason why these should not be granted. Statement should reflect this.	As previous comment above	Agreed
6	20.1 Number of machines	Statement should include an outline of the application procedures for more than two machines, some councils are taking the view that they will grant up to four machines without the need for a hearing, consultee supports this approach which	This does not need to be included in the statement. The Council follows the guidance	Agreed

		leads to reduced administration and bureaucracy.	issued by Central Government  <u>Recommendation:</u> No amendment necessary.	
7	20.1 Number of machines	Statement should include an outline of the application procedures for more than two machines, some councils are taking the view that they will grant up to four machines without the need for a hearing, consultee supports this approach which leads to reduced administration and bureaucracy.	As previous comment above	Agreed
7	20.9 Permit cancellation	There are still a number of issues under debate with regard to the issue and cost of permits and when an annual fee is payable, suggest this paragraph be reviewed once the implementing legislation is published to ensure it reflects the correct legal position.	Agree to review the situation in the future.  <u>Recommendation:</u> No amendment necessary at the present time.	Agreed
		<b>GENERAL COMMENTS</b>  The Cross-Party Working Group agreed these comments were all examples of good practice, but did not need to be included in the Statement of Principles		
6	Additional	Leaflets giving assistance to problem gambling clearly displayed in prominent areas such as toilets where they will be more discreet.	General comments not relating to the wording of the statement  <u>Recommendation:</u> No amendment necessary.	
6	Additional	Self exclusion forms available.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	

6	Additional	Operator must have a regard to best practice issued by organisations that represent the interests of vulnerable people.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	
6	Additional	Odds clearly displayed on machines such as FOBT,s.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	
6	Additional	All A.T.M or cash terminals to be separate from gaming machines, so that clients will have to leave the machine for more funds if required, machines should also prominently display stickers with Helpline information.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	
6	Additional	Social responsibility must be adhered to and mentioned at all times when reasonable.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	
6	Additional	Posters displayed suggesting “Stay in control of your gambling” with details of Helpline telephone number and websites.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	
6	Additional	Compulsory non-gambling areas or “Chill out Rooms” in all casinos.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	



<b>6</b>	<b>Additional</b>	It would be helpful if some reference to transitional arrangements could be included in the statement or in the form of separate guidance.	As previous comment above  <u>Recommendation:</u> No amendment necessary.	
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