

## STATEMENT OF GAMBLING POLICY (SGP) 2016 – 2019

## RECORD OF RESPONSES TO PUBLIC CONSULTATION JUNE 08 2015 – AUGUST 31 2015

NAME/ORGANISATION	COMMENTS	RELEVANT TO SGP	SGP REVISED YES/NO	NEW/AMENDED PARAGRAPH
1) NOISE AND NUISANCE TEAM LBHF	<p>The policy addresses the issue of hours of operation and location of such premises that would be granted a license. However it would be helpful if the Licensing Authority could go further with respect to noise and nuisance. The noise and nuisance service deal with noise and other nuisance complaints from members of the public. We are particularly mindful that the later a premises is open the more likely that it is to cause disturbance to those living nearby, whether that be from activities within the premises or from the noise and disturbance caused by people arriving at / leaving the premises very late at night / in the early hours of the morning.</p> <p>We recognise that nuisance isn't specifically covered under the Gambling Act 2005 but it would be helpful if the Licensing Authority</p>	<p>Noise and disturbance is often a precursor, or closely linked to, disorder. The operation of late night premises can often lead to noise and disturbance issues. The issue of relevant conditions in appropriate circumstances where there is a history of noise and disturbance is valid because of the link to disorder.</p> <p>The draft Statement of Gambling Policy will be amended accordingly, and references to 'Environmental Protection' will be</p>	YES	New paragraphs 5.5, 5.6, and 5.7.

	<p>could consider that nuisance can often be closely related to disorder. We feel this should therefore be considered when determining whether premises are likely to undermine the licensing objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. Specifically it is our view that this should be considered if and when determining applications for 24 hour gambling premises.</p> <p>Subject to the individual merits / appropriateness we would respectfully submit the following:</p> <p>Door and Windows</p> <ul style="list-style-type: none"> <li>• All external doors and windows shall be kept closed [at all times] [after [TIME]].</li> <li>• External doors shall be fitted with a self-closing device.</li> <li>• External doors fitted with a self-closing device shall not be propped open at any time.</li> </ul> <p>Signs and Announcements</p>	<p>amended to read 'Noise and Nuisance Team'.</p>		
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	<ul style="list-style-type: none"><li>• Signs shall be prominently displayed at the exits from the premises reminding patrons there are residents living nearby and instructing them to respect the neighbours and to leave the premises promptly and quietly.</li><li>• When a microphone is available e.g. in bingo gambling premises, an announcement will be made at the end of gambling hours reminding customers that the premises are in a residential area and asking them to leave the premises promptly and quietly.</li></ul> <p>Speakers</p> <ul style="list-style-type: none"><li>• There shall be no stereo / television or other audio equipment speakers mounted in the ceiling of the premises to prevent vibration transmission of sound energy to adjoining properties.</li><li>• All stereo / television or other audio equipment free-standing / portable speakers shall be mounted on anti-vibration mountings to prevent vibration transmission of sound energy to adjoining properties.</li></ul>			
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	7.7 – Will need to be changed to Noise and Nuisance from Environmental Protection.			
2) THE PLANNING DEPARTMENT	<p>In May 2015 the Government have introduced additional controls within the planning legislation on Gambling premises including Casinos and betting shops. The Town and Country planning (General Permitted Development) Order 2015 removed betting offices from Class D2 “Assembly and leisure” to a sui generis use (outside the use classes order). Casinos had been previously removed in 2010. This enables the planning department to exercise stricter control over these uses; as they are no longer permitted to change to or from other leisure time uses such as Cinemas, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls, other indoor and outdoor sports and leisure uses without first obtaining planning permission.</p> <p>The Planning Division supports the Councils Statement of Gambling and Licensing Policy.</p>	<p>Paragraph 3.11 is amended to include references to the requirement for planning permission to be approved in certain circumstances.</p> <p>The comments made regarding a local ‘demand test’ and will be considered. Amendment to the Statement of Gambling Policy is not required.</p> <p>The comments regarding liaison between Betting operators, Safer Neighbourhood Teams and Borough Intelligence are noted and will be considered.</p>	Yes in part	Paragraph 3.11 amended.

	<p>I would suggest the following amendments to paragraph 14.4 of the Licensing Policy Document:</p> <p>14.4 The council's Planning Policies are currently set out in its Core Strategy <a href="#">2011</a> and <a href="#">Development Management Local Plan 2013</a> subsequently in the <del>Local Development Framework</del>, supplemented by additional guidance <a href="#">in the Planning Guidance Supplementary Planning Document 2013</a> <del>on A3 use of restaurants and cafés, A4 use of public houses and A5 use for take-aways.</del> Additional policies are set out in the London Plan, which is also part of the statutory development plan for the borough. For further information contact the Planning Division on 020 8753 1084.</p> <p>Here are some suggestions which came out of our work on betting shops:</p> <p>The Licensing Team could lobby government to reintroduce a local 'demand test' for gambling premises licenses, where the local authority may assess the need for such use in</p>			
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	<p>a local area and seek a review of the licensing conditions of fixed odds betting machines.</p> <p>There could also be improved liaison between betting operators and Safer Neighbourhood Teams and borough intelligence in helping to reduce low level crime and ASB near betting shops including:</p> <ul style="list-style-type: none"><li>• consistent standards and processes for reporting crime and ASB across all operators and improved consultation in relation to the prospective location of betting shops.</li><li>• improved consultation to ensure that betting shops are planned and designed to improve security and prevent crime and ASB (i.e. shop layout, location of CCTV, location of FOBTs and positioning of cash desks).</li><li>• Betting operators shall be reminded of the Council' statement of gambling principles which includes a number of conditions specifically designed to improve security and promote</li></ul>			
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	<p>crime prevention within betting shops</p> <p>In conjunction with the above measures, there could also be a role for area committees (ward panels) in monitoring the clustering of retail uses and the impact that this may have on the communities for which they are responsible.</p>			
3) TRADING STANDARDS	<p>Trading Standards would like to make the following comments on the Councils' Statement of Gambling Policy 2016 – 2019.</p> <p>We are happy with the changes made to the revised policy with the following comments.</p> <p><b>8.1 of the statement clarifies that a review of a licence will be considered amongst other things ..... if the premises, due to the activities being undertaken, is either attracting children or people likely to be involved in crime and disorder.</b></p> <p>It would be useful to make it clear that where an underage sale is mad, that it could result in a review</p>	Both points raised are relevant to the SGP	Yes	Paragraphs 8.1 and 9.5 revised

	<p>requesting that a specific type age verification policy was applied to the licence.</p> <p><b>9.5 We will investigate complaints about licensed premises in relation to the licensing objectives which we are responsible for. However, to begin with, you should raise the complaint directly with the licence holder or business concerned to try and find a solution.</b></p> <p>There may be circumstances where the premises may be operating in a way that could result in enforcement action, e.g. a complaint in relation to criminal activities or that it is being used by children. In these circumstances we may want the complainant to provide us with this information directly before speaking with the licence holder or business concerned beforehand. Our suggestion is to reword this section to advise that if the complaint is in relation to any of the licence objectives, the complainant should bring it to the attention of the Licensing Authority, who will refer it</p>			
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	to the appropriate authority for further investigation or for information.			
4) METROPOLITAN POLICE	<p>I have read the draft Statement of Gambling Policy, and agree with a majority of the content. Just a couple of comments in relation to the wording in annex 2 The local pool of conditions. Our preferred wording in relation to the CCTV conditions are below.</p> <p>1. CCTV covering areas inside and outside of the premises should be installed and maintained to police recommendations with properly maintained log arrangements. All images will be stored for a minimum of 31 days.</p> <p>2. A staff member from the premises that is conversant with the operation of the CCTV system will be on the premises at all times that the premises are open to the public. This staff member will be able to show police recent data footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.</p>	Updating the two conditions are relevant to the SGP	Yes	The 'Local Pool of Licence Conditions' in Annex 2 of The Statement of Gambling Policy is updated

<p>5) CHILDREN'S SERVICES</p>	<p>In general all seems fine to me but wondered if there can be more specific reference to children, young people and families. For example:5.8 ...hostels / homes for vulnerable people to also reference children and young people in this sentence separately. 5.10... Last sentence can it state; concentrations of housing for families and vulnerable people.</p>	<p>Both points raised are relevant to the SGP</p>	<p>Yes</p>	<p>Paragraphs 5.8 and 5.10 amended.</p>
<p>6) THE PETERBOROUGH ROAD &amp; AREA RESIDENTS' ASSOCIATION</p>	<p>From: Peterborough Road &amp; Area Residents' Association (PRARA)</p> <p>We are responding to your June 2015 letter inviting comments on the proposed latest versions of the</p> <ul style="list-style-type: none"> <li>• Statement of Licensing Policy - 2016/2021</li> <li>• Statement of Gambling Policy - 2016/2019</li> </ul> <p>We are happy with the proposed changes to both current Statements.</p> <p><i>Anthony Williams on behalf of the PRARA Standing Committee</i></p>	<p>Relevant to the SGP but no amendments required</p>	<p>N/A</p>	<p>N/A</p>

<p>7) ASSOCIATION OF BRITISH BOOKMAKERS (ABB)</p>	<p>Letter attached to this report (A)</p>	<p>Most of the content of the letter relate to the general position of Betting Shops in England and various examples of partnership work taking place around the country. The ABB letter mentions that the requirement in the Gambling Act 2005 for Licensing Authorities to 'aim to permit' the provision of gambling is not included in the Policy Statement. However, this fact is included in paragraph 1.4 of the Policy Statement. Specific reference is made to the Local Area Profiles dealt with in paragraphs 5.8 to 5.11 of the draft Gambling Policy. The ABB stress the need for evidence to support any licensing decisions in relation to the location of</p>	<p>Yes in part</p>	<p>Paragraph 5.12 amended to stress that additional conditions will only be imposed on licences where there is evidence that they are necessary to promote the licensing objectives.</p> <p>The Pool of Conditions (Annex 2) has a similar sentence added.</p>
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		<p>gambling premises. The ABB also state that there is no evidence generally that the proximity of young or vulnerable people to betting premises would lead to an adverse impact on a particular premises upholding the licensing objectives. These paragraphs refer to the duty of licensees/applicants to carry out full risk assessments under Social Responsibility (SR) code 10.1.1 and Ordinary code provision 10.1.2 and to include details of those risk assessments in their applications. There is no presumption in these paragraphs that this Licensing Authority will refuse licence applications for gambling premises in</p>		
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		<p>areas with a concentration of vulnerable premises and each case will be dealt with on its own merits.</p> <p>The ABB also object to the inclusion of a 'Pool of Local Conditions'. The ABB think that such a pool of conditions will lead to the imposition of additional conditions more commonplace. This Authority will only impose additional conditions where there is evidence to substantiate the need for such conditions.</p>		
8) CORAL	Letter attached to this report (B)	<p>The letter From Coral mentions that there is a requirement in the Gambling Act 2005 for Licensing Authorities to 'aim to permit' the provision of gambling. This fact is included in paragraph 1.4 of the Policy Statement. Specific reference is</p>	Yes in part	<p>Paragraph 5.12 amended to stress that additional conditions will only be imposed on licences where there is evidence that they are necessary to promote the licensing</p>

		<p>made to the Local Area Profiles dealt with in paragraphs 5.8 to 5.11 of the draft Gambling Policy. Coral also state that there is no evidence generally that the proximity of young or vulnerable people to betting premises would lead to an adverse impact on a particular premises upholding the licensing objectives. The letter goes on to mention what is already in place at their premises and states that the 'local area risk assessments' should a) assess specific <u>risks</u> to the licensing objectives in the local area, and b) to assess whether <u>control measures</u> going beyond standard control measures are needed. These paragraphs</p>	<p>objectives.</p>
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		<p>refer to the duty of licensees/applicants to carry out full risk assessments under Social Responsibility (SR) code 10.1.1 and Ordinary code provision 10.1.2 and to include details of those risk assessments in their applications.</p> <p>There is no presumption in these paragraphs that this Licensing Authority will refuse licence applications for gambling premises in areas with a concentration of vulnerable premises and each case will be dealt with on its own merits.</p>		
9) POWER LEISURE BOOKMAKERS LTD	Letter attached to this report (C)	This letter is sent in relation to the Paddy Power Bookmaking chain. The letter reminds us that operators of gambling premises have been	Yes in part	Paragraph 5.12 amended to stress that additional conditions will only be imposed on licences where there is evidence

		<p>granted operating licences by the Gambling Commission. It also reminds us of the provisions of the Regulators' Code and the statutory obligation to 'aim to permit' the use of premises for gambling so far as the authority believes that an application is reasonably consistent with the licensing objectives and in accordance with its own statement of principles (policy), section 153 Gambling Act 2005 and mentioned in paragraph 1.4 of the Statement of Gambling Policy. The letter stresses, in relation to Section 3 and Section 5 of the Policy Statement, that the Licensing Authority should base its decisions and policies</p>	<p>that they are necessary to promote the licensing objectives.</p> <p>The Pool of Conditions (Annex 2) has a similar sentence added</p>
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		<p>on empirical evidence. This Authority has not made any policy decisions on where it will, and will not, allow gambling premises to be located. Each licence application will be considered on its own merits regardless of the proposed location. The letter states that additional conditions should only be imposed in exceptional circumstances based on evidence and where existing provisions do not adequately address specific concerns. This Authority will only impose additional conditions where necessary and relevant.</p>		
10) DIRECTOR OF PUBLIC HEALTH (DPH)	Email attached to this report (D)	The DPH asks that additional premises be included in the Local Area Profile map, such as day centres, food	Yes in part	Paragraph 5.9 amended to include reference to consideration of implementing a 'Bet

		<p>banks, drop-in centres, centres for people with mental health problems and drug/alcohol addictions, employment centres and payday loan shops. Local Area Profiles are a new concept in Gambling legislation and this Authority intends to monitor developments and good practice nationwide and to amend the content of the map accordingly as this new concept develops. The DPH also asks that a 'buffer zone' around vulnerable premises be imposed. This will also be considered as the Local Area Profile requirements are developed.</p>	<p>Watch' scheme within the borough.</p> <p>Paragraph 5.10 amended to include other centres that provide services to people at risk of gambling harm.</p> <p>Paragraph 5.8 amended to include regularly updating the Local Area Profile map and making it publicly available on the LBHF website.</p> <p>Paragraph 2.4 amended to include: 'Our Public Health duties'</p> <p>Paragraph 3.8 amended to include the Authority welcoming the ABB Code for responsible Gambling and</p>
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				Player Protection, and Gamcare certification.
11) Jin Lim Assistant Director Lambeth & Southwark Public Health 160 Tooley Street London SE1 2QH	As Chair of the London Healthier High Streets Group, I welcome the RBKC statement of gambling policy which highlights some examples of good practice and sets out how it will regulate gambling premises. I especially endorse the comments below relating to: <ul style="list-style-type: none"> <li>- Taking into account all premises (in addition to housing) that deliver services for vulnerable people or people who are at greater risk of harm from problem gambling (for example people with alcohol and other addictions, with poor mental health or have difficulties managing financial debt)</li> <li>- I think it's important to include community / voluntary service provision such as CAB, money advice as well as other support groups for</li> </ul>	Email supports the comments from the Tri-borough DPH	As (10) above.	As (10) above.

	<p>vulnerable people</p> <ul style="list-style-type: none"> <li>- I think Bet Watch (like Pub Watch) schemes have been helpful for supporting vulnerable people as well as positively impacting on anti social behaviour</li> <li>- And to ensure that the LAPs are comprehensive and take into account the full implications of the local population (for eg unemployment, deprivation, low income, debt, poor mental health, range of addictions) as well as ethnicity, age and marital status – as there is some evidence that problem gambling prevalence is higher for some demographics.</li> </ul> <p>The London Healthier High Streets Group is a public health led network of London Boroughs with advice from environmental health, licensing, trading standards and planning policy colleagues and the GLA and PHE. Its aim is to promote the</p>			
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	creation of a healthier environment. There is an open invite to borough PH teams and their relevant council colleagues to bi monthly themed meetings.			
12)Valerie Simpson Bi-Borough Head of Environmental Health (Trading Standards and Licensing)	See attached response (E)	Minor changes to various paragraphs within the Policy Statement to ensure the policy is grammatically and legally correct. Also recommends inclusion of references to Child Sexual Exploitation in various paragraphs. The report also asks that the Trading Standards Team replace the Local Children's Safeguarding Board (LCSB) as the authority responsible for the protection of children. Section 8, paragraph 9 of the Gambling Commission's Guidance recognises	Yes in part	Various paragraphs amended in Sections 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 25. New sections 23 and 24 added.

		<p>that it is usual for the LCSB to be the competent authority in regard to the protection of children. The LCSB will continue to be designated as such – however, discussion between the Licensing authority, Trading Standards and the LCSB will take place to see whether this should change in the future. Sections added regarding Small Society Lotteries (section 22) and Other Information (section 23).</p>		
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# ASSOCIATION OF BRITISH BOOKMAKERS (A)



## **London Borough of Hammersmith & Fulham draft Statement of Gambling Policy consultation | ABB response**

August 27 2015

### **Introduction**

The Association of British Bookmakers (ABB) represents over 80% of the high street betting market. Our members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

Please see below for the ABB's response to the current consultation on the Council's draft gambling policy statement.

This sets out the ABB approach to partnership working with local authorities and details any areas of concern within the draft statement, including our views on the implementation of the new LCCP requirements, from April 2016, relating to operators' local area risk assessments and their impact on the licensing regime.

We are concerned to ensure these changes are not implemented in such a way as to fundamentally change the premises licence regime through undermining the "aim to permit" principle and would remind the Council of this principle, which is not referenced in the draft Statement. However, we welcome the inclusion in the Statement of the fact that *"moral objections to gambling are not a valid reason to reject applications for premises licences, and also that a licensing authority must not consider unmet demand when deciding an application."*

launched by Medway Council and In our view the current regime already adequately offers key protections for communities and already provides a clear process (including putting the public on notice) for objections to premises licence applications. The recent planning law changes effective since April 2015 have also already increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.

It is important that this is also set within the context of declining betting shop numbers. Over recent years betting shop numbers have been relatively stable at



around 9,000 nationally, but more recently a trend of overall downwards decline can be seen. The latest Gambling Commission industry statistics<sup>1</sup> show that numbers as at 31 Mar 2015 were 8,958 - a decline of 179 from the previous year, when there were 9,137 recorded, as at 31 March 2014.

1 <http://www.gamblingcommission.gov.uk/docs/Industry-statistics-April-2010-to-September-2014.docx>

## **Working in partnership with local authorities**

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and we welcome the opportunity to respond to this consultation.

### **□ LGA – ABB Betting Partnership Framework**

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA), developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms, which established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the

*“...desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be.”*

The framework builds on earlier examples of joint working between councils and the industry, for example the Ealing Southall Betwatch scheme and Medway Responsible Gambling Partnership.

In Ealing, the Southall Betwatch was set up to address concerns about crime and disorder linked to betting shops in the borough. As a result, crime within gambling premises reduced by 50 per cent alongside falls in public order and criminal damage offences.

In December last year, the Medway Responsible Gambling Partnership was the ABB. The first of its kind in Britain, the voluntary agreement allows anyone who is concerned they are developing a problem with their gambling to exclude themselves from all betting shops in the area.

The initiative also saw the industry working together with representatives of Kent Police and with the Medway Community Safety Partnership to develop a Reporting of Crime Protocol that is helpful in informing both the industry, police and other interested parties about levels of crime and the best way to deal with any crime in a way that is proportionate and effective.

Learnings from the initial self-exclusion trial in Medway have been incorporated into a second trial in Glasgow city centre, launched in July this year with the support of

Glasgow City Council, which it is hoped will form the basis of a national scheme to be rolled out in time for the LCCP deadline for such a scheme by April 2016.

Jane Chitty, Medway Council's Portfolio Holder for Planning, Economic Growth & Regulation, said:

*"The Council has implemented measures that work at a local level but I am pleased to note that the joint work we are doing here in Medway is going to help the development of a national scheme."*

Describing the project, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, Cllr Paul Rooney said:

*"This project breaks new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator."*

#### **□ Primary Authority Partnerships in place between the ABB and local authorities**

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities.

These Partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the Partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators. For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015.

By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

#### **Draft gambling policy statement**

##### **□ Local area risk assessments**

From April 2016, under new Gambling Commission LCCP provisions, operators are required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated.

Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy and local area profile in their risk assessment, and these must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or a new premises licence.

The ABB supports this requirement as set out in the LCCP, as this will help sustain a transparent and open dialogue between operators and councils. The ABB is also

committed to working pro-actively with local authorities to help drive the development of best practice in this area.

#### **Evidence based approach**

It is important that any risks identified are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles.

This would distort the aim to permit principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.

A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.

The industry fully supports the development of proportionate and evidenced based regulation, and is committed to minimising the harmful effects of gambling. The ABB is continuing to work closely with the Gambling Commission and the government to further evaluate and build on the measures put in place under the ABB Code for Responsible Gambling, which is mandatory for all our members.

#### **Local area profile**

The draft Statement sets out that:

*“Local Area Profile – a map of this Local Authority’s area has been attached as Annex 3. The map contains the location of all schools, hostels and homes for vulnerable people, hotspots of anti-social behaviour (ASB), and centres for people with gambling addictions. This Authority will pay particular attention to applications for the new grant of, or variations to existing, premises licences where those premises lie within areas with a concentration of schools, ASB, hostels/homes for vulnerable people and centres for people with a gambling addiction.”*

As outlined above we are extremely concerned at the inclusion of any local area profile which is not based on empirical evidence demonstrating that the increased availability of gambling in those areas would lead to harm.

There is no evidence that proximity of young or vulnerable people to a betting premises would impact the ability of the shop to uphold the licensing objectives. This is because all operators already have strict policies and procedures in place to prevent the access of under-age people to the premises and to ensure the protection of vulnerable people. The mere increased proximity of either of those groups to the premises would not affect this.

As evidence of the effectiveness of the policies and controls in place to prevent underage gambling, the latest IPSOS MORI report on underage gambling showed that levels of claimed participation in activities such as betting in shops, using gambling websites and visiting casinos, remain notably low (1%).

The incidence of problem and social gambling among children as defined by the DSM-IV-MR-J screen has also continued to fall: In 2008/9 2% of young people were identified as 'problem gamblers', compared with 0.7% in 2014, and 1.2% of children were classified as 'at risk gamblers' in 2014, compared with 3.4% in 2008/9.

The high street betting industry has stringent measures in place to prevent underage gambling in shops; operating to a strict Think21 policy and conducting regular independent third party testing to check the effectiveness of the procedures in place. The ABB pays for independent members to participate in such testing and the larger operators have been conducting their own testing since 2009.

#### **Concerns around increases in the regulatory burden on operators**

Any increase in the regulatory burden would severely impact on our members at a time when overall shop numbers are in decline, and operators are continuing to respond to and absorb significant recent regulatory change. This includes the increase to 25% of MGD, changes to staking over £50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Moving away from an evidence based approach would lead to substantial variation between licensing authorities and increase regulatory compliance costs for our members. This is of particular concern for smaller operators, who do not have the same resources to be able to put into monitoring differences across all licensing authorities and whose businesses are less able to absorb increases in costs, putting them at risk of closure.

Such variation would in our opinion also weaken the overall standard of regulation at a local level by preventing the easy development of standard or best practice across different local authorities.

#### **Employing additional licence conditions**

We welcome that the Council has said decisions on individual conditions will be made on a case-by-case basis. However, we object to the inclusion of a Local Pool of Licensing Conditions, which we believe could make the imposition of additional license conditions more commonplace. It is our view that additional conditions should only be imposed in exceptional circumstances where there are clear reasons for doing so and supported by evidence.

If additional licence conditions are more commonly applied this would further increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities.

## **Conclusion**

The ABB and our members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, we already do this successfully in partnership with local authorities now. This includes through the ABB Code for Responsible Gambling, which is mandatory for all our members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff. We would encourage local authorities to engage with us as we continue to develop both these codes of practice which are in direct support of the licensing objectives.

**Contact:** For any responses or requests for additional information please contact Lauren Hilton, Public Affairs Executive ([laurenhilton@abb.uk.com](mailto:laurenhilton@abb.uk.com) / 020 7434 2111).

## CORALS (B)



The Licensing Team  
The London Borough of Hammersmith & Fulham  
PO Box 66532  
London  
W89GJ

28th August 2015

Dear Sir

Consultation on the London Borough of Hammersmith & Fulham Statement of Gambling Policy- Gambling Act 2005

Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.

We have detailed below our response:-

Coral Racing Limited are generally supportive of the document. We kindly point out that in terms of Premises Licence applications, under the Act there is a requirement to 'aim to permit' where this is 'reasonably consistent with the licensing objectives'. We do note that the document correctly states that the local authority should not take into account any moral objections to gambling.

Coral Racing Limited recognise the requirement to supply risk assessments with future applications following the consultation completion (section 5.7). The document whilst not excluding applications within certain areas, indicates that in

certain locations (section 5.5 / 5.6 / 5.7) such an application would require to be explained fully within the risk assessment.

Whilst it is appreciated that each case will be judged on its merits, Coral knows of no evidence that the location of a licensed betting office within the proximity of schools, accommodation for vulnerable people and similar locations mentioned in the statement causes harm to the licensing objectives.

- Coral knows of no evidence that children coming from schools are gaining access to betting offices. Coral's general experience, in common with other bookmakers, is that children are not interested in betting, and in any case the Think 21 policy operated by Coral is adequate to ensure that under-age gambling does not occur in their premises. There are very many examples of betting offices sited immediately next to schools and colleges and no evidence whatsoever that they cause problems.

The reason for Coral's caution against making such perceptions, which we anticipate is similar to that of the other main bookmakers, is that it already operates systems which ensure that the licensing objectives are strongly promoted across its estate.

For example:

- Coral benefits from an operating licence granted by the national regulator, the Gambling Commission. Therefore, its corporate systems for the promotion of the licensing objectives have been approved by the Commission, which continues to exercise vigilance in this regard through inspections and examination of regulatory returns.
- Coral is subject to the Licence Conditions and Codes of Practice, which are effectively the national code of operation to ensure that the licensing objectives are promoted.
- It carries out health and safety risk assessments pursuant to its legal obligations. These assessments are shortly to be extended so that formal compliance assessments are conducted.
- It conducts risk assessments in relation to Exposure to Violence, Aggression and Conflict (EVAC assessments).
- It operates the assessment principles of the Safe Bet Alliance, the national code for safe premises. It was one of the architects of the code.
- It operates the ABB's Code for Responsible Gambling, and again was one of the architects of that code.

- It operates an extensive compliance manual, upon which all staff members are trained. Copies are available for your inspection if required.
- It contributes to the Responsible Gambling Trust, which seems to promote responsible gambling who in-turn contribute to GamCare, the national problem gambling charity.

Coral's experience is that, through all it does, it achieves an exemplary degree of compliance, and attracts negligible evidence of regulatory harm. Through the additional local risk assessment to be introduced with future premises licence applications from April 2016, Coral believe that these should be a) to assess specific risks to the licensing objectives in the local area, and b) to assess whether control measures going beyond standard control measures are needed. In other words, there should be no requirement to list specific locations e.g. schools, (as there is no evidence that there is a link between such venues and a betting office), however notwithstanding this, such locations would automatically be included with the operators risk assessment submitted when the application is considered.

If we can provide any further information, we would be pleased to do so.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'John Liddle', with a long horizontal flourish extending to the right.

John Liddle  
Director of Development- Coral Retail



## **POWER LEISURE BOOKMAKERS Ltd (C)**

### **Power Leisure Bookmakers Limited response to Hammersmith & Fulham Council's Consultation on its draft Statement of Gambling Principles**

Paddy Power is Ireland's biggest Bookmaker and operates both a retail business through licensed betting offices and an online/telephone business. Paddy Power operates 251 licensed betting offices in Ireland and 325 betting offices in the United Kingdom.

Paddy Power is a leading national operator of betting premises with clear and proactive policies to promote the Gambling Licensing Objectives.

We respectfully remind the Licensing Authority that operators of premises licences have full authority to provide their services by the provision of an Operators' Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented by operators to ensure that effective anti-money laundering procedures are implemented and that policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are their obligations and requirements now placed upon operators under social responsibility provisions introduced by the Gambling Commission earlier this year within the LCCP.

We refer the authority to the Regulators' Code, which was introduced by the Legislative and Regulatory Reform Act 2006, that provides the code to which the Authority must have regard. Specifically, Regulators should avoid imposing unnecessary burdens and choose proportionate approaches to those they regulate and have mechanisms in place for consultation. The Code provides that before any changes in policy are implemented the effect that any proposed amendments may have on businesses should be considered and stakeholders should be engaged. Where local risks are to be addressed, an evidenced based approach should be taken.

#### **General Policy Commentary**

Licensing Authorities are under the statutory obligation to aim to permit the use of premises for gambling so far as the authority believes that an application is reasonably consistent with the licensing objectives and in accordance with its own statement of principles. Authorities can request additional information in support of an application to assist with the determination in consideration of the above criteria. The draft statement of principles correctly identifies that unmet demand is not a criterion that can be considered although as the Gambling Commission's Guidance to Licensing Authorities states, policy statements should include a firm commitment to avoid duplication with other regulatory regimes.

#### **Location and local area risk assessment**

Under new Gambling Commission LCCP provisions, from April 2016 operators will be required to complete local area risk assessments that identify risks posed to the licensing objectives and how these should be mitigated. We respectfully refer the Authority to the Regulators' Code, which provides that in making an assessment of risk, Regulators should recognise the compliance record of those they regulate and take an evidenced based approach to determining the priority risks in their area of responsibility. We propose that to

ensure that better regulation principles are followed that operators should be allowed to assess their existing operational processes, informed by Statements of Principle, which highlight potential areas of particular sensitivity and known vulnerability. High risk areas should only be included in the policy where empirical evidence is adduced that clear gambling related harm would be caused by the presence of gambling related premises. Any proposed measures to mitigate risks identified should be proportionate, effective and tailored to specific concerns identified.

The draft policy confirms that the Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling and the location of proposed premises in particularly sensitive locations (Section 5), as well as areas with known high levels of crime and disorder (Section 3). In order to fully address any potential concerns, all risk profiles should be based upon empirical evidence of gambling related harm in consideration of those measures already in place to mitigate actual rather than theoretical risk. Well managed and controlled premises should not pose a gambling related risk to children and young people and additional measures, controls or condition considered should not be imposed to address wider social issues. Any reference to vulnerability should specifically address evidence based risks of gambling related harm caused to individuals and populations identified. Any proposed measures to mitigate those risks may only be appropriate where they cannot be addressed by operators existing measures and compliance with governing legislation.

When considering crime and disorder, the policy should identify that there is a clear distinction between disorder and nuisance and highlight that nuisance was specifically rejected by Parliament as a licensing objective under the Gambling Act 2005. As part of any analysis of crime and disorder, the Authority may wish to consider the prevalence of illegal gambling and ensure that any measures proposed to address crime are proportionate to the existing operational procedures implemented and will effectively address any concerns identified.

Should the Licensing Authority contemplate introducing detailed policies regarding the location of specific gambling premises (Section 3.a), thorough details should be provided for consultation with stakeholders. Such consultation would permit the thorough assessment of the validity of any potential local area profiling that may be completed. Any evidence gathered should directly correlate with actual risks identified in those locations and appropriate assessment completed of any detrimental impact that any proposed gaming provision may have.

Any finalised policy should not suggest that gaming related applications pose an inherent risk to 'vulnerable people', regardless of status or evidence of actual harm. Where operators are asked to mitigate any perceived risks, sufficient parameters should be identified addressing the specific risks concerned relative to those individuals who may be at risk from the grant of any proposed application.

## **Conditions**

Mandatory and default premises licence conditions are already imposed on operators and the authority must consider that operators are required to uphold social responsibility. Additional conditions should only be imposed in exceptional circumstances where

evidence based risks are identified and operators existing provisions are considered inadequate to specifically address those concerns.

## **Conclusion**

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives.

# EMAIL FROM THE DIRECTOR OF PUBLIC HEALTH'S OFFICE (D)

**From:** Shaffelburg, Steve [<mailto:sshaffelburg@westminster.gov.uk>]  
**Sent:** Friday, August 28, 2015 12:58 PM  
**To:** Crowley, Patrick: TTS-EnvHealth: RBKC  
**Subject:** RE: URGENT The Council's Statement of Gambling Policy 2016 - 2019 and Statement of Licensing Policy 2016 - 2021

Patrick,

Following are some comments specific to the sections you have highlighted:

Section	Public Health, LBHF Comment
<p><b>5.8</b>            Local Area Profile – a map of this Local Authority’s area has been attached as Annex 3. The map contains the location of all schools, hostels and homes for vulnerable people, hotspots of anti-social behaviour (ASB), and centres for people with gambling addictions. This Authority will pay particular attention to applications for the new grant of, or variations to existing, premises licences where those premises lie within areas with a concentration of schools, ASB, hostels/homes for vulnerable people and centres for people with a gambling addiction</p>	<p>Our view is that the list of premises is too limited.</p> <p>The current list recognises the vulnerability of certain adults such as people living in hostels and sheltered accommodation.</p> <p><b>Public Health recommends that premises are not limited to accommodation and also include day centres, food banks and drop-in centres.</b></p> <p>There is strong evidence that gambling addiction is often accompanied by other mental health issues including addiction to alcohol and other drugs.</p> <p><b>Public Health recommends that the local area profile also includes centres for people with drug and alcohol addictions and centres for people with mental health problems. Our colleagues on the Substance Misuse Team would be able to provide you with the details of Drug and Alcohol Treatment centres in LBHF to include on the profile map.</b></p> <p>There is also good evidence that problem gamblers are more likely to be unemployed and use high interest loans</p> <p><b>Public Health recommends that the local area profile also includes</b></p>

	<p><b>employment centres, payday loan shops</b></p> <p>We support the general principle that the “Authority will pay particular attention to applications ... where those premises lie within areas with a concentration of schools, ASB ... etc” however we would like to see a definition of the area – is it 10 metres? 50 metres? 500 metres? For example, Islington has identifies a “buffer zone” of 500m and indicates that “all applications for betting shops in the areas covered by the buffer zone will be heavily scrutinised”</p>
<p><b>5.9</b> Where paragraph 5.8 applies this Authority will expect applicants to fully explain in their applications how their proposal will not exacerbate any problems to individuals living in the vicinity, or exacerbate any ASB problems within the vicinity generally. Applicants will be expected to tailor their application and have policies, procedures and control measures to mitigate any risks. They should have the appropriate numbers of trained staff, and propose licence conditions, to cater for the local area in which they propose to run their business</p>	<p>Public Health agrees with the content.</p> <p>Best practice schemes to protect vulnerable people and prevent crime such as Bet Watch (similar in principle to Pub Watch) are being implemented in other boroughs where concerns have been raised.</p> <p><b>Public Health recommends that applicants and existing premises are expected to participate in Bet Watch (or similar best practice schemes).</b></p>
<p><b>5.10</b> Applicants should be particularly aware of areas with concentrations of hostels and other types of accommodation for vulnerable people. Where they propose to make an application for the new grant of a premises licence, or a variation to an existing licence, in such areas they should explain fully in their risk assessments how they will mitigate any risks of operating gambling premises in close proximity to concentrations of housing for vulnerable people.</p>	<p>Public Health agrees with the content</p> <p>As in 5.8, to take into account not just housing but to clarify that it is all premises from which services are provided to people who might be vulnerable or at greater risk of harm arising from gambling.</p>
<p><b>5.11</b> Some publicly available sources of information to assist in operators completing a Local Area Profile include:</p> <ul style="list-style-type: none"> <li>(a) the Crime Mapping website;</li> <li>(b) Neighbourhood Statistics websites;</li> </ul>	<p>Public Health agrees with the content and recommends that the profile map included in Annex 3 should be regularly updated and publically available on the corporate website.</p> <p>Another source of information that can be listed is Public Health’s website for the</p>

<p>(c) websites or publications by local responsible authorities;</p> <p>(d) websites or publications by local voluntary schemes and initiatives; and</p> <p>(e) on-line mapping tools.</p>	<p>Joint Strategic Needs Assessments – <a href="http://www.jsna.info">www.jsna.info</a></p>
<p><b>5.12</b>  This Authority will expect applicants for the new grant of, or variation to an existing, licence to include full details of their risk assessment in compliance with Social Responsibility (SR) code 10.1.1 and Ordinary code provision 10.1.2 (both effective as from 6 April 2016)</p>	<p>Public Health agrees with the content</p>

Additionally we would like to recommend:

- section 2.4 -- include a bullet point for “our public health duties”
- section 2.5 – as a matter of course, future consultations should include the Community and Voluntary Sector, at the very least, the CVS umbrella group should be consulted as they have mechanisms to filter the message to local groups affected by the policy
- section 5.6 – as above, the term “vicinity” is vague and thus open to interpretation. As such we encourage the adoption of definition e.g. 500m buffer zones
- the policy should consider referencing schemes which promote community safety and/or good practice e.g. ABB Code for Responsible Gambling and Player Protection and Gamcare certification. Participation in these schemes will help demonstrate that betting shop operators are committed to protecting vulnerable residents including children. While not perfect, these schemes will help set the industry norm and the Authority’s expectations. Additional schemes with more stringent measures to minimise harm should also be promoted and operators expected to sign up as part of the condition.

Please don’t hesitate to get in touch if you have any questions. I have also copied this into Jin Lim who is the Assistant Director for Lambeth & Southwark Public Health and has led much of the pan-London public health work on gambling.

### Steve Shaffelburg

Strategic Public Health Advisor

Public Health -- Westminster City Council, Royal Borough of Kensington and Chelsea and London Borough of Hammersmith and Fulham

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Tel: 020 7641 4650; E-mail: [sshaffelburg@westminster.gov.uk](mailto:sshaffelburg@westminster.gov.uk); Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)

# RESPONSE FROM VALERIE SIMPSON – BI-BOROUGH HEAD OF TRADING STANDARDS AND LICENSING (E)

Dear Licensing Team

## Statutory Consultation of the London Borough of Hammersmith and Fulham's Statement of Gambling Policy

Since this consultation began, I have had the opportunity to seek the views of other interested parties and stakeholders and would like to make the following comments:

Page No.	Paragraph number	Comment	Suggested wording (if applicable)
1		Change date to January 2016 – January 2019	
2		Revise the wording: 'This statement will take effect from <b>XX January 2016</b> '.	This revised Statement of Gambling Policy will take effect from <b>XX January 2016</b> .
2		Replace the word 'Principles' with 'Policy'	
2		Move the word 'Phone' to the line after the website address	
4	1.3	It would be useful to have a sentence after this clarifying the definition of children under the Act and whether it is 16 or 18. Whilst this definition may also be included in the glossary, think that it would be useful for readers to have this defined at the beginning of the policy.	Under the Gambling Act "child" means an individual who is less than 16 years old and "young person" means an individual who is not a child but who is less than 18 years old.
4	1.4	Change the last word from 'document' to 'policy'.	
5	2.1	Swap the words 'west of' around to 'of west'	
5	2.4	Possibly revise the wording 'our equality agenda' in the last bullet point	'our equal opportunities policy'
6	2.6	Can you consider moving this to page 2, above the address and delete the last sentence.	
6	2.7	Possibly revise the wording 'This statement of principles will not stop any person from making an application...'	'This Statement of Gambling Policy will not stop any person, who is eligible, from making an application...'
8	3.8	Given the importance of Child Sexual Exploitation (CSE) within the organisation, can consideration be given to making reference to CSE within the policy, in relation to the protection of children?  Other opportunities to mention CSE and demonstrate the Council's commitment to protecting children are in the following	In line with the Gambling Commission's guidance for local authorities, we will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder, this

		paragraphs: 5.14, 5.17, 15.1, 20.3	would include incidents or suspected incidents of child sexual exploitation.
9	4.3	This mentions 'statement of principles', for consistency throughout the document can we refer to the policy document, as the Statement of Gambling Policy or policy. E.g. at the end of first bullet point under para 8.3.	'Statement of Gambling Policy'
10.	5.5-5.9	Local area Profile, would these paragraphs not fit better under Section 2 – The Borough?	
12	5.10	Revise the last bullet point to specifically make reference to gambling addiction.	Information leaflets and helpline numbers for, customers who may have a gambling addiction, from organisations such as GamCare.
12	5.14	Can we include a reference to CSE.	'....becoming a source of crime or child sexual exploitation'
12	5.16	Can we emphasise that we would expect SIA door staff in premises where alcohol is sold or where they are open after 11pm?	
13	5.17	Can we add '...or where there are concerns about child sexual exploitation' to the end of the sentence.	
13	6.4	Could consideration be given to Trading Standards being designated in writing for the purposes of satisfying paragraph 6.3, as being competent to advise the authority about the protection of children from harm? From experience I am not sure that the LCSB has had sufficient engagement with the Gambling Act, since being designated. In addition Trading Standards are already a Responsible Authority under the Licensing Act 2003 and have been proactive in commenting during application consultations, suggesting conditions and instigating reviews to help protect children from harm.	We appoint the Council's Trading Standards team, for this purpose.
13	7.3	On the second sentence, possibly revise to add 'e.g. a letter' after the word 'evidence' and delete the last sentence of this paragraph.	
14	7.5	This and other paragraphs refer to specific paragraphs in the Guidance, whilst helpful the Guidance is currently being updated and paragraph numbers may change. It may be an idea to remove specific paragraph references from the	



		policy. If the preference is that references should remain then it would be helpful to include on page 2 a general statement that all paragraph numbers that relate to the Gambling Commission's guidance issued in March 2015 and that a copy is available on our website. A PDF copy could then be put on the website for as long as the policy remains in force.	
14	7.6	Under section 7, around 7.6, it would be useful to include reference to frivolous, vexatious or repetitious.	
14	7.7	Change the words 'Environmental Protection team' to 'Noise and Nuisance team'.	
14	8.1	Amending the wording and to correct glossary section and make reference to CSE.	An interested party or a responsible authority (see the glossary at 23 for a list of relevant authorities) may apply to the council to review a premises licence. Such reviews can be made in relation to, amongst other things, repeated incidents of crime and disorder associated with the premises or the gambling activity, which the premises operator has failed to adequately address, incidents that have adversely effected one or more licensing objective at a premises, that could have been prevented if advice and guidance from a responsible authority had been taken account of, is either attracting children or people likely to be involved in crime and/or disorder e.g. child sexual exploitation..
14	8.2	Amending the wording in the first sentence.	As a review of a premises licence can lead to its revocation the council will consider what informal action has been undertaken by the applicant or the licence holder prior to the review application being made. The council accepts that

			an application for review may be appropriate without informal measures first being requested by an applicant, but will actively encourage that appropriate alternative forms of action have been considered prior to review applications being made.
14	8.3	Consider amending third bullet point wording.	could possibly lead to a decision to alter, revoke (withdraw) or suspend the licence; or
15	9.1	Consider amending the wording in the first sentence to reflect the Licensing Authority's commitment the new Regulators' Code.	We are committed to the Regulators' Code, in terms of reducing regulatory burdens and supporting compliant business growth through the development of an open and constructive relationship between us and those we regulate. Our commitment extends to aiming to design our service and policies in a manner that best suits the needs of businesses, by complying with the principles based framework for regulatory delivery within the Regulators' Code. We will ensure that.....
15	9.1	Amend wording on 'targeted' bullet point, by replacing 'side effects' with 'negative impact'.	
15	9.2	This information should be available soon. Consider revising the wording to reflect this. The Regulators Code states 'Regulators should base their regulatory activities on risk'. Paragraph 9.2 could be expanded further.	We will also follow a risk-based inspection program. In accordance with the Gambling Commission's guidance and the 'Regulators Code' we will provide the criteria we will use for this, on request or provide the information on our website. In accordance with the Regulators Code only those premises identified as being 'high risk' premises will be routinely inspected. Officers will only visit premises where there is a

			reason to do so (e.g. as part of a complaint investigation).
15	9.3	Replace the word 'line' on the second line with the word 'accordance'.	
15	9.4	Replace the word 'line' on the second line with the word 'accordance'.	
15	9.5	Consider revising the paragraph so that potential investigations are not compromised.	We will investigate complaints about licensed premises in relation to the licensing objectives or offences under the Act. If it is not appropriate for you to raise the complaint directly with the licence holder or business concerned to try and find a solution, please contact us for advice or information.
15	9.1	Include a reference to enforcement policy, under section 9 – enforcement, possibly at the end of 9.1.	We will act in accordance with our Enforcement Policy. Bearing in mind the principle of transparency, our enforcement policy is available on our website.
15		It would be good to include a reference to Primary Authority Partnership schemes, under section 9 – Enforcement. E.g. After para 9.5. It may be useful to include some wording about Primary Authority in the glossary.	This Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure compliance issues are recognised and resolved at the earliest stage, the Licensing Authority will contact the Primary Authority for the business. Where there is no Primary Authority Partnership in place, operators are requested to give the Authority a single named point of contact, who should be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.
15	10.2	Slightly amend the wording.	'We will also consider any guidance issued by the Better Regulation Delivery Office (BRDO) or the Gambling Commission to local authorities on this matter, as well as any

			relevant regulations issued...'
16	10.3	The Regulators Code states 'Regulators should share information about compliance and risk'. Delete and replace paragraph 10.3.	When the law allows, the Licensing Authority will agree secure mechanisms to share information with other regulators about gambling premises, to help target resources and activities and minimise duplication.
16	10.4	Consider deleting this paragraph. It is not clear what it adds to the policy.	
17	14.1	It may be helpful to state what the current advertising requirements and consultation period are.	
17	15	Change 'Adult gaming centres, family entertainment centres licensed to sell alcohol, bingo premises, betting premises' to 'Adult Gaming Centres (AGCs), Family Entertainment Centres (FECs) licensed to sell alcohol, bingo premises, betting premises'.	
17	15.1	Possible include a reference to CSE.	When deciding applications for a premises licence for these premises, we will consider the need to protect children and vulnerable people from harm or being exploited by gambling. We will expect you to satisfy us that there will be enough measures in place to meet this licensing objective. Appropriate measures could include training for staff on how to deal with suspected truanting school children on the premises or how to recognise signs of potential child sexual exploitation.
17	15.2	Possibly add the words 'or Annex 2' after 'section 5'	
17	16	Change 'family entertainment centres..' to 'Family Entertainment Centres (FECs)..'	
17	16.3	Slightly amend the wording.	As part of any Unlicensed Family Entertainment Centre permit application, the council will require applicants to demonstrate:
18	16.4	Possible include a reference to CSE.	The council will expect the applicant to show that

			there are policies and procedures in place to protect children and vulnerable people from harm. Harm in this context is not limited to harm from gambling but includes wider child protection and potential child sexual exploitation considerations.
18	16.4	Amend first bullet point to include a reference to CSE.	Measures/training for staff on how to deal with suspected truanting school children on the premises or how to recognise signs of potential child sexual exploitation.
18	16.4	Add comma after the word 'unsupervised' in bullet point 2.	
18	16.4	Slightly amend the wording, to include references to alcohol	Measures/training covering how staff would identify the signs and symptoms of persons engaged in the illegal use or under the influence of controlled drugs and/or alcohol.
18	17.1	Possibly revise to 'We have a 'no casino' resolution in this borough.'	
18	18.2	Possibly add the words 'or Annex 2' after 'section 5'.	
19	19.2	Amend the wording to make it clearer.	It will fall to this Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
19	19.3	Amend '27 days a year' to '27 days per calendar year'.	
19	20.3	Possibly add the words 'or Annex 2' after 'section 5'.	
20	20.7	It is not clear what the relevance of this paragraph is. It may be useful to make reference to the relevant schedule under the Act.	
20	21.1	It is not clear, whether this is adopted or not, as per paragraph 20.7.	
20	9.36	Possibly revise the first sentence to	<i>Reviews – Applications for</i>

		clarify that it is not the Licensing Authority that has to carry out the review, but they can decide to reject an application, on certain grounds.	a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the Licensing Authority to decide whether the review application is valid and/or whether it is appropriate to carry out the review, given the circumstances.
28	11.6	The policy does not make reference to small society lotteries.	<p>Heading Small Society Lotteries. Under the Act, a lottery is unlawful unless it runs with an operating licence or is an exempt lottery. The Licensing Authority will register and administer small society lotteries (as defined). Promoting or facilitating a lottery will fall within 2 categories:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> licensed lotteries (requiring an operating licence from the Gambling Commission); and</li> <li><input type="checkbox"/> exempt lotteries (including small society lotteries registered by the Licensing Authority)</li> </ul> <p>The Licensing Authority recommends those seeking to run lotteries take their own legal advice. Guidance notes on small society lotteries, limits placed on them and information setting out financial limits can be found on our web-site or by contacting the Licensing Team.</p> <p>Applicants for registration of small society lotteries must apply to the Licensing Authority in the area where their principal office is located.</p> <p>Lotteries will be regulated through; a licensing and</p>

			<p>registration scheme, conditions imposed on licences by the Gambling Commission, codes of practice and any guidance issued by the Gambling Commission. In exercising its functions with regard to small society and exempt lotteries, the Licensing Authority will have due regard to the Gambling Commission's guidance.</p> <p>The Licensing Authority will accept society lottery returns either manually but preferably electronically by email.</p>
23		'Provisional statement' and 'small society lotteries' are not in the glossary.	
23		It may be useful to include a definition of 'Permits' in the glossary.	
23		It may be useful to include a definition of 'Primary Authority' in the glossary.	
23	23.10	Amend 'Regulators' compliance code' to 'Regulators' Code'	
23	23.12	Possibly consider including this information at the start of the policy, e.g. under section 6.	
23	23.12	Replace 'the noise pollution department' with 'the noise and nuisance team'.	
24	23.12	If the suggestion under 6.4 is agreed, replace 'the Local Safeguarding Children's Board (LSCB)' with 'the Council's Trading Standards team'.	
22-24		General observations: In the glossary, it would help with readability if the defined words were bold.	
		It may be useful to include reference to the fact that if fees are not paid on time the Licensing Authority has the ability to revoke a licence.	
		It would be helpful for businesses and residents to be informed about Email alerts.	If you are interested in being notified about new applications you can register on our website for licensing application email alerts and receive regular updates about applications in your area.
25-30		I think that it is useful to include details of the mandatory conditions and a local pool of licence conditions. Both are	

		<p>helpful to applicants, residents, businesses, responsible authorities and members of the licensing committee. It may be useful to include some wording so that it is possible to review and update these conditions, as and when necessary.</p>	
		<p>Now that Public Health are within the local authority, in the absence of any specific comments from the team, it would be useful to make a small reference to public health considerations, somewhere within the policy.</p>	<p>Whilst there may be evidence that problem gamblers and their families are at risk of significant health and social problems such as mental illness, drug and alcohol misuse, relationship breakdown, criminal activity and financial difficulties, public health is not a licensing objective and therefore cannot be taken into account, when deciding on applications. The Licensing Authority will however continue to liaise with public health colleagues about new and variation applications within the borough, so that we can both continue to monitor any increase in access to gambling opportunities for those at risk of problem gambling and work jointly to ensure that appropriate measures are put in place to minimise that risk and support those seeking help.</p>
		<p>It would be good to include a statement about equalities, similar to that in the Statement of Licensing Policy.</p>	<p>The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race,</p>



			<p>religion or belief, sex, and sexual orientation. The Royal Borough has an Equal Opportunities Policy and this revised Statement of Licensing Policy will be monitored for any adverse impact on the promotion of opportunities for all.</p> <p>This Statement of Gambling Policy recognises the Race Relations Act 1976. The Licensing Authority will have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between persons of different racial groups.</p>
		<p>Include a final paragraph before the glossary: Review of the Statement of Gambling Policy</p> <p>Under the Gambling Act 2005, the Licensing Authority must carry out a review of its Licensing Policy Gambling Act 2005 every three years. In accordance with the Act, the Licensing Authority intends to carry out a further full review of its policy no later than 2018 and, prior to publishing the revised version, it intends to consult fully with those groups and individuals consulted on this version.</p> <p>In addition, within the three year period the Licensing Authority will review its Statement of Gambling Policy whenever it feels that relevant issues have arisen - for example, if any further significant amendments are made to the Gambling Act 2005, Guidance or Codes of Practice.</p> <p>Any website links within this document that do not work will be updated or removed.</p> <p>Issues that arise concerning implementation of the policy will be recorded in an issue log and taken into account during any review.</p>	
		Consider adding information in relation to	'The Local Development

		The Local Development Framework.	Framework sets out the council's planning policies for developing land, improving transport and protecting the environment. The council is required to determine planning applications in accordance with the Local Development Framework, the London Plan and any other material considerations.'
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Yours sincerely

Valerie Simpson

**Bi-borough Head of Environmental Health (Licensing and Trading Standards)**