

APPENDIX C

Analysis

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Draft Gambling Licensing Policy 2015

Declaration *

I am happy for this response and my name to be made public	6
I am happy for this response to be made public but I do not wish my name to be made public	4
I do not wish this response or my name to be made public	3

Key Policy Amendments

E) and 1.28 As a result of late fundamental changes made to the Gambling Commission's Codes of Practice surrounding social responsibility and revised Guidance to Licensing Authorities, substantial amendments have been made to this draft Policy. From 6 April 2016 operators must now assess the local risks (actual, potential and possible future emerging risks) to the licensing objectives and take into account significant changes in local circumstances identified within the Council's Gambling Licensing Policy. Local risks identified in the Policy are for example whether the premise is:

- In an area of deprivation;
- In an area subject to high levels of crime;
- Near an addiction treatment facility;
- Near to sensitive buildings such as schools, playgrounds, toy shops, leisure centres, etc

Do you agree with these points to be included in operators' risk assessments?	No of responses	%
Yes	12	100%
No	0	

G) Other matters that the risk assessment should include are:

- Staff training, including refresher training, e.g. such as intervention when customers show signs of excessive gambling; training in the mandatory licensing conditions; location of the premises licence information relating to gambling care providers;
- Where installed, details of CCTV coverage and how the system will be monitored;
- Layout of the premises to ensure staff have unobstructed views of persons using the premises or where this is not possible, evidence of how this can be achieved;
- The number of staff employed at any one time taking into account the seasonal trade in the Borough;
- Where there is only one member of staff employed in the case of smaller premises, what are the supervisory and monitoring arrangements when the person is absent from the licensed area or distracted for any other reason;
- Provision of signage and documents relating to games rules, gambling care providers;
- The type and mix of gambling provided;
- Consideration of primary gambling activities and location of gaming machines;
- Consideration given to the Borough's towns being seaside tourist towns likely to present additional risks to children and vulnerable persons in terms of access and supervision in certain premises, e.g. seafront arcades and gambling premises located in the Borough's holiday parks.

Do you agree with these points to be included in operators' risk assessments?

	Number of Responses	%
Yes	11	100%
No	0	

K) and L) The draft Policy states that the Licensing Authority will consider adopting a Local Area Profile (identifying local areas with problem gambling) in the future dependent on information and knowledge of the local area gathered by partner agencies and other relevant organisations who have the expertise and knowledge of the impact gambling has in the local area.

Do you agree with this approach?

	Number of Responses	%
Yes	11	100%
No	0	

1.28 When determining the location of proposed gambling facilities, the LA will also consider the proximity of premises to Centres for those with gambling problems.

Do you agree with this approach?

	Number of Responses	%
Yes	11	100%
No	0	

1.30 A new paragraph has been included in the General Principles section of the draft Policy to state that in all cases each application will be considered on its own merit and that if an applicant can demonstrate how they will promote the licensing objectives, then the LA shall take this into account when determining such applications.

Do you agree with this approach?

	Number of Responses	%
Yes	10	91%
No	1	9.1%

1.40 This paragraph seeks to define a vulnerable person and has been slightly amended to include an additional definition, i.e. those people who may not be able to make informed or balanced decisions about gambling due to "mental health issues, learning disability and substance abuse".

Do you agree with this additional definition?		Number of Responses	%
	Yes	11	100%
	No	0	

2.11 This paragraph has been amended to include an additional sentence stating that the LA shall carefully consider applications for Bingo licences within arcades or other venues frequented by families.

The Gambling Commission Guidance points out that children and young people are allowed into bingo premises but they are not permitted to participate in bingo.

Do you agree with this approach?		Number of Responses	%
	Yes	10	90.9%
	No	1	9.1%

2.60 & 2.75 A LA must specify the form and manner in which an application for a permit is made and what other information and documents it requires. The draft requires a permit holder to first obtain permission from the LA if they seek to vary the plan of the premises.

Do you agree that where a permit holder seeks to vary the plan of the premises they should first obtain approval in writing as these premises appeal to children and families?		Number of Responses	%
	Yes	11	100.0%
	No	0	

2.64 Applications for more than 2 gaming machines in an alcohol-licensed premises (i.e. a pub) are already determined by the Licensing Sub-Committee. The draft policy has been amended to reflect the importance of the applicant attending a Sub-Committee hearing in order for the Sub-Committee to be assured that the location of the gaming machines comply with the mandatory conditions.

Do you agree with this approach?		Number of Responses	%
	Yes	10	90.9%
	No	1	9.1%

6.4 A new paragraph has been included to state that where a Sub-Committee hearing is convened, applicants and objectors are strongly recommended to attend these hearings to allow the Sub-Committee to question the applicant?

Do you agree with this approach?		Number of Responses	%
	Yes	11	100.0%
	No	0	

Additional Comments

If the answer to any of the previous questions is “No” please state the reasons why and any additional suggestions to amend the draft policy: If you have any suggestions that should be contained in operator's risk assessments please set these out below:

A personal opinion that I think children should be allowed to play bingo in arcades when they are visiting with family.

The location of gaming machines in pubs seems like unnecessary red tape for these premises. A list of guidelines can be given to premises so that they consider carefully there locations.

A very rich gambling addict is proposing to sue a casino because they allowed him to lose £5 million in an evening even though they knew him to be an addict. Therefore, as part of the duty of the LA to protect vulnerable persons from being harmed or exploited by gambling, we should include a clause along the lines of the following; Where an individual who is a known gambling addict and becomes known to the LA, the LA has a duty to advise casinos and other gaming and gambling establishments not to allow that person to enter their premises for the purpose of gambling. Where an individual who is a known gambling addict becomes known to a casino or other gaming or gambling establishment, the management of that establishment has a duty to notify the LA. The LA then has a duty to advise casinos and other gaming and gambling establishments not to allow that person to enter their premises for the purpose of gambling. The inclusion of this clause would be in line with the Gambling Licensing Objectives whilst at the same time affording to both gambling establishments and the Council some degree of protection from litigation by aggrieved gambling addicts, their dependants and relatives. It would also enable addicts, their dependants and relatives an opportunity to activate their own responsibilities and could well be a first step to obtaining help.