

**Meeting:** Cabinet/Council

**Date:** 26 November 2024/5 December 2024

**Wards affected:** All

**Report Title:** Gambling Act 2005 – Statement of Principles (Gambling Policy) 2025 - 2028

**When does the decision need to be implemented?** 31 January 2025

**Cabinet Member Contact Details:** Councillor Hayley Tranter, Hayley.tranter@torbay.gov.uk

**Director Contact Details:** Joanna Williams, Director of Adults and Community Services; Tara Harris, Assistant Director, Community and Customer Services

## 1. Purpose of Report

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- 1.1 The Gambling Act 2005 requires Torbay Council, under its role as Licensing Authority, to review and publish a 'Statement of Principles' (the Gambling Policy), every three years. The Statement of Principles outlines the procedures that the Licensing Authority intends to follow in discharging its statutory responsibilities under the Act. The current Statement was published on 31 January 2022 and therefore, it must be reviewed, consulted upon and re-published, on or before 30 January 2025.
- 1.2 There will be upcoming changes to the Gambling Act 2005, following the publication of the governments Gambling White Paper 'High stakes: gambling reform for the digital age' in April 2023. However, the review of the Statement of Principles cannot wait until the legislation has been updated. We have therefore reviewed the Statement of Principles based on the current legislation and Gambling Commission Codes of Practice and have only made minor changes for the draft statement for 2025 – 2028. The information regarding Small Casinos has not been removed, as the Department for Culture, Media and Sport have advised that the reallocation did not take place as planned.
- 1.3 The Gambling Statement of Principles forms part of the Council's Policy Framework and therefore it is presented to Cabinet to recommend its approval by full Council.

## 2. Reason for Proposal and its benefits

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- 2.1 The proposal is made so that we can comply with the statutory requirement, as prescribed under Section 349 of the Gambling Act 2005, which requires the Licensing Authority to publish a Statement and to review and re-publish the same, every three years. The Authority has reviewed its current Policy and prepared a draft 'Statement of Principles 2025-28' which went out for public consultation for six weeks from 12 July 2024 to 23 August 2024. The responses have been considered and the Policy has been updated and is attached as **Appendix 2** to this report.
- 2.2 The Statement ensures clarity as to how the Council will fulfil its role as the Licensing Authority and provides guidance to businesses and the public. Gambling premises are part of the UK culture, particularly in seaside locations, however it is important that the gambling activities are provided responsibly. This Statement assists businesses to function safely and within the law. It therefore helps to promote two of the Corporate Plan priorities, namely community and people, and economic growth.

**Community and People** – Gambling activities could negatively affect a participant's welfare. This revised policy and the licensing system will assist in minimising the risk of a negative impact as far as the law allows. The statutory controls via the Gambling Commission and Local Authorities will assist in excluding children and young persons from accessing age-restricted activities, or those with any gambling addiction.

**Economic Growth** – Gambling is a part of the local leisure and entertainment industry offered within Torbay. This revised policy will provide businesses with a consistent and transparent view of how the Council will consider premises licence applications in respect to the design, layout and operation of premises used for gambling activities.

## 3. Recommendation(s) / Proposed Decision

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- 3.1 That Cabinet recommends to Council that the Gambling Statement of Principles 2025 to 2028, contained in Appendix 2 be adopted with effect from 31 January 2025.

### Appendices

Appendix 1: Responses from the consultation

Appendix 2: Proposed Gambling Statement of Principles (Gambling Policy) 2025 to 2028

### Background Documents

1. Current Gambling Statement of Principles (Gambling Policy) 2022 – 2025 - [Gambling Statement of Principles - Torbay Council](#)
2. Gambling Act 2005 - [Gambling Act 2005 \(legislation.gov.uk\)](#)
3. Gambling Commission Code of Practice - [Codes of practice \(gamblingcommission.gov.uk\)](#)

# Supporting Information

## 1. Introduction

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- 1.1 Torbay Council has a statutory responsibility under Section 349 of the Gambling Act 2005 (the Act) to review, consult and to re-publish its Licensing Statement of Principles (Gambling Policy) before each successive three-year period. The published document then provides the framework for all decisions on applications relating to the Gambling Act 2005 and the way the Council carries out its functions in relation to the legislation.
- 1.2 The current process of review, consultation and publication must be completed on or before 30th January 2025.
- 1.3 There will be forthcoming changes to the Gambling Act 2005, following the publication of the governments Gambling White Paper 'High stakes: gambling reform for the digital age' in April 2023. However, the review of the Statement of Principles cannot wait until the legislation has been updated. We have therefore reviewed the Statement of Principles based on the current legislation and Gambling Commission Codes of Practice and have only made minor changes for the draft statement for 2025 - 2028.

Minor updates have been made to:

- update any out-of-date website links/contact details for example to the Gambling Commission guidance notes.
- include references to the specific parts of the Gambling Commission guidance and code of practices.

More detail has been provided in some parts of the Policy namely regarding:

- the application process,
- the Council's routine inspections,
- gambling prevalence and social responsibility,
- vessels and vehicle licences,
- machine permits,
- small society lotteries,
- unlicensed family entertainment centres,
- child sexual exploitation.

## 2. Options under consideration

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- 2.1 There are no other options available, as the review of the Statement of Principles is a statutory requirement under the Gambling Act 2005 and the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 (SI 2006/636).

## 3. Financial Opportunities and Implications

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- 3.1 The proposals contained in this report will not commit the Council financially in any regard, other than staff and consultations costs which will be drawn from existing budgetary resources.

## 4. Legal Implications

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- 4.1 None, where the Statement of Principles is adopted within the required statutory timeframes.

## 5. Engagement and Consultation

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- 5.1 A six-week public consultation exercise was undertaken between 12 July 2024 and 23 August 2024, which included writing to the following interested parties:

- Representatives of existing licence holders
- Bodies representing existing gambling businesses in Torbay.
- The Chief Officer of Devon and Cornwall Police.
- The Chief Officer of Devon and Somerset Fire and Rescue Service.
- Torbay and South Devon NHS Foundation Trust
- Torbay Safeguarding Children's Partnership
- Torbay Council: Planning and Community Safety Department
- Director of Public Health
- Ward Councillors
- Safer Communities Torbay.
- Facilities in Torbay assisting vulnerable persons.
- Representatives of local faith groups.
- Local residents groups.
- Brixham Town Council.
- English Riviera BID
- Gamcare
- Gamblers Anonymous
- GambleAware
- Mencap
- NSPCC
- Gambling Commission

The online survey was hosted on the Council's engagement page and website and copies of the Policy and survey questions were available at the libraries of Torquay, Paignton and Brixham. Social media posts were sent out via Facebook, LinkedIn and Twitter to encourage participation in the consultation.

- 5.2 Seven responses were received in total. One written response was received from a Solicitors firm on behalf of the Betting and Gaming Council. Six responses were received to the online consultation; five of these were from members of the public and one was from a local community group representative. The responses are attached in Appendix 1.
- 5.3 A detailed response has been included in Appendix 1, in reply to the solicitor's letter, who sent in a response on behalf of the Betting and Gaming Council. Minor changes have been made to the Policy following this feedback. The online responses received were mainly focused on comments that gambling, and gambling advertising, should not be permitted. However, this is not within the Council's remit as the Licensing Authority are required to permit the use of premises for gambling in so far as it thinks its use will be reasonably consistent with the licensing objectives, it is operating in accordance with the Statement of Principles (Gambling Policy), and in accordance with the relevant code of practice or any guidance issued by the Gambling Commission.
- 5.4 Furthermore, the Statutory Licensing Committee considered the Statement of Principles (Gambling Policy) at its meeting on 24 October 2024 and recommended to Cabinet and Council its adoption.

## 6. Procurement Implications

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- 6.1 This proposal does not require the purchase or hire of goods or services.

## 7. Protecting our naturally inspiring Bay and tackling Climate Change

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- 7.1 There is no aspect of this Statement that will impact negatively or positively on climate.

## 8. Associated Risks

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- 8.1 The risks associated with agreeing the Statement of Principles (Gambling Policy) is minimal as it has been reviewed in accordance with the regulatory requirements, which includes full consultation and consideration of any comments that have been received.

The risks are more associated with any failure to review and re-publish the Statement in time, as the effect would be that the Council would have no policy in place, which effectively would prevent lawful discharge of functions under the Gambling Act 2005. This may lead to legal challenge against the Council and financial penalties being incurred.

## 9. Equality Impact Assessment

The Statement of Principles is a review of an existing Policy and therefore there is no change to impact of specific groups. Where there exists any potential for impact, this would generally be through the application process where there is the safeguard that any responsible authority or 'other person' may make representation. The three gambling licensing objectives are also designed to ensure consideration of any impacts.

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>No person under the age of 18 shall be permitted entry to age-restricted licensed premises such as casinos, bingo halls, betting shops and adult gaming centres, where gambling is permitted. There is no upper age limit. This is prescribed by statute.</p> <p>The Council does not impose any local age restrictions on the application process.</p>	<p>Routine assessment of applications and monitoring to ensure compliance with regulations.</p>	<p>Licensing Officers and other authorised officers.</p>
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	<p>There is no requirement for the applicant to pass on any details about whether they are a carer. The council hold no information of any applicants from this group. The Policy will grant permits/licenses to any licensed operators that conform to the requirements of this Policy. Gambling</p>	<p>Routine assessment of applications and monitoring to ensure compliance with regulations.</p>	<p>Licensing Officers and other authorised officers.</p>

		premises cannot allow anyone under 18 to enter the premises at any time.		
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	There is no requirement for the applicant to pass on any details of medical capacity. There are no equality restrictions of who can enter licensed premises. The council hold no information of any applicants from this group. The Policy will grant a premises licence applicant that conforms to the requirements of this Policy without consideration of disability.	Routine assessment of applications and monitoring to ensure compliance with regulations.	Licensing Officers and other authorised officers.
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	There are no gender restrictions of who can hold a premises licence or can enter licensed premises providing that they can satisfy any age-restricted requirements. The council hold no information of any applicants from this group.  The Policy will grant a premises licence applicant that conforms to the requirements of this Policy without consideration of gender reassignment.	Routine assessment of applications and monitoring to ensure compliance with regulations.	Licensing Officers and other authorised officers.
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of	There are no equality restrictions of who can be a collector providing that the promoter has a valid permit/licence in	Routine assessment of applications and monitoring to ensure	Licensing Officers and other

	<p>people were married or in a registered civil partnership.</p>	<p>place. The council hold no information of any applicants are from this group. The policy will grant permits/licenses to any licenced operators that conform to the requirements of this Policy without consideration of marriage or civil partnership.</p>	<p>compliance with regulations.</p>	<p>authorised officers.</p>
<p>Pregnancy and maternity</p>	<p>Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.</p>	<p>There are no equality restrictions of who can be a collector providing that the promoter has a valid permit/licence in place.</p> <p>The council hold no information of any applicants are from this group. The policy will grant permits/licenses to any licenced operators that conform to the requirements of this Policy without consideration of pregnancy and maternity.</p>	<p>Routine assessment of applications and monitoring to ensure compliance with regulations.</p>	<p>Licensing Officers and other authorised officers.</p>
<p>Race</p>	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.</p>	<p>There are no race restrictions to who can hold a premises licence or can enter licensed premises providing that they can satisfy any age-restricted requirements. The council hold no information of any applicants from this group. The Policy will grant a premise licence to any applicant that conforms to the</p>	<p>Routine assessment of applications and monitoring to ensure compliance with regulations.</p>	<p>Licensing Officers and other authorised officers.</p>



		requirements of this Policy without consideration of race.		
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no requirement for the applicant to pass on any details concerning faith, religion or belief. The council hold no information of any applicants from this group The Policy will grant a premises licence to any applicant who has the appropriate operator and personal licences required of the Gambling Commission and who conform with the requirements of this Policy without consideration of faith, religion, or belief.	Routine assessment of applications and monitoring to ensure compliance with regulations.	Licensing Officers and other authorised officers.
Sex	51.3% of Torbay's population are female and 48.7% are male	There are no restrictions to who can hold a premises licence or can enter licensed premises providing that they can satisfy any age-restricted requirements.  The Policy will grant a premises licence to any applicant who has the appropriate operator and personal licences required of the Gambling Commission and who conform with the requirements of this Policy without consideration of gender.	Routine assessment of applications and monitoring to ensure compliance with regulations.	Licensing Officers and other authorised officers.

Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	<p>There are no restrictions to who can hold a premises licence or can enter licensed premises providing that they can satisfy any age-restricted requirements.</p> <p>The Policy will grant a premises licence to any applicant who has the appropriate operator and personal licences required of the Gambling Commission and who conform with the requirements of this Policy without consideration of sexual orientation.</p>	Routine assessment of applications and monitoring to ensure compliance with regulations.	Licensing Officers and other authorised officers.
Veterans	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously serviced in the UK armed forces.	<p>There are no restrictions to who can hold a premises licence or can enter licensed premises providing that they can satisfy any minimum age-restricted requirements.</p> <p>The Policy will grant a premises licence to any applicant who has the appropriate operator and personal licences required of the Gambling Commission and who conform with the requirements of this Policy.</p>	Routine assessment of applications and monitoring to ensure compliance with regulations.	Licensing Officers and other authorised officers.
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)	The Local Area Profile - <u><a href="#">Local area profile - Torbay Council</a></u> has assessed the key characteristics of the local area in the context of gambling -related harm. This	The Policy seeks to allow licensed premises the legitimate opportunity to undertake licensed gambling activities providing that they are lawful and within their licensing requirements.	The Local Area Profile will be reviewed regularly with the Director of Public Health.	Licensing Officers and other authorised officers.

	<p>sits aside the council's statement of principles and provides information to assist applicants in gauging a better understanding of the types of people who are at risk of being vulnerable to gambling related harm, where they are located and any current or emerging problems that may increase the risk.</p>	<p>Licensed premises must also have procedures in place to protect vulnerable persons from gambling irresponsibly. There are no other equality restrictions other than to protect children and young persons from age restricted gambling activities.</p>		
<p>Public Health impacts (Including impacts on the general health of the population of Torbay)</p>	<p>The Local Area Profile - <u>Local area profile - Torbay Council</u> has assessed the key characteristics of the local area in the context of gambling -related harm. This sits aside the council's Statement of Principles and provides information to assist applicants in gauging a better understanding of the types of people who are at risk of being vulnerable to gambling related harm, where they are located and any current or emerging problems that may increase the risk.</p>	<p>The Policy seeks to allow licensed premises the legitimate opportunity to undertake licensed gambling activities for the benefit of national and local needs. There are no equality restrictions of who can be a premises licence holder. Local communities have an opportunity to visit these premises if they wish.</p>	<p>The Local Area Profile will be reviewed regularly with the Director of Public Health.</p>	<p>Licensing Officers and other authorised officers.</p>
<p>Human Rights impacts</p>	<p>There are no human rights impact with regards to the Gambling Act. The Council ensures it complies with the legislative requirements.</p>	<p>The Policy seeks to promote flexibility and fairness to all premises licence holders by balancing the lawful right of charities to collect without undue inconvenience to the general public.</p>	<p>Routine assessment of applications and monitoring to ensure compliance with regulations.</p>	<p>Licensing Officers and other authorised officers.</p>

Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	The Policy will grant permits/licenses to any licensed operators that conform to the requirements of this policy. Gambling premises cannot allow anyone under 18 years of age to enter the premises at any time.	Routine assessment of applications and monitoring to ensure compliance with regulations.	Licensing Officers and other authorised officers.
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## 10. Cumulative Council Impact

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None

## 11. Cumulative Community Impacts

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None

## Appendix 1: Responses from the Consultation

### Responses from the online form

Six responses were received to the online consultation. Five of these were from members of the public and one as from a local community group representative.

**Question 1:** Do you have any comments on the additional information in the Enforcement section? These additions are to explain how routine inspections will be undertaken and the documentation that will be reviewed during the visit.

Yes	0
No	4
No response	2

**Question 2:** Do you have any comments on the proposed new section on Gambling Prevalence and Social Responsibility? This section outlines gambling related harm; the necessity for policies and procedures and marketing communications to promote social responsibility.

Yes – 1 with the following comment	All advertising on gambling should be banned full stop and gambling establishments forced to take far more responsibility for the very negative consequences that it has on addiction. Having witnessed this first hand from a member of my own family, I know that the gambling establishments take no responsibility whatsoever for the damage they inflict on people's lives. They simply cover their own backs by complying with the barest minimum legal requirements to include a reference to Gamble Aware, without any further reference to the real threat of addiction from this heinous so called entertainment. Any Council that supports such establishments loses my vote immediately.
No	3
No response	2

**Question 3:** Do you have any comments on the new section on Test Purchasing? This section requires any results of underage test purchasing to be shared with authorities during inspections.

Yes – 1	Yes, I think that this is a good idea
No	3
No response	2

**Question 4:** Do you have any comments on the proposed new section on the application process? This includes more detail about the information required on the application form.

Yes	0
No	4
No response	2

**Question 5:** Do you have any comments on the additional information in the Premises Location section? This provides an explanation of what factors are considered when determining if a premises location is suitable.

Yes – 3	<ul style="list-style-type: none"> <li>• Not relevant as none should ever be approved.</li> <li>• Should not be on the high street</li> <li>• I think this should consider Highstreet planning more, they are now present throughout our town centres, and they do not support regeneration or how the community engages in the town centre. I don't have an issue with gambling, but they do not drive up foot fall for the general public and they always look awful. I understand that there is a need for more shops to be filled, but there should be more consideration to long term effects.</li> </ul>
No	2
No response	1

**Question 6:** Do you have any comments on the proposed new section on Plans? This section explains what information needs to be in the plan with the application for a premises licence.

Yes – 3	<ul style="list-style-type: none"> <li>• None again as should never even be considered for planning permission.</li> <li>• Not on the high street</li> <li>• Yes, the more comprehensive the plans, the better informed a decision will be.</li> </ul>
No	1
No response	2

**Question 7:** Do you have any comments on the proposed new section on Vessels and Vehicles? This section explains how applications are dealt with.

Yes – 1	Yes, I agree with the logic under section 33 Vessels and Vehicles
No	3
No response	2

**Question 8:** Do you have any comments on the additional information in the Reviews section? This provides more detail about how a review application is processed and what options are available to the Licensing Authority.

Yes	0
No	4
No response	2

**Question 9:** Do you have any comments on the additional information in the Unlicensed Family Entertainment Centre (UFEC) section? This section provides more information about the application process for an UFEC and the supporting documents required. It also includes a detailed section about children and gambling-related harm.



Yes – 2	<ul style="list-style-type: none"> <li>• Not nearly strong enough. Simply uses legal jargon to get around taking any social and moral responsibility for the real harm that gambling causes.</li> <li>• Keep children away from gambling</li> </ul>
No	2
No response	2

**Question 10:** Do you have any comments on the additional information in the Alcohol Licensed Premises – Gaming Machines Permits section? This includes a new section on applying for permits for three or more machines and the information required to support the application.

Yes	0
No	4
No response	2

**Question 11:** Do you have any comments on the additional information added to the Club Gaming Permits and Club Machine Permits section? This explains what a bonafide club is and the evidence required. It also includes information about where gaming machines should be sited.

Yes – 2	<ul style="list-style-type: none"> <li>• None – just say NO!</li> <li>• Should not be allowed in clubs</li> </ul>
No	2
No response	2

**Question 12:** Do you have any comments on the proposed new section on Small Society Lotteries? This section details the types of lotteries and the requirements for applying and renewing small society lottery registrations.

Yes	0
No	4
No response	2

**Question 13:** Do you have any comments on the proposed new appendix 2 on child sexual exploitation. This section details how gambling premises licence and permit holders and their employees can help tackle child sexual exploitation.

Yes - 3	<ul style="list-style-type: none"> <li>• This is important to protect vulnerable children from harm</li> <li>• As if they would bother to help with this when there are serious profits to be made.</li> <li>• Children should not be anywhere with gambling</li> <li>• Yes, this is an important opportunity for licence and permit holders and their employees to identify victims which could liberate children and young people from exploitation. This is definitely a positive.</li> </ul>
No	0
No response	2

**Question 14:** Do you have any other comments on the proposed amendments of the Council’s Gambling Act 2005 Statement of Principles (Gambling Policy)?

Yes - 4	<ul style="list-style-type: none"> <li>• It is important to have robust policies to protect people from gambling-related harm</li> <li>• Shame on the Council for even considering allowing any gambling permits whatsoever to be approved.</li> <li>• I would like to see less licences granted</li> <li>• The only gambling I believe we should allow in Torbay is family friendly locations such as arcades, no betting shops, no Casinos. Bingo= fine, Arcades=fine, pubs having 1 or 2 machines=fine anything else No! The bay is one of the poorest places in the UK and gambling is not something we should be allowing</li> </ul>
No	1
No response	1

**One written response was received (the full letter can be found in the Appendix 1 pdf document attached):**

<b>Response received from a Solicitors on behalf of the Betting and Gaming Council</b>	<b>Comments</b>
<p>The new section 9 in Part A is headed, “Gambling Prevalence and Social Responsibility.” The first two subsections, however deal entirely with “Harmful gambling” and “gambling related harm” citing an LGA publication, “Tacking (sic – this is misspelt in the draft) Gambling Related Harm: A Whole Council Approach.” These two subsections should be deleted. The purpose of the statement of principles is to outline the principles that the Licensing Authority will apply when exercising its functions (s349 GA 2005) and not to include material out of context and which is potentially highly prejudicial to applicants.</p>	<p>Thank you for your feedback. A number of local authorities refer to other guidance within their policies. This assists applicants, Councillors and members of the public in understanding the issues and how the business can reduce the risk of gambling related harm. This publication encourages a ‘whole council approach’ to tackling gambling related harm and therefore we have included this within the Statement of Principles.</p>

<p>Any responsible authority or “other person” could refer to localised figures or issues if relevant in a representation to a new premises licence application. However, the precis contained within these two subsections without context has no place in a Licensing Authority’s statement of principles and should therefore be deleted.</p>	
<p>Thereafter, subsections 9.3 to 9.5 explain the requirements for operators to comply with the LCCP. Again this is nothing to do with the principles the Licensing Authority will apply and we question the need for these paragraphs within the draft Statement of Principles.</p>	<p>A number of local authorities refer to the Licensing Conditions and Codes of practice (LCCP) within their policies. This is to assist the new applicants, Councillors and members of the public about the requirements imposed to the businesses by these codes of practices.</p> <p>It is important that the reader understands that there are already specific requirements in place. This could avoid representations that are based on misunderstandings or made on an erroneous basis.</p>
<p>Sections 12 and 23 refers to premises licence conditions. Section 23 would be assisted by clear statement that the mandatory and default conditions are intended to be sufficient to ensure operation that is reasonably consistent with the licensing objectives and that additional conditions will only be considered where there is clear evidence in the circumstances of the a particular case that it is necessary supplement the mandatory and default conditions due to a particular identified risk to the licensing objectives.</p>	<p>Section 23.1 of the draft statement did advise that any additional conditions attached to licences will only be imposed where there is evidence of a risk to the licensing objectives. However, we have amended the Licensing Conditions section to make this clearer and to provide more detail.</p>
<p>Section 17 refers to “sensitive areas” and indicates that the Licensing Authority may consider imposing restrictions on advertising gambling facilities (Subsection 17.3). This subsection should be removed as advertising gambling facilities is already</p>	<p>This is included in other local authority statements. The Licensing Authority consider this to be relevant. The advertising that you are referring to is related to direct business to customers. The wider non-discriminate advertising of gambling facilities must be a concern to the Licensing Authority from a</p>

<p>covered by social responsibility codes. The Licensing Authority should be careful not to trespass into areas for which the Gambling Commission has responsibility and powers of enforcement.</p>	<p>safeguarding perspective. For example, it would not be appropriate for a billboard or a premises advertising slots directly opposite a secondary school.</p>
<p>Section 21 contains a list of bullet points that the Licensing Authority expects operators to consider when undertaking a risk assessment. This bullet point list needs to be redrafted as it refers to issues that cannot be relevant to an assessment of risk to the licensing objectives. For example, the reference to gaming trends that mirror pay days or benefit payment days cannot be relevant unless the authority has predetermined that those in receipt of benefits are automatically vulnerable or are more predisposed to crime associated with gambling than others. We are certain that these conclusions are not those of the licensing authority.</p>	<p>Section 21 was contained within the original Statement of Principles and has not been altered during this review.</p> <p>However, we have considered your comments and have removed the second bullet point ‘Gambling trends that may mirror days for financial payments such as pay days or benefit payments’.</p>
<p>Section 31 deals with betting premises but inexplicably section 31.2 refers to gaming machines in alcohol-licensed premises. As a betting office may not sell alcohol, this reference should be removed. We suspect that the reference here should be to betting machines.</p>	<p>Thank you for bringing this to our attention. We have removed the paragraph which refers to the gaming machines in alcohol – licensed premises i.e.:</p> <p>  <a href="#">businesses/guide/gaming-machine-categories</a></p> <p>  31.2 The Licensing Authority may only limit the number of permitted gaming machines where it relates to an alcohol-licensed premises which holds a gaming machine permit. In such cases, the Licensing Authority will have regard to the following:</p> <ul style="list-style-type: none"> <li>▪ The size of the premises.</li> <li>▪ The number of counter positions available for person-to-person transactions.</li> <li>▪ The ability of staff to monitor the use of the machines by persons under 18 years of age or vulnerable persons.</li> </ul>