

**GAMBLING COMMISSION  
STATEMENT OF PRINCIPLES****(Report by Head of Administration)****1. Introduction**

- 1.1 Launched on 1<sup>st</sup> October 2005, the Gambling Commission is charged with implementing and overseeing a rigorous new regulatory regime for commercial gambling in this country. Shortly after its inception, the Commission published the first of their consultation documents, containing a draft Statement of Principles which will govern the way in which the Commission will regulate gambling in the future. Comments on the document (which can be found in full on the Commission's website at [http://www.gamblingcommission.gov.uk/UploadDocs/Contents/Documents/Statement\\_of\\_%20principles.pdf](http://www.gamblingcommission.gov.uk/UploadDocs/Contents/Documents/Statement_of_%20principles.pdf)) are invited with a closing date of 27<sup>th</sup> January 2006.

**2. Statement of Principles**

- 2.1 The high level principles contained in the Statement will serve as the Commission's main public statement of their approach to regulation. The majority of the draft Statement relates to the manner in which the Commission will fulfil its duty to pursue the three licensing objectives contained in the Gambling Act 2005 and the processes to be established for dealing with the licensing of operators and persons employed in the industry. Separate consultation exercises will be undertaken on the statutory guidance and codes of practice that the Commission will issue under the Act and these will be brought to the Committee's attention as they arise. To that extent, comments are not suggested on most aspects of the draft Statement
- 2.2 Those elements of the document that do relate specifically to licensing authorities and their role in the licensing of premises are referred to below.

**3. Prevention of Disorder**

- 3.1 The first of the licensing objectives in the Act is to prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. The Commission suggest that issues arising from the prevention of disorder are likely to focus on premises. They do not think that it would be appropriate for the Commission to offer detailed guidance as to what should be taken into account by licensing authorities in this respect as authorities already are experienced in making judgements about the suitability of premises, particularly those licensed under the Licensing Act 2003. Authorities can impose licensing conditions, including a requirement for door supervision and for those supervisors to be registered with the Security Industry Authority. To some extent this may conflict with conditions imposed by the Commission in ensuring that operators carry out gambling in an orderly fashion.
- 3.2 The Commission have invited views on any other measures that they might take to prevent gambling from being a source of disorder and in giving guidance to licensing authorities on the requirements for door supervision in the interests of consistency and the dissemination of best practice. It is

suggested that the Commission's approach to leaving the prevention of disorder to licensing authorities should be supported. Although guidance on door supervision would be welcome in the interests of consistency, authorities should be able to depart from the guidance where there are considered to be sound reasons for doing so. The Commission should also ensure that in issuing guidance, there is a clear distinction between the respective roles of the Commission and authorities in the licensing of operators and premises and the conditions that can be imposed in the promotion of the licensing objective.

#### **4. Protection of Children**

- 4.1 The first element of the third licensing objective is the protection of children from being harmed or exploited by gambling. The Commission have indicated that they will issue guidance to licensing authorities about ensuring that gambling premises are planned in such a way that access by children can be prevented. Persons operating premises will be required to take appropriate measures to promote the objective by, for example, supervision of entrances, internal supervision, internal segregation of gambling areas and training of staff. It is suggested that the Commission's intention to issue guidance be welcomed but that the guidance should clarify the respective roles of the Commission and authorities in attaching conditions to licences to avoid potential duplication or conflict.

#### **5. Partnership**

- 5.1 The Commission aim to establish effective working relationships with licensing authorities, the gambling industry and others and have invited comments on the most effective means of engaging with authorities and obtaining feedback from them. It is suggested that the Commission's intention be supported and that there should be liaison meetings with representatives of licensing authorities, possibly on a regional basis, together with regular newsletters, updates and consultation.

#### **6. Conclusion and Recommendation**

- 6.1 Much of the draft Statement of Principles is of indirect relevance only to licensing authorities and the Commission's proposals with regard to authorities will be addressed in consultation on the issue of statutory guidance and codes of practice. Those elements of the Statement that do apply directly are referred to above and the Committee are

#### **RECOMMENDED**

to endorse the comments suggested in this report.

#### **Background Papers**

Gambling Commission Statement of Licensing Principles.

#### **Contact Person**

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