

GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

CONSULTATION REPLIES

Consultee	Comment	Suggested Response
Somersham Parish Council	No comment	Noted
Gosschalks (on behalf of Association of British Bookmakers)	<p>Door supervision not required in betting offices. Suggest inclusion in policy of words 'There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate'</p> <p>There is no evidence that betting machines cause harm to gamblers. Suggest inclusion in policy of words 'While the authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will consider limited the number of machines only</p>	<p>Paragraph 15.8 confirms that any licence conditions will be proportionate, relevant, reasonable and related to the premises in question. Paragraph 15.15 states that the authority may decide that door supervision is appropriate in particular cases.</p> <p>No change is therefore considered necessary to the statement.</p> <p>The wording of paragraph 20.2 on the number of betting machines in betting offices replicates the working in the Gambling Commission's statutory guidance.</p> <p>No change is therefore considered necessary to the statement.</p>

	<p>where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter'</p> <p>Betting offices have evolved especially over the past 2 decades which frequently has involved re-siting of premises with little objection. Licensing authorities are invited to endorse and support this natural progress. The authority is therefore invited to positively encourage or give sympathetic consideration to re-sites within the same locality and extensions to enhance the quality of facilities.</p> <p>Suggest inclusion in policy of words 'The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.</p> <p>The reference in paragraph 15.9 which states that 'the authority will expect an</p>	<p>It would be inappropriate for the authority to fetter its discretion by actively indicating such encouragement. Each case should be considered on its merits.</p> <p>No change is therefore considered necessary to the statement.</p> <p>This is supported and a new paragraph 20.3 has been included in the statement to this effect.</p> <p>Unlike the Licensing Act 2003, the draft Premises Regulations make no provision</p>
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	<p>applicant to offer suggestions as to the way in which the licensing objectives can be met effectively' should be deleted.</p> <p>The draft Premises Licences regulations contain no mention of this requirement.</p> <p>The statement should make it clear that credit can only be given at premises with casino and bingo premises licences under Section 177 of the Act.</p> <p>The references in Part C of the statement to the submission of plans by applicants may require amendment when draft forms are available.</p>	<p>for an applicant to show how he will promote the licensing objectives. It is suggested therefore that this sentence be deleted from the statement.</p> <p>This is referred to I paragraph 15.16 which has been amended accordingly.</p> <p>It is suggested that the requirement for plans for permit applications can be dispensed with and the statement amended accordingly.</p>
The Racecourse Association Ltd	<p>The statement suggests that areas on tracks with different betting premises licences should be delineated. This may not be practical or necessary. The Association are in discussion with the Gambling Commission and DCMS on the subject.</p> <p>The authority may require off-course operators with on-course facilities to hold a separate betting premises licence for that area. Discussions with the DCMS suggest this will not be a mandatory requirement and will be at the discretion of the racecourse and the betting</p>	<p>This is not suggested in the statement and no change is required.</p> <p>The statement follows current Gambling Commission guidance. Further guidance is awaited from the DCMS and Gambling Commission. No change is suggested in advance of the receipt of that guidance.</p>

	<p>operator. This should be reflected in the statement.</p> <p>The location of gambling premises may be taken into account when assessing an application. The location of racecourses will not have altered since their foundation and they cannot be transferred to another location.</p> <p>Racecourses are subject to other legislation and the authority should not impose conditions which are dealt with in other legislation.</p> <p>The requirement for plans in paragraph 21.10 should not include information that is not required under the Premises Licences Regulations.</p> <p>The authority may impose additional conditions on racecourses to ensure they provide a suitable betting environment as they will not hold an operators licence. The authority is asked to ensure that the conditions do not exceed the premises licence conditions outlined by DCMS.</p> <p>The authority is asked to note that the Act permits children to enter a racecourse on days when racing takes place.</p> <p>The Association is still in discussion with</p>	<p>No change is suggested to the statement.</p> <p>The Act requires an authority not to duplicate other legislative provision and for conditions to be proportionate, etc. No change is suggested to the statement.</p> <p>The Premises Licences Regulations have yet to be made. The requirements of the Regulations will take priority. No change is therefore suggested to the statement.</p> <p>See above. Conditions will be proportionate and relevant. No change is suggested.</p> <p>This is stated in paragraph 21.4. No change is required.</p> <p>Noted. No change required.</p>
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	the DCMS on provisional statements for racecourses and the premises licence regime	
East of England Faiths Council	<p>The authority is asked to advise or approve only the lowest or lower stake gaming machines.</p> <p>The authority is asked to ensure that applications meet the licensing objectives as opposed to being reasonably consistent with them.</p> <p>Policies should be established whereby the locations of licensed premises are as far as possible from places frequented by children, young people and families, including schools, swimming pools, leisure centres, shopping malls, parks, libraries, areas of deprivation etc.</p> <p>High priority should be given to the provision of suitable door and/or machine supervisors as well as in-service opportunities for training and sharing best practice. CCTV and proof of age schemes are necessary.</p> <p>The authority should authorise a body with sufficiently trained personnel to advise on the protection of children from harm.</p>	<p>Applications will be considered on their merits. No change is suggested to the statement.</p> <p>This goes beyond the requirement of the Act and is not therefore permissible. No change is suggested.</p> <p>This goes beyond the requirement of the Act and is not therefore permissible. No change is suggested.</p> <p>Applications will be considered on their merits. No change is suggested to the statement.</p> <p>The authority has nominated the Office of Children and Young People's Services of Cambridgeshire County Council as the responsible authority for the protection of children from harm. No change is suggested.</p>

	<p>The authority has a moral obligation to ensure that potential concerns will be overcome.</p> <p>Licences should be reviewed regularly to ensure the effectiveness of measures undertaken and compliance with conditions.</p> <p>20% of children in the Region live below the poverty line and gambling leads to financial loss. The authority should ensure that this is drawn to the attention of clients in gambling establishments and the possibility of donating to local good causes.</p> <p>The authority should pass a no casino resolution.</p>	<p>The authority will act within the requirements of the Act. No change is required to the statement.</p> <p>Licences can only be reviewed on the application of a responsible authority or interested person. No change is required.</p> <p>This is not within the authority's remit. No change is suggested.</p> <p>It is unlikely that a casino will be established in the District. A resolution is not therefore required.</p>
<p>British Beer and Pub Association (supported by the British Institute of Innkeeping, Association of Licensed Multiple Retailers and Federation of Licensed Victuallers Association)</p>	<p>There is no legal requirement for plans to accompany permit applications. A variation of the plan for premises licensed under the Licensing Act 2003 would cost £1,800 per application. The reference to plans should be deleted from the statement. Machines are not fixed and can be moved necessitating changes to plans.</p>	<p>The application form is at the discretion of the authority. Although it is suggested that the cost of plans is exaggerated, especially where this involves an amendment only for plans for premises licensed under the Licensing Act, it is suggested that the provision for plans to accompany applications can be dispensed with. It is suggested that the statement be amended accordingly.</p>

	<p>When operators apply for additional machine permits and comply with the Gambling Commission Code of Practice, there is no reason why these should not be granted. The statement should reflect this.</p> <p>The Association would welcome the inclusion in the statement of an outline of the application procedures for more than 2 machines in alcohol licensed premises.</p> <p>The LACORS application form for permits should be adopted.</p> <p>Reference to the transitional arrangements should be included in the statement or in separate guidance.</p>	<p>This would be premature in advance of the Code of Practice. No change is suggested to the statement.</p> <p>This has yet to be determined by the authority and would therefore be premature. No change is suggested.</p> <p>This is not relevant to the statement and no change is required.</p> <p>Regulations have still to be made on the transitional arrangements. It would be premature for advice to be included in the statement and this will be the subject of separate guidance in due course. No change is suggested.</p>
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