

Representation by the Association of British Bookmakers		
Reference in policy	Current wording	Suggested change
Paragraph 2.4 Refers to having regard to the licensing objectives not promote the licensing objectives.	The Gambling Act 2005 requires the Council to prepare and publish a “Statement of Licensing Policy” that sets out the principles that the Council will apply to <b>promote the Licensing Objectives when making decisions on applications made under the Act. This policy statement also incorporates some ‘statements of principles’ that we propose to apply when exercising our functions.</b>	The Gambling Act 2005 requires the Council to prepare and publish a “Statement of Licensing Policy” that sets out the principles that the Council will apply in exercising their functions under the Act while having regard to the licensing objectives. <b>EOSC -agreed</b>
Paragraph 4.2 As above	All applicants for Premises Licences are encouraged to set out how they will <b>promote</b> the licensing objectives	All applicants for Premises Licences are encouraged to set out how they will have regard to the licensing objectives <b>EOSC agreed</b>
Paragraph 10.10 As above	The Council intends to use appropriate enforcement to <b>promote</b> the licensing objectives and will ensure adequate resources are available to do this.	The Council intends to use appropriate enforcement and will ensure adequate resources are available to do this. <b>EOSC agreed</b>
Paragraph 10.2 List of bullet points listing minimum expectations for the premises risk assessment. They wish the following to be removed references in red to be removed.	<ul style="list-style-type: none"> <li>• <b>Gaming trends that may reflect benefit payments</b></li> <li>• Range of facilities in proximity to the licensed premises such as other gambling outlets, <b>banks, post offices</b>, refreshment and entertainment type facilities</li> <li>• Known problems in the area such as problems arising from <b>street drinkers, youths participating in anti-social behaviour</b>, drug dealing activities, other crime and/ or disorder.</li> </ul>	These bullet points have been used by other Councils and the Gambling Commission have shown examples in their January bulletin (attached) <b>EOSC – original policy retained</b>

<p>Last but one paragraph 10.2 wish the following to be removed.</p>	<p>Other issues that may be considered could include:  <b>Matters of faith, including all religious or faith denominations including proximity to churches, mosques, temples or any other place of worship.</b></p>	<p>Could remain or be deleted  <b>EOSC – original policy retained</b></p>
<p>Final sentence of paragraph 10.3 should be deleted as it indicates that the LA will consider the socio economic make-up of the area, density of gambling and specific types of gambling when considering its regulatory approach. The relative affluence of an area can have no bearing on whether or not an operation is reasonably consistent with licensing objectives.</p>	<p>The council’s regulatory approach to Gambling Act applications may be influenced by the type of premises and/or its position in the borough, for example known issues with problem gambling, the interaction between the night time economy and gambling and any crime patterns or anti-social behaviour linked to gambling may be taken into consideration. <b>In addition the socio economic makeup of the area, density of gambling premises and specific types of gambling may also be considered.</b></p>	<p>Could remain or be deleted  <b>EOSC- original policy retained</b></p>

<p>General principles of Part B, the reference under location (p. 21) to the possibility of a policy being adopted with regard to areas where gambling premises should not be located. Any policy is likely to be unlawful and contrary to the principle that the LA should aim to permit the use of premises for gambling.</p>	<p>The Council is aware that demand issues cannot be considered with regard to the location of premises licences but that considerations in terms of the licensing objectives can. In accordance with the Gambling Commission's Guidance to Licensing Authorities, this authority 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. <b>Should any specific policy be decided upon as regards areas where gambling premises should not be located, this policy statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how the concerns can be overcome.</b></p>	<p>No current policy to this effect so paragraph can remain or be deleted. EOSC – paragraph retained</p>
<p>Section relating to conditions in Part B paragraph 1. (p.18) The evidential basis for the imposition of additional conditions will not be imposed simply where it is sought to be "appropriate".</p>	<p>Premises Licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be <b>appropriate</b>.</p>	<p>Changing appropriate to proportionate and relevant would be consistent with the Gambling Act guidance at 9.31. EOSC – change agreed</p>

<p>Or where there is a “perceived” need p. 24.</p>	<p>Decisions on individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a <b>perceived need</b>, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.</p>	<p>Could change perceived to relevant. EOOSC – change agreed</p>
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