

# Appendix 1

Responses Received during consultation period (31 Jul to 18 Sep)	Page number (top right hand corner of document)	Reference point of the revised policy	Suggested new wording
Ladbrokes Plc	1a	N/A	N/A
Cublington Parish Council	2a	N/A	N/A
Cllr George Illingworth	3a	7.4	<i>The Licensing Authority will consider proposals for new gambling premises to be very likely to adversely affect the gambling objectives if they are in close proximity to hostels or other accommodation or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol drug abuse problems.</i>
		10.2	<i>Democratically elected interested parties includes; MPs, Parish, Town, County and District Councillors.*</i>
		13	<i>There are currently no casinos operating in the district.</i>  <i>Section 166(1) of the Act states that a Licensing Authority may resolve not to issue casino premises licences. There is no resolution to prohibit casinos in the District at present. The Council reserves the right to review this situation and may, at some point in the future resolve not to permit casinos. Should the Council choose to make such a resolution, this will be made in accordance with s166 of the Act and a resolution of full Council following considered debate.</i>
		27.1	<i>Applications under the Act will be dealt with in accordance with the Council's scheme of delegation. The attached table sets out how</i>

			<i>the Council will determine applications and other matters under the Act. (table can be found as appendix 4)</i>
		23.2	<i>Royal British Legion Clubs</i>
Budbrooke Parish Council	4a	N/A	N/A
Gosschalks Solicitors on behalf of the Association of British Bookmakers	5a	5.1.4	<i>Where an area is known to have high levels of crime the Authority will consider carefully whether the location is suitable for gambling premises. The Authority will expect the applicant to have a good understanding of the local area in which they either operate, or intend to operate and demonstrate how they will promote this objective in this location. Where representations are received, it may be necessary for appropriate conditions to be attached to the licence, for example such as Licensed Door Supervisors, CCTV or minimum levels of staffing.</i>
		5.1.6	No changes necessary (see legal advice page 8a)
		7.4	<i>The licensing authority carefully consider proposals for new gambling premises that are in close proximity to hostels or other accommodation or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems, in the light of the gambling objectives</i>
		7.5	<i>It should be noted that areas considered to be sensitive does not preclude any application being made and each application will be decided on its own merits</i>
		12	No changes necessary (see legal advice page 8a)
Coral Racing	6a		No changes necessary (see legal advice page 8a)
Kenilworth Town Council	7a	10.2	See above*

Jayne Bailey  
Public Places & Projects Team Leader  
Safer Communities  
Health & Community Protection  
Warwick District Council  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ

17<sup>th</sup> August 2015

**Ladbrokes consultation response – Local Council statement on Gambling Act Statement of Principles**

**Introduction**

Ladbrokes is one of the world's largest betting operators, employing around 13,000 across 2,200 shops in the UK. As a responsible business we are committed to providing our customers with a safe, fair and fun leisure experience, whilst helping the small number of individuals who suffer from gambling related harm.

Betting offices are also valuable contributors to the vitality and viability of high streets throughout the UK, employing local people, building relationships with local customers and supporting local good causes in the community:

- They are an established high street use.
- They generate footfall at least comparable to that of retail facilities.
- They generate linked trips so supporting the retail vitality and viability of town centres.
- In physical character terms they generate at least as lively an exterior aspect as retail facilities.
- They are compatible in scale with retail facilities.

We welcome the opportunity to respond to this consultation. As a highly regulated industry, we also devote significant resources to regulatory compliance and fully support both the principle and practice of better working partnerships between local betting operators and local authorities. In our view the current regime already adequately offers key protections for communities and already provides a clear process (including putting the public on notice) for objections to premises licence applications. The recent planning law changes effective since April 2015 have also already increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.

We are therefore concerned that the guidance as currently drafted aims to alter the premises licence regime from that established in the Gambling Act and either intentionally or unintentionally increases the burdens on an already responsible business and prescribes additional conditions above and beyond what has been currently agreed by the independent regulator.

We hope that in responding to this consultation we can better support the implementation of an effective, consistent and clear local licensing regime which is mutually beneficial to operators and local authorities.

**Local Partnerships**

We welcome the focus on partnership working and that is one of the reasons we are a leading signatory to the 'ABB-LGA Framework for local partnerships on betting shops' which was published in January this year. We also have Primary Authority agreements with Liverpool Council and Milton Keynes Council which has resulted in greater clarity and consistency of regulation at a local level. In contrast, we are concerned that this guidance as currently drafted would lead to variations and inconsistencies which prove burdensome and costly for a business that operates across a multi-site estate in numerous different local authorities.

#### **Local area risk assessments**

From April 2016, under new Gambling Commission LCCP provisions, we are required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated. As a responsible business, we must take into account relevant matters identified in the licensing authority's statement of licensing policy in their risk assessment, and review our policies where there are significant local changes.

It is important that any changes or additional conditions are evidence based and as a result, deemed to have a real impact on the ability of betting operators to uphold any or all of the three licensing conditions. Such a list of factors, based on opinion rather than fact, and therefore open to interpretation in many different ways could result in an inconsistent licensing regime.

Operators already take certain factors into consideration to ensure compliance with the licensing objectives, both in relation to new applications and existing licensed premises, and therefore it should be, as it is now, a matter for the local operator to decide how this is determined and what should be included. This being the case, only local risks that are evidence based, would be included in the risk assessment. We would therefore caution against the inclusion of certain named categories which operators are prescribed to take into account by the local authority, including educational establishments and general levels of crime.

It is important to note that betting shops are often the victims of crime rather than a source of crime (burglaries, robberies etc). However, as a responsible business we would consider the existing levels of gambling and betting related crimes as well as the measures we can take to mitigate this risk before applying for a local licence. It is unclear and we would expect that other general levels of crime would not affect a licensing application.

Instead, each case should be considered on its own merits and therefore we would caution against general statements that gambling premises should automatically face a higher burden of proof in these areas. Without any clear requirements in the revised licensing policy statements that additional licence conditions should be accompanied by robust evidence, this process could lead to unintended consequences and local shop closures and job losses.

#### **Existing responsible practices**

Ladbrokes shops already operate strict age restrictions and we do not promote betting or gambling in our shop windows attractive to young children or vulnerable adults.

We accept the importance of the premises design to mitigate risk, which is one of the reasons we install CCTV cameras in specific places to monitor activity (for example at the entrance and exit of the shop) and it is our policy, unless physically impossible, to locate machines in line of sight of our

cashiers. Where this is not possible, we implement alternative measures to ensure that shop team are in a position to monitor the activity in the machines area of the shop.

Security and health and safety risk assessments already detail control measures in this area which are effective in tackling these issues. Similarly, we do not accept the premise that the proximity of young people to betting shops should be regarded as an additional risk. We have strict policies and procedures in place to ensure that only those who are eligible to bet can do so. We have also invested in colleague training for the Challenge 21 policy, whereby any new customer who does not look old enough to bet is asked to provide identification. If official age verification is not provided, the customer will be asked to leave the premises. Ladbrokes also has a Primary Authority Partnership for age-restricted products.

Our policies regarding compliance with the licensing objectives are supported by thorough staff induction training programmes followed by annual refresher training in the higher risk areas such as the prevention of underage gambling (Think 21) and tested through internal audit processes and, in the case of Think 21, test purchasing conducted by a third party service provider and the fact that those results are and other associated information is shared with the Gambling Commission.

**Who should be an interested party?**

There is a clear, existing process in place for interested parties or responsible authorities to make representations and we would therefore caution against statements of theoretical risk without any evidence to support the argument.

**For further information please contact:**

Grainne Hurst  
Corporate Affairs Director, Ladbrokes  
[grainne.hurst@ladbrokes.co.uk](mailto:grainne.hurst@ladbrokes.co.uk)



**Jayne Bailey**

**From:** Clerk to Cubbington Parish Council <clerk@cubbington.org.uk>  
**Sent:** 09 September 2015 08:48  
**To:** Jayne Bailey  
**Subject:** RE: Gambling Policy consultation

Hello Jane.

I hope all is well with you.

The Parish Council discussed the Gambling Policy and Statement of Principles last evening and have no comments to make thanks.

Regards,

Robert

Robert Inman  
 Clerk to Cubbington Parish Council

Tel. (01926) 338704

[www.cubbington.org.uk](http://www.cubbington.org.uk)

---

**From:** Jayne Bailey [<mailto:jayne.bailey@warwickdc.gov.uk>]

**Sent:** 31 July 2015 15:56

**To:** Association of British Bookmakers; Beer & Pub Association; Bingo Association; Body responsible for the protection of children from harm; British Amusement Catering Association; British Casino Ass-National Casino Forum; British Horse Racing Board; Casino Operators Association; Chamber of Commerce; Club & Institute Union; Coral Racing Ltd; HCPHealthandSafety; environment; Fire & Rescue; GamCare; Grahame Helm; Greyhound Racing Board; HM Revenue & Customs; Huw Williams; Karen Hanlon; Ladbrokes; Licensed Victuallers Association; Licensing; Lotteries Commission; Marianne Rolfe; Mark Jarvis; Paul Calver; Poppleston Allen - Louise Granville; Public Health/National Health Service; R Burkitt; Rajinder Lalli; Responsibility in gambling trust; Royal Society of Psychiatrists; Shipleys; Warwickshire Police; William Hill; A Winterburn; Alex Davis; Allyson Coleman; Corinne Hill; David Leigh-Hunt; Derek Maudlin; Eileen Clayton; Elaine Priestley; Eleanor Choudry; G D Symes; Graham Cooper; James Johnson; Jane Fleming; Jean Lewis; Jennifer Bendall; Jennifer Mason; Katherine Skudra; Lorraine Mathers; Maria Norman; Pat Maddison; Paul Knight; Phil Clark; Robert Inman; Robert Nash

**Cc:** Pete Cutts; Richard Hall; Andrew Jones; LandRCommittee; Marianne Rolfe

**Subject:** Gambling Policy consultation

Dear Consultee

Warwick District Council, acting as the Licensing Authority, is responsible for the implementation and administration of certain parts of the Gambling Act 2005. Part of this responsibility is to adopt Policy and Statement of Principles which must be reviewed every three years. The last review was in 2012.

I have attached the proposed new Policy and Statement of Principles. Please note the closing date for consultations is the **18<sup>th</sup> September 2015**.

Should you wish to make any comments during this consultation period, please forward to [thegamblingpolicy@warwickdc.gov.uk](mailto:thegamblingpolicy@warwickdc.gov.uk).

Kind regards

**Jayne Bailey**

Public Places & Projects Team Leader

Safer Communities | Health & Community Protection | Warwick District Council | Riverside House |  
Milverton Hill | Royal Leamington Spa | CV32 5HZ | 01926 456742  
| Mobile 07912 775589 | Fax 01926 456121

[jayne.bailey@warwickdc.gov.uk](mailto:jayne.bailey@warwickdc.gov.uk) | [www.warwickdc.gov.uk](http://www.warwickdc.gov.uk)



---

What's on - [www.warwickdc.gov.uk/events](http://www.warwickdc.gov.uk/events)

Latest news - [www.warwickdc.gov.uk/news](http://www.warwickdc.gov.uk/news)

This E-mail, and any attachments, may contain PROTECTED information and is intended solely for the individual to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this E-mail has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this E-mail may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Warwick DC will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail. Any opinions expressed in the E-mail are those of the individual and not necessarily those of Warwick District Council.

---



**Jayne Bailey**

---

**From:** George Illingworth  
**Sent:** 11 September 2015 18:04  
**To:** The Gambling Policy  
**Subject:** Consultation on Gambling Policy

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I would like to make the following comments on the draft Statement of Policy under the Gambling Act 2005:

Paragraph 7.4 I had to read this more than once to work out what it meant, and misunderstood it at first, because the key message is right at the end of a long sentence. I suggest it would be clearer to say:

"The licensing authority will consider proposals for new gambling premises to be very likely to adversely affect the gambling objectives if they are in close proximity to hostels or other accommodation or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems.

Paragraph 10.2 mentions Councillors as democratically elected interested parties. I think that it would be wise to clarify that this includes Parish and Town Councillors as well as County and District Councillors (assuming that it does) to avoid any confusion. I note that Parish and Town Councils are not considered Responsible Authorities in Paragraph 9.2.

Paragraph 13.1 refers to "the" application for a casino. Which application? What does the not passes a "no casino" resolution mean? There are an infinite number of resolutions the Authority has not passed!

Paragraphs 15.2 and 15.4 have comments in brackets which presumably should have been deleted.

Paragraph 23.2 the reference to branches of Royal British Legion is misleading and should more correctly refer to Royal British Legion Clubs as not all branches have their own premises.

Paragraph 27.1 indicates that Licensing and Regulatory Committee has to put it's decisions on Gambling matters before Full Council. My understanding is that the powers have been delegated and that the routine decisions do not have to go to Full Council. A few years ago such committees used to report their Minutes to Full Council, but this is no longer the case unless gambling is required to be treated differently from other licensing activities.. This is a key point which needs to be resolved.

This is along and complex document and I do not claim to have absorbed every paragraph but I hope that these various comments are helpful

Regards

Cllr George Illingworth  
 Chairman L&R Committee



**Jayne Bailey**

---

**From:** Budbrooke Parish Council Council <budbrookepc@gmail.com>  
**Sent:** 14 September 2015 09:37  
**To:** The Gambling Policy  
**Subject:** Budbrooke Parish Council response

Dear Sir or Madam,

Budbrooke Parish Council has reviewed and discussed the gambling policy and believe it is a very comprehensive policy. The council has no concerns about this policy.

Kind regards,

Alex Davis  
Clerk to Budbrooke Parish Council  
Tel: 01926 411100





GOSSCHALKS  
SOLICITORS

5a

Warwick District Council  
Licensing Team  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ

Please ask for: Richard Taylor  
Direct Tel: 01482 590216  
Email: [rjt@gosschalks.co.uk](mailto:rjt@gosschalks.co.uk)  
Our ref: RJT / LHK / 097505.00004  
#GS367521  
Your ref:  
Date: 15 September 2015

Dear Sir/Madam,

**Re: Gambling Act 2005 Policy Statement Consultation**

We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to the current consultation on the Council's review of its gambling policy statement.

The ABB represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

This response will explain the ABB approach to partnership working with local authorities, it will detail its views on the implementation of the new LCCP requirements, from April 2016, relating to operators' local area risk assessments and their impact on the licensing regime and will then make specific comment with regard to any statement(s) of concern that are welcomed in your draft policy.

The ABB is concerned to ensure that any changes are not implemented in such a way as to fundamentally change the premises licence regime through undermining the "aim to permit" principle contained within s153 Gambling Act 2005.

The current regime already adequately offers key protections for communities and already provides a clear process (including putting the public on notice) for representations/objections to premises licence applications. The recent planning law changes effective since April 2015 have also already increased the ability of local authorities to consider applications for new premises, as all new betting shops must now apply for planning permission.

It is important that any consideration of the draft policy and its implementation at a local level is put into context. There has recently been press coverage suggesting that there has been a proliferation of betting offices and a rise in problem gambling rates. This is factually incorrect.

Over recent years betting shop numbers have been relatively stable at around 9,000 nationally, but more recently a trend of overall downwards decline can be seen. The latest Gambling Commission industry statistics show that numbers as at 31 Mar 2015 were 8,958 - a decline of 179 from the previous year, when there were 9,137 recorded as at 31 March 2014.

As far as problem gambling is concerned, successive prevalence surveys and health surveys reveal that problem gambling rates in the UK are stable (0.6%) and possibly falling.

### **Working in partnership with local authorities**

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and we welcome the opportunity to respond to this consultation.

There are a number of examples of the ABB working closely and successfully in partnership with local authorities.

### **LGA – ABB Betting Partnership Framework**

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA). This was developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms and established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the *"...desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be."*

The framework built on earlier examples of joint working between councils and the industry, for example the Ealing Southall Betwatch scheme and Medway Responsible Gambling Partnership.

In Ealing, the Southall Betwatch was set up to address concerns about crime and disorder linked to betting shops in the borough. As a result, crime within gambling premises reduced by 50 per cent alongside falls in public order and criminal damage offences.

In December last year, the Medway Responsible Gambling Partnership was launched by Medway Council and the ABB. The first of its kind in Britain, the voluntary agreement allows anyone who is concerned they are developing a problem with their gambling to exclude themselves from all betting shops in the area.

The initiative also saw the industry working together with representatives of Kent Police and with the Medway Community Safety Partnership to develop a Reporting of Crime Protocol that is helpful in informing both the industry, police and other interested parties about levels of crime and the best way to deal with any crime in a way that is proportionate and effective.

Lessons learnt from the initial self-exclusion trial in Medway have been incorporated into a second trial in Glasgow city centre, launched in July this year with the support of Glasgow City Council, which it is hoped will form the basis of a national scheme to be rolled out in time for the LCCP deadline for such a scheme by April 2016.

Jane Chitty, Medway Council's Portfolio Holder for Planning, Economic Growth & Regulation, said:  
*"The Council has implemented measures that work at a local level but I am pleased to note that the joint work we are doing here in Medway is going to help the development of a national scheme."*

Describing the project, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, Cllr Paul Rooney said:

*"This project breaks new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator."*

### **Primary Authority Partnerships in place between the ABB and local authorities**

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities.

These Partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the Partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015.

By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

### **Local area risk assessments**

With effect from 6<sup>th</sup> April 2016, under new Gambling Commission LCCP provisions, operators are required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated.

Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy and local area profile in their risk assessment, and these must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or a new premises licence.

The ABB is concerned that overly onerous requirements on operators to review their local risk assessments with unnecessary frequency could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB's view this

should be where evidence can be provided to demonstrate that the change could impact the premises' ability to uphold the three licensing objectives.

Although ABB members will be implementing risk assessment at a local premises level, we do not believe that it is for the licensing authority to prescribe the form of that risk assessment. We believe that to do so would be against better regulation principles. Instead operators should be allowed to gear their risk assessments to their own operational processes informed by Statements of Principles and the local area profile.

The ABB supports the requirement as set out in the LCCP, as this will help sustain a transparent and open dialogue between operators and councils. The ABB is also committed to working pro-actively with local authorities to help drive the development of best practice in this area.

### **Local Area Profiles – Need for an evidence based approach**

It is important that any risks identified in the local area profile are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles.

This would distort the "aim to permit" principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.

A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.

We would also request that where a local area profile is produced by the licensing authority that this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.

### **Concerns around increases in the regulatory burden on operators**

Any increase in the regulatory burden would severely impact on our members at a time when overall shop numbers are in decline, and operators are continuing to respond to and absorb significant recent regulatory change. This includes the increase to 25% of MGD, changes to staking over £50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Moving away from an evidence based approach would lead to substantial variation between licensing authorities and increase regulatory compliance costs for our members. This is of particular concern for smaller operators, who do not have the same resources to be able to put



into monitoring differences across all licensing authorities and whose businesses are less able to absorb increases in costs, putting them at risk of closure.

Such variation would in our opinion also weaken the overall standard of regulation at a local level by preventing the easy development of standard or best practice across different local authorities.

### **Employing additional licence conditions**

The ABB believes that additional conditions should only be imposed in exceptional circumstances where there are clear reasons for doing so - in light of the fact that there are already mandatory and default conditions attached to any premises licence. The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statements as to the need for evidence.

This would further increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities.

### **Specific Policy Comments**

In paragraph 5.14, the draft policy states that *"it may be necessary for appropriate conditions to be attached the licence (sic) for example such as (sic) licensed door supervisors, CCTV or minimum levels of staffing."* This sentence will need to be redrafted. The statement should be clear that the opportunity to impose conditions arises when representations have been submitted and the committee feels it necessary to impose conditions having heard evidence of a risk to the licensing objectives within a hearing. All three examples given will always be considered by operators and as cash handling businesses, betting office operators will always make adequate steps of their own volition to ensure the safety of customers and staff. It would only be in exceptional circumstances, where there was evidence that conditions are necessary that such conditions should be imposed.

The draft statement of policy indicates at 5.1.6 that nuisance is not an issue under Gambling Act 2005. This is recognised at paragraph 10.3, later in the policy. The purpose of 5.1.6 seems to be to elevate certain instances of public nuisance into the category of crime and disorder. We respectfully submit that this paragraph would be assisted by a statement taken from the Gambling Commission Guidance to Licensing Authorities, 5<sup>th</sup> edition (paragraph 5.5), *"In the context of gambling licensed premises, a licensing authority should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it."*

Section 7 of the draft statement of policy deals with location. Whilst paragraph 2.2 of the policy recognises the requirement to "aim to permit" in accordance with s153 Gambling Act 2005 the drafting of section 7 suggests that the attitude of the authority is not that it will aim to permit but rather that gambling premises are likely to adversely affect the licensing objectives. This statement is actually made at paragraph 7.4 although there is reference to it in paragraph 7.1 - *"it considers*

*the location of gambling premises can be a major factor on the promotion of the licensing objectives."* The policy would be assisted by including any local area profile within the policy itself.

Paragraph 7.4 indicates that premises within proximity to certain premises are very likely to adversely affect the gambling objectives. This appears to be a statement made without any evidence whatsoever. Operators will need to assess the locality as part of the local area risk assessments that will be required from April 2005. Within those risk assessments they will detail any additional steps that may be required as highlighted by that risk assessment. It is not for the licensing authority to pre-judge an area or reverse the burden of proof (as it may in areas subject to cumulative impact policies when dealing with premises licences under Licensing Act 2003) in applications made under Gambling Act 2005.

Section 12 of the policy deals with conditions and the ABB welcomes the statement that the authority will not generally impose conditions unless it is deemed necessary to do so. The authority is reminded that betting premises are already subject to heavy regulation and must operate within the mandatory and default conditions required for betting premises. In the vast majority of cases, the mandatory and default conditions will be sufficient and will not need to be supplemented. It is only when there is evidence of a particular risk in a particular location that a committee may consider imposing a condition having heard that evidence within a hearing.

Paragraph 12.4 indicates that the authority will not consider imposing conditions in certain circumstances. We respectfully submit that this should be amended to indicate that the authority cannot impose conditions in certain circumstances.

## Conclusion

The industry fully supports the development of proportionate and evidenced based regulation, and is committed to minimising the harmful effects of gambling. The ABB is continuing to work closely with the Gambling Commission and the government to further evaluate and build on the measures put in place under the ABB Code for Responsible Gambling, which is mandatory for all our members.

ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, we already do this successfully in partnership with local authorities now. This includes through the ABB Code for Responsible Gambling, which is mandatory for all our members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff. We would encourage local authorities to engage with us as we continue to develop both these codes of practice which are in direct support of the licensing objectives.

Yours faithfully,





Regulatory (Licensing)  
Warwick District Council  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ.

18<sup>th</sup> September 2015

Dear Sir,

**Consultation on Warwick District Council's Statement of Principles – Gambling Act 2005**

Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.

As discussed with your Licensing Department on Friday 18<sup>th</sup> September, we understand that the consultation document has not been produced on your website. As we have not received a hard copy, our feedback is more general and we would welcome the opportunity at being included in future consultations fully.

Reading your existing Statement of Principles, Coral Racing Limited would be supportive of the document remaining in place. It notes that the Board when considering applications are still required to 'aim to permit gambling' where this is 'reasonably consistent with the licensing objectives'. We politely highlight that many councils correctly include an additional reference that it should not take into account of any moral objections to gambling.

Coral Racing Limited recognise the requirement to supply risk assessments with future applications & variations following the consultation completion (requirement is from 6<sup>th</sup> April 2016). Coral's experience is that through all it does, it achieves an exemplary degree of compliance already, and attracts negligible evidence of regulatory harm. Through the additional local risk assessment to be introduced, Coral believe that these should be a) to assess specific risks to the licensing objectives in the local area, and b) to assess whether control measures going beyond standard control measures are needed.

We would caution against the council providing a long list of locations which must be risk assessed and instructions / templates for completion and If we can provide any further information, we would be pleased to do so.

Yours faithfully,

John Liddle  
Director of Development – Coral Retail



Coral Racing Limited  
One Stratford Place, Montfichet Road, London E20 1EJ  
Registered Office: New Castle House, Castle Boulevard, Nottingham NG7 1FT  
Registered in England No. 541600  
Tel: 020 3288 7000 Fax: 020 3288 7050



1700+ shops



mobile



coral.co.uk 0800 242 232



a company



7a

**Jayne Bailey**

---

**From:** Town Clerk - Kenilworth <townclerk@kenilworth.org>  
**Sent:** 18 September 2015 16:45  
**To:** The Gambling Policy  
**Subject:** Response to Consultation on Gambling Policy

1. Kenilworth Town Council is pleased to be consulted on the revised WDC Gambling Act 2005, Statement of Policy. Whilst it is not aware of gambling being a major problem in the Town we appreciate the need for a clear and comprehensive Policy to control activity, particularly as issues may not be readily apparent.
2. We are particularly pleased to note the emphasis on the protection of children.
3. Kenilworth Town Council notes that it is not required by Statute to be treated as a responsible authority and be consulted regarding licences in the Town. However Members ask the Licencing Authority that it be consulted if Applications are made for Premises licences within Kenilworth. Members would welcome the opportunity to use their local knowledge to protect their community (if necessary).
4. Members seek confirmation that at 10.2 "Councillors" includes Town and Parish councillors. This should be clarified in the Policy.
5. Members seek clarification as to whether licences will be necessary for the activities of bingo and bridge drives etc that are regularly held in village halls, care homes, day care centres and for charity events. Whilst this may not form part of the Policy members feel that it is an area which is not generally understood.

This response is sent on behalf of Kenilworth Town Council.

Many thanks

**Maggie**

**MISS M S FIELD**

**Town Clerk**

*Kenilworth Town Council, Jubilee House, Smalley Place, Kenilworth, CV8 1QG.  
Telephone: 01926 859155.*

*Any opinions expressed in this E-mail are those of the individual and not necessarily those of Kenilworth Town Council. This E-mail and any files with it are confidential and solely for the use of the intended recipient and may not be disclosed further without the express consent of the sender. If you are not the intended recipient or the person responsible for delivering to the intended recipient, please be advised that you have received this E-mail in error and that any use is strictly prohibited. Information held by the Council is subject to the Freedom of Information Act and may be accessed in response to a request under the terms of the Act unless one of the exemptions applies.*

KTC01



## Comments on the consultation responses

### Coral Racing Response (letter dated 18.9.15)

- It is not believed necessary to include a reference at para 2.2 to state that it should not take into account moral objections to gambling.
- We note the comments in relation to local risk assessments. These have not yet been prepared but the comments will be taken into account when these are introduced.

### Association of British Bookmakers (letter from Gosschalks dated 15.9.15)

- para 5.1.4 of the draft policy – suggest that this is amended to make it clear that conditions will only be imposed where representations are received and the committee believes that it is necessary and in accordance with the tests set out at para 12 of the draft policy. Agreed, suggested amendment is;

*5.1.4 Where an area is known to have high levels of crime the Authority will consider carefully whether the location is suitable for gambling premises. The Authority will expect the applicant to have a good understanding of the local area in which they either operate, or intend to operate and demonstrate how they will promote this objective in this location. Where representations are received it may be necessary for appropriate conditions to be attached the licence for example such as Licensed Door Supervisors, CCTV or minimum levels of staffing.*

- Para 5.1.6. Officers consider that this paragraph is acceptable as drafted. It is not agreed that the paragraph elevates instances of public nuisance to crime and disorder. It clearly states that only extreme and persistent incidents of public nuisance would amount to crime and disorder which, in officers view, is the correct approach.
- Para 7.4. Officers note the points made in relation 7.4 and 7.5. It is suggested that 7.4 is amended to

*7.4 The licensing authority carefully will consider proposals for new gambling premises that are in close proximity to hostels or other accommodation or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems, in the light of the ~~as very likely to adversely affect the~~ gambling objectives.*

*7.5 It should be noted that areas considered to be sensitive does not preclude any application being made and each application will be decided on its own merits, ~~but the onus will be upon the applicant to show how the potential concerns can be overcome.~~*

- Para 12. The comments are noted but officers do not believe that further amendment is required.

24.9.15