

Feedback – Statement of Principles – Gambling Act 2005 Draft Policy 2017

Name	Comment & Policy Reference	Officers Comments.
Terry Hughes	<p>09.09.16 TWBC pool of conditions.docx</p> <p>Section 4.27 Is there a discrepancy here? GMC75 says no ATMs then GMC76 and GMC77 indicate there will be an ATM.</p>	<p>No discrepancy, as in some instances an ATM would be permitted within some premises dependant on the nature of the business.</p>
Terry Hughes	<p>TWBC pool of conditions.docx</p> <p>Section 4.28 GMC79 – ‘sighted’ should be ‘sited’.</p>	<p>Noted and amended.</p>
Terry Hughes	<p>09.09.16 v2 final draft RTWBC Gam SOP 2016.docx</p> <p>Page 12:</p> <p>Children’s and Families - KCC Social Service</p> <p>I wonder if this should be</p> <p>Kent Safeguarding Children Board</p> <p>...as referenced in Appendix 3.</p> <p>If so, the correct address for KSCB is</p> <p>Room 2.60, 2nd Floor Sessions House County Hall Maidstone ME14 1XQ</p>	<p>Noted and amended at page 12.</p> <p>Noted and amended.</p>

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	Tel: 03000 421126	
Terry Hughes	09.09.16 v2 final draft RTWBC Gam SOP 2016.docx Appendix 3 (Page 30): Address for CSU is Gibson Building Gibson Drive Kings Hill West Malling Kent ME19 4LZ	Noted and amended
Cllr Woodward	<p>2.7 In Social responsibility code provision panel 10.1.1 something has gone wrong with the alignment of the lettered bullets under para 2.</p> <p>3.5 It appears that the Licensing Authority is taking on a responsibility here that is already a responsibility of the gambling operator. Would remove it. (page 10 para 3.5 of the Guidance on Undertaking Local Gambling Risk Assessments)</p>	<p>2.7 Noted and amended</p> <p>Para 3.5 Comment noted and paragraph re worded to Operators must consider what is happening in their local areas and it is their responsibility to identify significant changes which may require a review of and possible amendment to their risk assessment. A significant change can be temporary and any temporary changes should be considered and adjustments made to the local</p>

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	<p>3.8 why does this need to be stated? seems superfluous</p>	<p>risk assessment if necessary. The Licensing Authority may provide information to operators if it believes a significant change has occurred in the local area and may provide information on any specific concerns it believes should be considered.</p> <p>Para 3.8 Comment noted; paragraph has been removed.</p>
Gosschalks -ABB	<p>Guidance on undertaking Local Gambling Risk Assessments – comments within the letter relating to paragraphs 4.6 (page 12/13 of the Guidance on Undertaking Local Gambling Risk Assessments) and 3.4 (page 9 of the Guidance on Undertaking Local Gambling Risk Assessments)</p> <p>2. Gambling Premises Licences – POLICY (page 22 of 44 Policy)</p> <p>(i) Decision making - general:</p>	<p>Comments noted and amended accordingly to ensure the document remains proportionate.</p> <p>Comments noted & re-worded to the following</p> <p>Decisions upon individual conditions will normally be made on a case by case basis relying on mandatory and default conditions, although there will be a number of measures the Licensing Authority may consider utilising the examples above where the local circumstances or specific risks make it appropriate, 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. The 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>

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	<p>Paragraph 2(3) of appendix 2 is headed "Location". Appendix iii) Location- (Page 24 of 44 Policy)</p> <p>Guidance to undertaking Local Gambling Risk Assessments - Paragraph 4.20 (page 15 of the Guidance on Undertaking Local Gambling Risk Assessments) – there is reference to the pool of model conditions and a statement that "operators are encouraged to use this pool of conditions in formulating appropriate control measures to mitigate risks to the licensing objectives identified in the local risk assessments."</p> <p>It is not clear whether or not the licensing authority is expecting applicants to "offer" conditions.....</p>	<p>Comments noted and amended to</p> <p>Should any specific policy be considered there would be a consultation and any such policy would not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.</p> <p>No Change –</p> <p>The Gambling Commissions Guidance 5th Edition to local authorities states at 6.46</p> <p>Where a licensing authority's policy statement sets out its approach to regulation with clear reference to local risks, it will facilitate operators being able to better understand the local environment and therefore proactively mitigate risks to the licensing objectives. In some circumstances, it might be appropriate to offer the licensee the opportunity to volunteer specific conditions that could be attached to the premises licence.</p> <p>Comment noted and amended to</p>

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	<p>Annex A Guidance to undertaking Local Gambling Risk Assessments - Paragraph 4.20. (page 19 of the Guidance on Undertaking Local Gambling Risk Assessments)</p> <p>There is a statement that “this risk assessment <u>must be completed</u> for all new premises...” This statement should be redrafted so that it is clear that operators may use this form or another form of risk assessment. The licensing authority may not specify a form that must be used.</p> <p>Model Pool of conditions (page 5 of the Mandatory, Default and TWBC Pool of Model Conditions for Gambling Premises Licences).</p>	<p>The following risk assessment template is provided to assist Operators in undertaking risk assessments however they may wish to use an alternative, providing that it clearly addresses all relevant risks..</p> <p>The Pool of Model Conditions are intended to be used by applicants, licensees, responsible authorities and interested parties to address specific issues and to provide some consistency with the wording of conditions.</p> <p>Insert to Part 4 – Model Conditions</p> <p>Any conditions attached to licences will be proportionate and will be</p> <ul style="list-style-type: none"> • relevant to the need to make the proposed building suitable as a gambling facility; • directly related to the premises and the category of licence applied for; • fairly and reasonable related to the scale and type of premises; <ul style="list-style-type: none"> • reasonable in all other respects; • aim to promoting both the licensing objectives and the aspirations of the Licensing Authority where they relate to the licensing objectives; and <ul style="list-style-type: none"> • not duplicate other provisions