

Agenda for a meeting of the Licensing Committee to be held on Monday, 31 January 2022 at 10.00 am in the Banqueting Hall - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	GREEN	THE INDEPENDENTS
M Slater Akhtar Cunningham Dodds I Hussain M Hussain S Khan	Davies Nazam Winnard	Love	Hawkesworth

Notes:

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From:

Parveen Akhtar
City Solicitor

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Phone: 07811 504164

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To:

A. PROCEDURAL ITEMS

1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

2. MINUTES

Recommended –

- (1) That the minutes of the Committee meeting held on 2 June 2021 be signed as a correct record (previously circulated).**
- (2) That the minutes of the Licensing Panels held on the following dates be signed as correct records (previously circulated):**

Bradford District Licensing Panel

2 June 2021

8 June 2021
16 June 2021 (1)
16 June 2021 (2)
29 June 2021
4 August 2021 (1)
4 August 2021 (2)
26 August 2021 (1)
26 August 2021 (2)
21 September 2021
25 October 2021 (1)
25 October 2021 (2)
27 October 2021 (1)
27 October 2021 (2)
17 November 2021 (1)
17 November 2021 (2)
18 November 2021
16 December 2021 (1)
16 December 2021 (2)
5 January 2022

(Farzana Mughal – 07811 504164)

3. **INSPECTION OF REPORTS AND BACKGROUND PAPERS**

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Farzana Mughal – 07811 504164)

B. BUSINESS ITEMS

4. **PROPOSED STATEMENT OF LICENSING PRINCIPLES 2022-2024 UNDER THE GAMBLING ACT 2005, FOR APPROVAL BY FULL COUNCIL**

1 - 62

The report of the Assistant Director Waste, Fleet & Transport Services (**Document “A”**) sets out the outcome of a public consultation exercise with respect to the Statement of Licensing Principles for the District, as required by the Gambling Act 2005 and proposes a final draft for recommendation for adoption by Council.

Recommended -

- (1) That the Committee recommends to Council that the document attached in Appendix 1 to Document "A" be adopted and published as the District's Statement of Licensing Principles pursuant to the Gambling Act 2005 (subject to any amendments that the Committee feels is appropriate).**

- (2) That the Interim Assistant Director Waste, Fleet & Transport Services be given delegated authority to approve any necessary amendments of a minor or drafting nature prior to formal publication.**

(Frances Towers - 01274 432240)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER



Report of the Assistant Director Waste, Fleet & Transport Services to the meeting of the Licensing Committee to be held on 31 January 2022

Subject:

A

Proposed Statement of Licensing Principles 2022-2024 under the Gambling Act 2005, for approval by full Council.

Summary statement:

This report sets out the outcome of a public consultation exercise with respect to the Statement of Licensing Principles for the District, as required by the Gambling Act 2005 and proposes a final draft for recommendation for adoption by Council.

Sue Spink
Interim Assistant Director
Waste, Fleet & Transport Services

Report Contact: Frances Towers
Licensing & Land Charges Manager
Phone: 01274 432240
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Portfolio:

Neighbourhoods and Community Safety

Overview & Scrutiny Area:

Corporate

1. SUMMARY

- 1.1 Under Section 349 of the Gambling Act 2005, the Council's Licensing Authority is required to adopt a policy document, referred to as a Statement of Licensing Principles, setting out the basic principles of the Authority's approach to dealing with applications for licences and permits under the Act.
- 1.2 This report sets out the outcome of a public consultation exercise with respect to the statement of licensing principles for the District and proposes a final draft for recommendation for adoption by full Council.

2. BACKGROUND

- 2.1 The consultation draft of the statement of licensing principles for 2022-2024, was available for public comment from 29 October 2021 to 5 December 2021. The draft document was available on the Council's website and in public libraries. Licensing officers also directly consulted relevant authorities and organisations.
- 2.2 The policy document seeks to reflect very detailed and substantial statutory guidance issued by the Gambling Commission under the Act. This sets the parameters of what can and what should not be included within local statements of licensing principles.
- 2.3 The main additions to the policy document are as follows:

Section 1

Information about the district has been updated and reference to the Bradford Council Plan 2021-2025 has been added.

Section 8

Public Health and Gambling has been added.

The proposed final draft policy document is attached at Appendix 1.

3. PUBLIC CONSULTATION - RESPONSES RECEIVED

3.1 Betknowmore UK

Betknowmore UK have made general comments as follows;

The term 'problem gambling' being recognised as offensive with the preferred term being 'harmful gambling'.

A recommendation that suicide first aid training should be required for all frontline staff.

7.7 – Harmful gambling is very complex and cannot be reduced to simplistic indicators. The focus should be on the harms gambling causes.

7.9 – Ignores those experiencing significant levels of harms, those at risk of harm who may need interventions and people affected by someone else’s gambling.

A copy of the response is attached at Appendix 2.

Appraisal:

The licensing authority thanks Betknowmore UK for the response and notes the comments.

7.7 amended in line with the public health comments.

7.9 noted at 7.10, 8.4 & 8.5

3.2 Public Health Department

Public Health have made the following comments;

2.1 and 2.2 – This reads as a positive endorsement of gambling premises in Bradford - I would want to see a much stronger acknowledgement of the significant harms caused by gambling, and the commitment of Bradford council to protect the health and wellbeing of our residents by ensuring that gambling premises are not licenced in high concentrations within areas more accessible to vulnerable communities.

4.3 - Can we also add “where the use of premises for gambling does not expose the public to gambling-related harm, or the widening of inequalities as a result of gambling-related harm”.

5.3 - ,” or whether the potential negative consequences are too great to allow a licence or permit to be granted.”

6.4 – “This includes the protection of people more vulnerable to gambling-related harms from the risks of gambling, including those with learning disabilities. For example, information on gambling risks must be provided in ways which are accessible to all customers.”

7.7 - • People who may not be able to make an informed or balanced decision about gambling due to a mental illness or impairment, learning disability, or intoxication by alcohol or drugs.

7.10 - this should be updated with new research, including the new Public Health England review of gambling: [Gambling-related harms: evidence review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614443/Gambling-related_harms_evidence_review_-_GOV.UK.pdf)

Minority ethnic groups – This should be rephrased, e.g. “There is evidence that gambling-related harms disproportionately affect people from Asian or Black backgrounds”.

There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience problems with their gambling

behaviour - rephrase to “There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience gambling-related harm”.

Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group. I would remove the phrase “given associations with other mental health conditions” – homelessness is not a mental health condition, and should be considered a vulnerable group in its own right given the financial/ health/ stigma inequalities faces by homeless people, as well as the fact that gambling premises might be used as a “safe”, warm space to rest.

8.2 - I would reframe this: “Gambling is an activity undertaken by a significant number of adults. The extent of gambling-related harm (sometimes called “problem gambling”) is not yet fully understood. However there is evidence that those who are already vulnerable and at risk of poor health are more at risk of gambling-related harms, further exacerbating existing inequalities.”

8.3 - Reframe: “For “problem gamblers”, harm includes higher levels of physical and mental illness, debt problems, relationship breakdown and tragically, in some cases suicide. Criminality may also occur for some people experiencing significant harm.”

8.4 - Reframe: “It is estimated that for every gambler that experiences harm, around six other people in their life, most often close family members including children, are negatively affected.”

8.5 - Replace “still assist” with “work collaboratively with”

8.6 - Replace “help” with “work jointly”. I would also go further and request that Public Health sit on licencing panels for gambling premises.

9.5

- i. add the proximity of schools and other places which might be frequented by children to the list for local risk assessment
- ii. Add the provision of information warning people about the harms of gambling, ensuring it is in accessible language and format.
- iv. • The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality – maybe change to: “The provision of signage and documents relating to games rules, the risks of gambling, gambling care providers and other relevant information be provided in both English and the other prominent first languages for that locality, in easily understandable and accessible language and format.”

15. How can we pass a “no casino” resolution, and are there reasons why we haven’t done so?

A copy of the response is attached at Appendix 3.

Appraisal

The Licensing Authority thanks the public health department and notes the comments.

2.1, 2.2, 4.3 & 5.3 - The Act places a legal duty on both the Commission and licensing authorities to aim to permit gambling, in so far as it is considered to be reasonably consistent with the pursuit of the licensing objectives. The effect of this duty is that both the Commission and licensing authorities must approach their functions in a way that seeks to regulate gambling by using their powers, for example, powers to attach conditions to licences, to moderate its impact on the licensing objectives rather than by starting out to prevent it altogether.

6.4 added as a new paragraph at 6.5 of the policy.

7.7 amended

7.10 amended

8.2 amended

8.3 amended

8.5 amended

8.6 amended

Licensing Panels are comprised of elected Councillors; the Licensing Authority is unable to facilitate the request for Public Health Officers to sit on the licensing panels.

9.5 i added, ii added, iv amended

15. A resolution not to issue casino premises licences will only affect new casinos. It will not have any effect on casino premises licences issued before the resolution takes effect or on provisional statements issued before that date. Similarly a resolution will not affect the ability of existing casinos with preserved entitlements from the Gaming Act 1968 from continuing to operate as casinos. There are three licensed casinos in the Bradford district with preserved entitlements.

3.3 Gosschalks Solicitors – Acting for the Association of British Bookmakers

The response sets out the Association of British Bookmakers approach to the regulation of betting shops and its commitment to partnership working with licensing authorities. Specific comments on the consultation policy document were as follows:

7.9 – Request that the draft statement of principles uses the most up to date figures and this paragraph amended accordingly.

7.10 – Request that research referring to an academic report (Wardell 2015) should be removed from the draft statement as the research was conducted when the maximum stake for fixed odds betting terminals was £100, reduced to £2 in 2019,

and there have been significant changes since the research was undertaken.

9.5 – Request that the list of factors that the Licensing Authority recommends to be taken into account by operators when undertaking local risk assessments be redrafted.

26.2 – Request that the paragraph is redrafted to avoid any confusion with the Licensing Act 2003.

A copy of the response is attached at Appendix 4

Appraisal

The licensing authority thanks Gosschalks for the response and notes the comments provided on behalf of the Association of British Bookmakers.

7.9 & 7.10 – new paragraph at 7.10 showing updated figures from Gambling-related harms: evidence review - GOV.UK (www.gov.uk)

9.5 – Items added or amended following advice from Public Health Department.

26.2 – It remains within the Licensing Authority remit to impose local authority conditions which are relevant and proportionate and not duplicate or contradict other requirements under the Gambling Act 2005. However the following has been removed from the paragraph;

The licensing authority will also expect the licence applicant to offer their own suggestions as to ways in which the licensing objectives can be met effectively.

3.4 Cllr Dunbar

Cllr Dunbar has made the following comment;

I would like see greater cross departmental collaboration and sorting this policy with a greater emphasis on public health approaches.

A copy of the response is attached at Appendix 5.

Appraisal

The licensing authority thanks Cllr Dunbar for the response and notes the comments.

Public Health are to be served with a copy of any new applications.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 The cost of the consultation exercise has been funded from existing resources of the service.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no apparent risk management or governance issues.

6. LEGAL APPRAISAL

6.1 When determining any applications for a premises licence under the Act the Licensing Authority must seek to achieve three broad licensing objectives:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Responsible Authorities

Licensing Authority
Gambling Commission
Police
Fire and Rescue Service
Planning
Environmental Health
HM Revenue & Customs
Safeguarding Partnership

Public Health are to be served with a copy of any new applications – protecting children and other vulnerable persons from being harmed or exploited by gambling objective.

6.2 The statement of licensing principles sets out how the Authority proposes to achieve the licensing objectives when exercising its functions. When drafting the policy document, licensing authorities must have regard to guidance issued by the Gambling Commission and any Codes of Practice issued under the Act. The draft updated policy document takes account of current guidance and codes of practice.

6.3 The approved statement of licensing principles document must be published by the Council on or before the 31 January 2022. It is therefore necessary to have the final document approved by Council in order to meet the statutory publication requirements.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

The draft statement of licensing principles was prepared with awareness of the Council's duties under the Equality Act 2010.

7.2 SUSTAINABILITY IMPLICATIONS

The Authority's statement of licensing principles will address sustainability issues.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

7.4 COMMUNITY SAFETY IMPLICATIONS

When determining applications, the licensing objectives addressing crime and disorder; ensuring that gambling is conducted fairly on the premises and protecting children and vulnerable people, must be addressed by the Licensing Authority.

7.5 HUMAN RIGHTS ACT

The Council must consider Human Rights implications when establishing Licensing Policy and when determining licence applications.

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

No specific ward implications.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

The protection of children and vulnerable people must be addressed by the Licensing Authority when determining applications.

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

- 9.1 The Committee has no powers to adopt the statement of licensing principles, which is the function of full Council. Members can therefore recommend the document shown in Appendix 1 for adoption by Council, or make such recommendation subject to such amendments as the Committee may specify.

10. RECOMMENDATIONS

- 10.1 That the Committee recommends to Council that the document attached in Appendix 1 be adopted and published as the District's Statement of Licensing Principles pursuant to the Gambling Act 2005 (subject to any amendments that the Committee feels is appropriate).
- 10.2 That the Interim Assistant Director Waste, Fleet & Transport Services be given delegated authority to approve any necessary amendments of a minor or drafting nature prior to formal publication.

11. APPENDICES

1. Final draft Statement of Licensing Principles.

2. Consultation Response – Betknowmore UK
3. Consultation Response – Public Health
4. Consultation Response – Gosschalks Solicitors
5. Consultation Response – Cllr Dunbar

12. BACKGROUND DOCUMENTS

The Gambling Act 2005

Guidance and Codes of Practice issued by the Gambling Commission

Regulations made under the Gambling Act 2005

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Gambling Act 2005

A Statement of Licensing Principles for the Bradford District 2022-2024

Department of Place
Licensing Team
Argus Chambers
Bradford, BD1 1HX

www.bradford.gov.uk



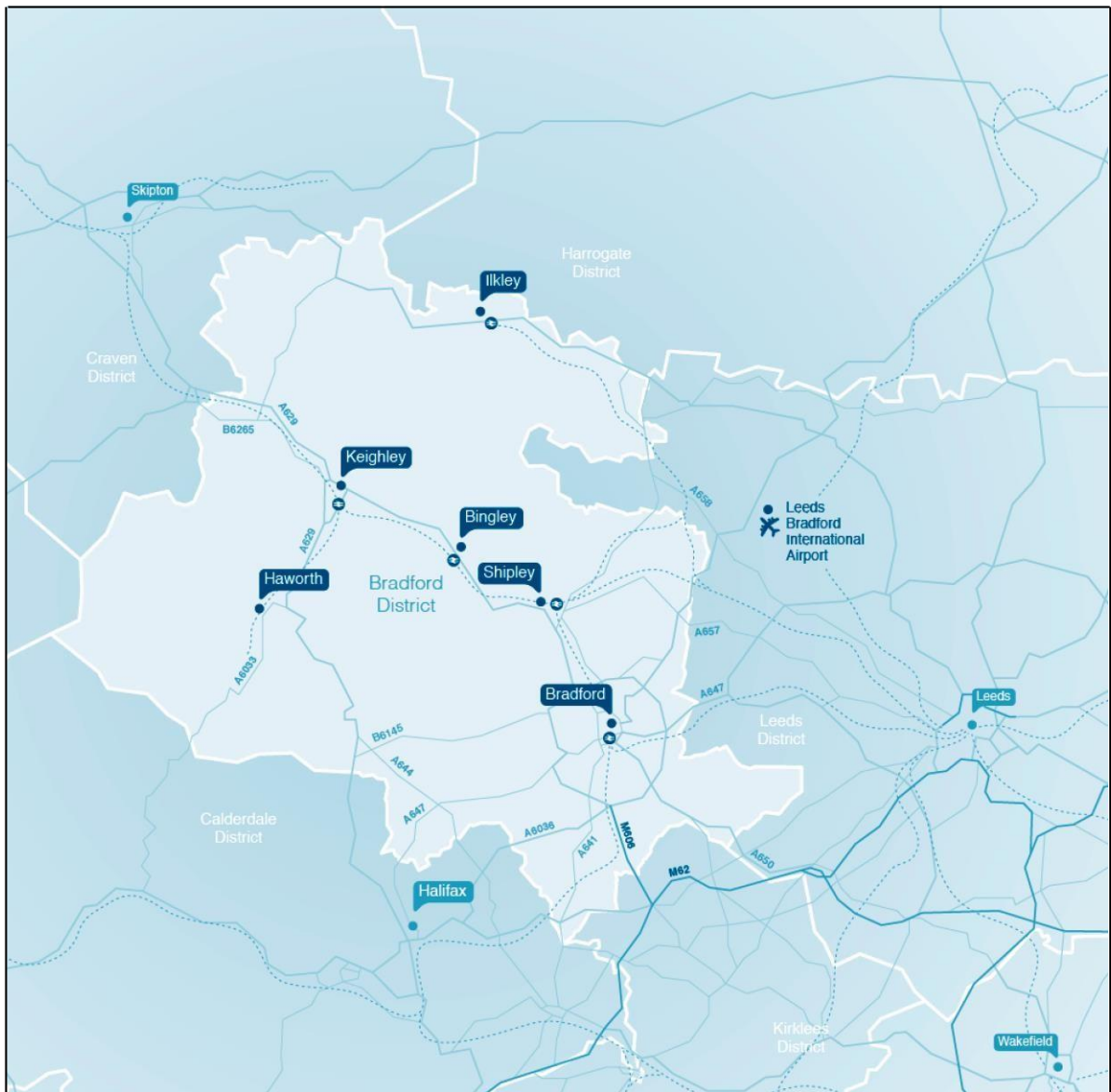
CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL
STATEMENT OF LICENSING PRINCIPLES
GAMBLING ACT 2005

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1. The Bradford District

1.1 The Bradford District covers 143 square miles and has internationally recognised landscapes including Bronte Country and Ilkley Moor, as well as unique urban landscapes such as Little Germany, City Park and the UNESCO World Heritage Site at Saltaire. The district hosts the Worth Valley heritage railway and Five Rise Locks on the Leeds-Liverpool Canal. Bradford is a UNESCO Creative City of Film and home to the Alhambra Theatre, the National Science & Media Museum and the UK's first IMAX cinema.



Bradford is the fifth largest local authority in England in terms of population after Birmingham, Leeds, Sheffield and Manchester, with a population of over 542,000 people. Bradford also has the fourth highest percentage of under 18s in the country. By mid-2028 the population of Bradford District is projected to grow to 550,000.

Bradford also has an ethnically diverse population, with Bradford having the largest proportion of people of Pakistani ethnic origin (20%) in England.

There are 30 electoral wards within the district, with higher populations being generally concentrated in and around the centre of Bradford and the areas with the smaller population totals are generally located in the outer rural areas. City ward has highest population total with 25,750 people followed by Little Horton with 23,140 people and Tong with 22,720 people. Wharfedale ward has the smallest population with 11,840 people followed by Worth Valley with 14,220 people and Ilkley with 14,810 people.

1.2 Bradford Council Plan – 2021-2025

The Bradford Council Plan, supported by the Bradford District Partnership, sets out the long-term shared ambition for the district:

“Advancing educational attainment, raising skills and productivity, and attracting new jobs and investment. Tackling the climate emergency, improving transport connectivity and capitalising on our cultural assets. Keeping communities safe, clean and active, sustaining quality local services and addressing long-standing issues of low income, poverty, inequality and poor health and housing.

These issues are central to achieving our ambitions for an inclusive and sustainable district offering opportunities to everyone.”

The Bradford Council Plan sets out the Council’s commitment to achieve the ambitions and priorities for the district. The Council’s six priorities are:

- Better skills, more good jobs and a growing economy
- Decent homes that people can afford to live in
- A great start and good schools for all our children
- Better health, better lives
- Safe, strong and active communities
- A Sustainable District
- An Enabling Council

This statement of Licensing Principles seeks to promote the licensing objectives within the overall context of the ambitions and priorities for the Bradford District.

2. The Licensing Authority’s General Approach to Licensing under the Gambling Act 2005

2.1 The Licensing Authority recognises the important role that well regulated, varied and safe entertainment can play in promoting the vitality and viability of the district’s city, town and village centres, particularly the evening economy. It is also aware that tastes and trends change over time and that, in the light of increasing competition within the entertainment industry, any licensing system must be sufficiently flexible and responsive to new initiatives from the licensing industry and individuals.

2.2 The Licensing Authority takes a positive approach to the licensing and regulation of events and betting and gaming establishments and will take care to help businesses, event organisers and others meet their legal obligations without unnecessary expense. However, the Licensing Authority will take firm action, including prosecution where appropriate, against those who flout the law or act irresponsibly

- 2.3 This Statement of Licensing Principles acknowledges the role of licensing in contributing to the Community Strategy. Of particular relevance are the strategies that aim to secure safer communities and a prosperous district. The emphasis of these strategies on the need to work in partnership with all agencies with a role to play in licensing is of particular importance. Careful consideration has also been given to the Licensing Authority's obligations under section 17 of the Crime and Disorder Act 1998, which places a duty on all local authorities to consider crime and disorder reduction while exercising their duties.

3. Licensing Functions Covered by this Policy

- 3.1 This policy relates to the regulation of all those activities involving betting or gaming that are the responsibility of the Licensing Authority under the Act, namely:
- Casino premises licences
 - Bingo premises licences
 - Betting Premises Licences (including track betting)
 - Adult Gaming premises licences
 - Licensable Family Entertainment Centres
 - Club Gaming and Club Machine permits
 - Gaming machine permits in unlicensed Family Entertainment Centres
 - Gaming machine permits in premises licensed to sell alcohol
 - Prize Gaming permits
 - Provisional statements
 - Processing of Temporary Use notices
 - Processing of Occasional Use notices
 - Registration of Small Lotteries

4. Achievement of Licensing Principles

- 4.1 Every application will be considered on its merits; however the Licensing Authority has a duty under the Gambling Act 2005 to carry out its functions having regard to the three broad licensing principles. These are:-
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 4.2 Applicants that do not seek to be consistent with these principles when submitting an application for a premises licence are likely to receive objections from an interested party or a responsible authority. The Licensing Authority may have no alternative but to refuse an application where an objection has been made, unless adequate proposals consistent with the licensing principles are included in the application.
- The Licensing Authority will however, as far as possible, assist applicants on how best to adequately address these matters or where further advice and information can be obtained.
- 4.3 Overall, in making decisions about premises licences and temporary use notices, the Licensing Authority's general approach will be to aim to permit the use of

premises for gambling in so far as is appropriate and:

- in accordance with any relevant codes of practice issued under the Act;
- in accordance with the guidance issued by the Gambling Commission;
- in accordance with this Statement of Licensing Principles; and
- is consistent with achievement of the licensing objectives.

- 4.4 The Licensing Authority will also take account of these principles when considering applications for various types of permits under the Act. However, the licensing Authority takes the view that it can also take account of wider considerations when considering applications for permits, as opposed to premises licences, where they raise an issue of legitimate concern that is not adequately addressed by other legislation. This Statement of Licensing Principles also outlines the Licensing Authority's general approach when considering applications for various permits.
- 4.5 Various factors need to be considered when addressing licensing objectives and the weight attached to each objective will vary depending on the circumstances. Applicants will only be expected to address issues that are in their direct control but are encouraged to co-operate with official agencies in establishing precautions or taking action that addresses the licensing objectives (with regard to gambling premises licence applications) or any other relevant matter (with regard to applications for gambling permits).

5. Preventing Gambling from Being a Source of or Associated with Crime and Disorder

- 5.1 The Licensing Authority recognises the wide variety of premises which will require a licence or a permit for gaming or gambling facilities. These include casinos, betting shops, bingo halls, pubs, clubs and amusement arcades. It also recognises public concern in ensuring that gambling is not associated with crime and disorder. It is essential therefore, that applicants for premises licences or permits fully address issues concerning what precautions may be necessary to ensure the prevention of crime and disorder.
- 5.2 The Licensing Authority will only expect applicants to take such action or precautions that are in their control, but would advise applicants to take appropriate advice from the police before making their licence or permit applications. These may include, for example, provision of appropriate lighting outside the premises, installation of CCTV cameras, non-shatter glass on windows or the provision of door supervisors.
- 5.3 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime, the Licensing Authority will, in consultation with the police or other relevant Responsible Authority, consider whether specific controls need to be applied to prevent gambling in those premises from being a source of crime and/or disorder.
- 5.4 Anyone applying to the Licensing Authority for a premises licence will have to hold a gambling operating licence from the Gambling Commission before a premises licence can be issued. Those involved in managing the premises or supervising gambling activities will also require a personal licence from the Gambling

Commission. Therefore, the Council will not generally be concerned with the suitability of an applicant for a premises licence or permit.

The Gambling Commission is responsible for considering such issues in connection with consideration of gambling operating and personal licences. However, where concerns about a person's suitability come to the attention of the Licensing Authority, those concerns will be brought to the attention of the Gambling Commission for their investigation.

6. Ensuring Gambling is Conducted in a Fair and Open way

- 6.1 The Licensing Authority will not generally itself investigate whether gambling is being conducted in a fair and open way at any premises. It is accepted that the Gambling Commission will look into these issues when looking into the suitability of individuals to hold Operating or Personal licences (issued by the Gambling Commission). If information is brought to the attention of the Licensing Authority that raise issues of unfair practices, then these will be referred to the Gambling Commission for investigation.
- 6.2 The only exception to the above is with regard to the consideration of permits for track betting. Betting track operators do not need an operating licence from the Gambling Commission. It may therefore be necessary for the Licensing Authority to impose conditions on a licence relating to the suitability of the environment in which betting takes place.
- 6.3 Applicants are also encouraged to address positively the need to secure reasonable access and safety for people with disabilities who wish to visit their premises. In this regard licensees are reminded of their obligations under the Equality Act 2010.
- 6.4 Further guidance and assistance to help a service provider meet the general needs of disabled customers and in meeting the requirements of the Equality Act is available from the Equality and Human Rights Commission website at www.equalityhumanrights.com.
- 6.5 Applicants are also encouraged to address the protection of people more vulnerable to gambling-related harms from the risks of gambling, including those with learning disabilities. For example, information on gambling risks must be provided in ways which are accessible to all customers.

7. The Protection of Children and other Vulnerable People from being Harmed or Exploited by Gambling

- 7.1 With limited exceptions, the access of children and young persons to gambling premises or facilities, which are considered to be largely adult only environments, will not be permitted.
- 7.2 The Licensing Authority will consult with the Bradford Safeguarding Children Board about any application where there may be concerns over access by children or vulnerable persons to relevant premises.
The Licensing Authority will judge the merits of each separate application before

deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as:

- Supervision of entrances of premises;
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises;
- Adoption of a proof of age policy
- Appropriate training and supervision of those employed or engaged in the welfare of children while they are on the premises

7.3 Although the licensing principle relates to the protection of children from being harmed or exploited by gambling, the Bradford Safeguarding Children Board works with other statutory authorities who will engage with the gambling trade to promote risk management in relation to child sexual exploitation. Information and advice on this work is available on the Bradford Safeguarding Children Board website: www.bradfordscb.org.uk

7.4 The Licensing Authority can provide advice to assist licensees to identify risk and report concerns at gambling premises where children have access, so that children remain safe and businesses operate responsibly. The Licensing Authority encourages operators of gambling premises where children have access to:

- ensure that they are fully aware of the signs of child sexual exploitation and to understand that the sexual exploitation of a child is sexual abuse and a crime; and
- raise the awareness of their staff about child sexual exploitation and provide intelligence to the appropriate authorities about concerns and about perpetrators who may be operating in their premises.

7.5 Licensees should demonstrate that they have effective policies and procedures in place to prevent underage gambling.

7.6 The Act provides for a code of practice on access to casino premises by children and young persons and the Licensing Authority will work closely with the Police to ensure the implementation of the code of practice and appropriate enforcement of the law and any conditions of licence.

7.7 The Licensing Authority does not seek to prohibit particular groups of adults from gambling, in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:

- People who gamble more than they want to;
- People who gamble beyond their means;
- People who may not be able to make an informed or balanced decision about gambling due to a mental illness or impairment, learning disability, or intoxication by alcohol or drugs.

7.8 The Care Act 2014 imposes a requirement on a local authority to “make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it”.

The local authority must make whatever enquiries it thinks necessary to enable it to

decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom. "Abuse" includes financial abuse; and for that purpose "financial abuse" includes having money or other property stolen, being defrauded, being put under pressure in relation to money or other property, and having money or other property misused.

7.9 Problem gambling can affect anyone at any time. Whilst rates of problem gambling among all adults in Britain tend to be less than 1% (1.4% in large metropolitan areas such as Bradford), there are some groups that are more likely to experience problems. These groups could all be considered vulnerable to gambling problems. Bradford Council already works with many of these groups however operators should consider these groups in their Local Risk Assessments, especially in relation to identifying the people in these groups, and mitigating harm experienced by them.

7.10 In 2016 Leeds Beckett University researched problem gambling in Leeds (Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016). This research looked specifically at identifying groups of society that could be considered vulnerable to problem gambling:

Based on 2018 data, it is estimated that 0.5% of the population reached the threshold to be considered problem gamblers, and this proportion has remained relatively consistent since 2012. It is also estimated that 3.8% of the population are classified as at-risk gamblers. These people are typically low- or moderate-risk gamblers, meaning they may experience some level of negative consequences due to their gambling.

Public Health England review of gambling: [Gambling-related harms: evidence review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/reviews/gambling-related-harms-evidence-review)

Young people – Rates of problem gambling among young people who gamble are higher than older adults. Young people are less likely to gamble generally, but those that do are more likely to experience difficulties with their behaviour (Emond and Griffiths, 2020). This is corroborated by survey data from the Gambling Commission, 2020 in which it was found that 9% of all 11 – 16 year olds had spent their own money on gambling in the past 7 days. Furthermore, 1.9% of all 11 – 16 year olds were classed as "problem" gamblers and a further 2.7% as at risk gamblers.

Emond A. M. and Griffiths M. D. 2020. Gambling in children and adolescents. British Medical Bulletin, Volume 136, Issue 1, Pages 21–29 (Gambling in children and adolescents | British Medical Bulletin | Oxford Academic (oup.com))
Gambling Commission [2020] Young People and gambling 2020. Available online at: <https://www.gamblingcommission.gov.uk/statistics-and-research/publication/young-people-and-gambling-2020>

Bradford is the youngest city in the UK, with more than 124,000 people aged under 16 (23.7%), with our children coming from a range of economic, cultural and ethnic backgrounds.

Minority ethnic groups – There is some evidence that gambling-related harms may disproportionately affect people from Asian or Black backgrounds (Public Health England, 2021).

Public Health England, 2021. Risk factors for gambling and harmful gambling: an umbrella review A review of systematic reviews and meta-analyses. Available online at: [PHE document \(publishing.service.gov.uk\)](https://www.phe.gov.uk/publications/risk-factors-for-gambling-and-harmful-gambling)

The results of the 2011 Census showed that 20% of the Bradford District population identified themselves as Pakistani, 2.6% Indian, 2.5% mixed heritage, 1.9% Bangladeshi, 1.8% Black and 3.6% from other ethnic groups.

Unemployed and constrained economic circumstance – Generally those of lower income are less likely to gamble, but those that do spend a higher proportion of their income on gambling. This is highlighted as a concern given the lesser ability of lower income households to protect themselves from financial instability (Brown et al, 2011).

There is evidence that those in debt and those using money lenders and/or pawnbrokers are more likely to be problem or at risk gamblers (Meltzer et al, 2012). The relationship between constrained economic circumstances and gambling problems is likely to be complex and multi-faceted. It may be mediated by other economic opportunities and personal feelings about how well off you are compared with others.

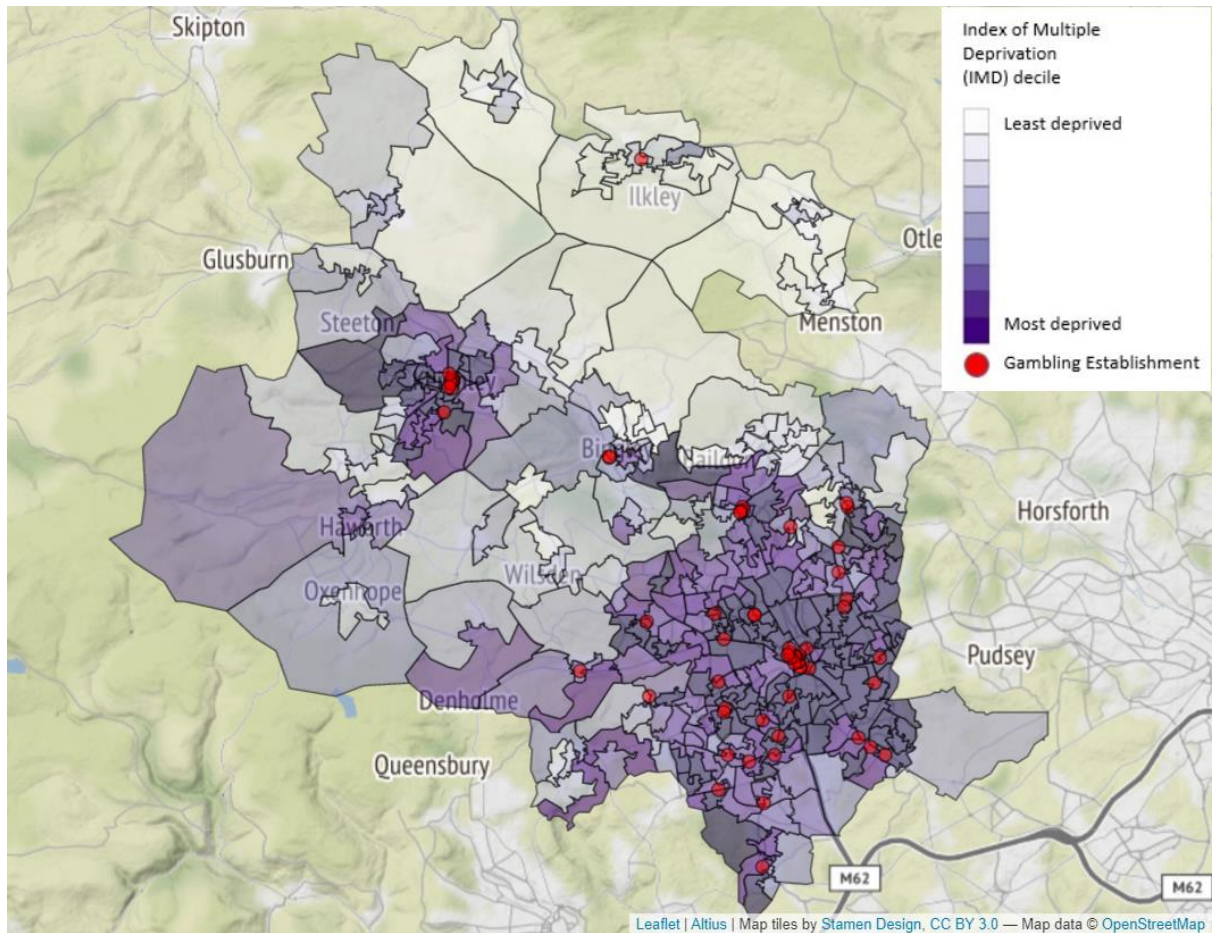
Despite this complexity, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.

Area deprivation – There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience gambling-related harm. This was despite having roughly similar levels of past year gambling participation to those who live in less deprived areas.

Public Health England, 2021. Risk factors for gambling and harmful gambling: an umbrella review A review of systematic reviews and meta-analyses. Available online at: [PHE document \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/94444/phe-document-publishing-service-gov-uk)

Wardle (2015) looked at the distribution of machines and licensed betting offices and argues that there was clear and consistent evidence of a spatial skew, whereby high density machine zones or areas with licensed betting offices are more deprived than others. Recent research has shown that among gamblers who held loyalty cards, rates of problem gambling (28%) were higher among those who lived within 400 metres of a concentration of betting offices than those who did not (22%) (Astbury & Wardle, 2016).

Bradford has wide variation in deprivation across the district with 27% of the districts population living in the 10% most deprived areas in England and 6% of the population living in the 10% least deprived areas in England. Bradford is also ranked the 5th most income deprived local authority in England.



Homeless – The rates of problem gambling are higher among those who are homeless than those who are not. Although studies are small, they show that there is a significant relationship with gambling preceding homelessness. Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group.

Mental ill health – There is a strong association between mental ill health and problem gambling. Associations were found between problem gambling and general anxiety disorder, phobia, obsessive compulsive disorder, panic disorders, eating disorders, psychosis, attention deficit hyperactivity disorder, post-traumatic stress disorder, harmful and hazardous levels of alcohol consumption and drug addiction. Overall three quarters of problems gamblers seeking treatment also experience co-morbid mental health disorders.

Being a problem or at risk gambler is associated with latter onset of major depressive disorder, alcohol use and dependence, drug use and experience of any mental disorder. Illegal drug use and experience of any mental disorder is also associated with the subsequent onset of at risk and problem gambling. These findings seem to confirm that the conclusion that the relationship between problem gambling and mental ill health may be cyclical.

Substance abuse/misuse – The evidence base relating to the relationship between substance abuse/misuse and experience of problem gambling broadly measures that of mental ill health. Evidence from British based surveys has shown that rates of problem gambling were higher among those with alcohol dependence (3.4%) or drug dependence (4.4%) than the general population (0.74%) (Wardle

2015). A systemic review of those seeking treatment for gambling problems showed that 15% also experience alcohol dependence and 7% have other substance abuse disorders (Dowling et al, 2015).

There is evidence that alcohol and substance misuse are associated with problem gambling. As with other mental health conditions, these conditions can occur at the same time.

Public Health England, 2021. Harms associated with gambling An abbreviated systematic review Available at: [Harms associated with gambling: an abbreviated systematic review \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/94444/harms-associated-with-gambling-an-abbreviated-systematic-review.pdf)

Personality traits/cognitive distortions – There is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. Cognitive distortions, such as erroneous perceptions of gambling and illusion of control are well established risk factors for problem gambling (Johansson et al, 2009). However little research has been conducted to explore the complex interaction of personality traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to be affected by a range of other factors.

Problem gamblers seeking treatment – People in the process of attempting to recover from gambling problems are at risk of relapse, and evidence is poor concerning interventions to prevent relapse among people who have had treatment for gambling related problems (Blank et al, 2021). For this reason, they should be treated as a vulnerable group in their own right.

Blank L., Baxter S., Buckley-Woods H., Goyder E. 2021. Interventions to reduce the public health burden of gambling-related harms: a mapping review. *Lancet Review*: 6 (1); E50-E63. Available at: [Interventions to reduce the public health burden of gambling-related harms: a mapping review - The Lancet Public Health](https://www.thelancet.com/public-health)

8. Public Health and Gambling

- 8.1 The Licensing Authority agrees with the Gambling Commission's position that gambling-related harm should be considered as a public health issue.
- 8.2 Gambling is an activity undertaken by a significant number of adults. The extent of gambling-related harm (sometimes called "problem gambling") is not yet fully understood. However there is evidence that those who are already vulnerable and at risk of poor health are more at risk of gambling-related harms, further exacerbating existing inequalities.
- 8.3 For "problem gamblers", harm includes higher levels of physical and mental illness, debt problems, relationship breakdown and tragically, in some cases suicide. Criminality may also occur for some people experiencing significant harm."
- 8.4 It is estimated that for every gambler that experiences harm, around six other people in their life, most often close family members including children, are negatively affected.
- 8.5 Therefore the Licensing Authority considers that Public Health teams, whilst not a responsible authority under the Act, can work collaboratively with the Licensing Authority to address gambling-related harms in its area.

8.6 The Licensing Authority will therefore engage with the local Public Health team in the further development of this Statement of Principles and the Local Area Profile. It is planned that the Public Health team will be able to work jointly with the Licensing Authority to:

- Identify and interpret health data and evidence to inform the review of the Statement and develop locally tailored local area profiles.
- Make decisions that benefit and protect the health and wellbeing of local communities.
- Be clear on issues which they can have regard to when deciding on licenses for a wide range of gambling activities.
- Conduct a health-impact assessment of gambling in the local area or assess any existing information.

9. Local Risk Assessments – Premises Licensing

9.1 Under the Gambling Commission’s Licensing Conditions and Codes of Practice (LCCP), operators with premises licenses are required to produce local risk assessments under the LCCP Social Responsibility Code. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.

9.2 Gambling operators are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises and to have policies, procedures and control measures in place to mitigate those risks. This is intended to provide a well evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling

9.3 The LCCP social responsibility code requires operators to undertake a risk assessment for all new applications. The code also requires operators to review (and to update as necessary) their local risk assessment to take account of any significant changes to local circumstances or significant changes to the premises or when a variation to the existing premises licence is undertaken by the licensee.

9.4 The social responsibility code within the LCCP encourages local authorities, the Commission and the industry to work in partnership to address local issues and concerns. The risk based approach provides a better understanding of, and enables a proportionate response, to risk.

9.5 The Licensing Authority recommends the following factors are considered by operators when undertaking local risk assessments:

(i) The local area:

- The types of premises and their operation in the area.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The demographics of the area in relation to vulnerable groups.

range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.

- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.
- The proximity of schools and other places which might be frequented by children.

(ii) The gambling operation

- Policies and procedures which have been put in place to meet the requirements of the business, the Act and specific code provision within the LCCP
- The gambling products it provides in the premises.
- The facilities to enable gambling within premises.
- The staffing levels within the premises.
- The level and requirement for staff training.
- The security and crime prevention arrangements it has in place.
- How it advertises locally and on the premises.
- The marketing material within premises.
- The display and provision of information to customers.
- The provision of information warning people about the harms of gambling, ensuring it is in accessible language and format.

(iii) The design and layout of the premises

- The location of gambling facilities
- The design and location of cashier counters
- The design of the exterior of the premises to enable staff to view the entrance to the premises to prevent access by children.
- Layout of the premises to ensure staff have unobstructed views of persons using the premises or where this is not possible, evidence of how this can
- CCTV cameras - details of coverage and how the system will be monitored.

(iv) Protection of children and vulnerable people, including people with gambling dependencies (and the impact on families).

- Training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of information regarding self-exclusion and gaming trends.
- Gaming trends that may coincide with days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by.
- The provision of signage and documents relating to games rules, the risks of gambling, gambling care providers and other relevant information be

provided in both English and the other prominent first languages for that locality, in easily understandable and accessible language and format.

- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council one stop shops, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.
- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of places where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

9.6 The Licensing Authority will assess the risks identified and the measures implemented to mitigate those risks. Some control measures identified in the assessment may be put forward as conditions to be attached to the licence to address any significant local risks. A copy of the risk assessments should be held on the premises and be available for inspection by licensing officers.

10. Adult Gaming Centres

10.1 Anyone wishing to operate an adult gaming centre will require an adult gaming centre premises licence from the Licensing Authority. The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that persons under 18 do not have access to the premises. Appropriate licence conditions may cover issues such as:

- Proof of age schemes and age scheme training for staff
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Change machines
- Advertising sources of help for problem gamblers

10.2 As regards the protection of vulnerable persons, the licensing authority will expect licensees to adopt measures including the use of “self-exclusion schemes”, provision of prominent information leaflets and helpline telephone numbers of organisations who provide advice and support to people affected by gambling problems, such as GamCare.

The Licensing Authority recommends that licence holders support and are in partnership with GamCare.

11 Licensed Family Entertainment Centres

11.1 Anyone wishing to operate a family entertainment centre will require a family entertainment centre premises licence from the Licensing Authority.

The licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that persons under 18 years do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- Proof of age schemes and age scheme training for staff
- CCTV
- Door supervisors
- Supervision of entrances and/or machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

11.2 Measures including the use of self-barring schemes, provision of prominent information leaflets and helpline telephone numbers for organisations such as GamCare will be expected to be taken by licensees in order to protect children and vulnerable persons.

11.3 The Licensing Authority will also take appropriate advice from the Gambling Commission concerning any conditions that apply to relevant operator licences stipulating the way in which the area containing any category C machines should be delineated. Account will also be taken of any mandatory or default conditions required to be attached to premises licences falling into this category.

12 Bingo Premises

12.1 Commercial bingo halls will require a bingo premises licence from the Council. Amusement arcades providing prize bingo will require a prize gaming permit from the Council.

12.2 In each of the above cases it is important that where children are allowed to enter premises licensed for bingo, in whatever form, they are not allowed to participate in any bingo game, other than on category D machines. When considering applications of this type the Council will therefore take into account, among other things, the location of the games or machines, access to those areas, general supervision of the premises and the display of appropriate notices.

12.3 A limited number of gaming machines may also be made available at bingo licensed premises. Where category C or above machines are available in premises to which children are admitted, the Licensing Authority will seek to ensure that:

- all such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;

- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

12.4 Bingo may be provided at clubs and institutes either in accordance with a permit or providing that the limits in section 275 of the Act are complied with.

These restrictions limit the aggregate stake or prizes within any seven days to £2000, and require the Gambling Commission to be notified as soon as is reasonably practicable if that limit is breached. Stakes or prizes above that limit will require a bingo operators licence from the Gambling Commission and a premises licence issued from the Licensing Authority.

13 Betting Premises

- 13.1 Anyone wishing to operate a betting office will require a betting premises licence from the Licensing Authority. Children and young persons will not be able to enter premises with a betting premises licence. Betting premises will be able to provide a limited number of gaming machines and some betting machines.
- 13.2 The Licensing Authority has the power to restrict the number of betting machines, their nature and the circumstances in which they are made available. It will not generally exercise this power unless there are good reasons to do so taking into account, among other things, the size of the premises and the level of management and supervision exercised, especially where vulnerable people are concerned. Each application will be considered on its own individual merits.
- 13.3 The Council is aware of the concerns surrounding gaming machines that permit high volumes of betting activity by individuals, for example Fixed Odds Betting Terminals (FOBTs). Applicants should consider where such gaming machines are located to ensure adequate supervision and compliance with relevant Licence Conditions and Codes of Practice.
- 13.4 Measures including the use of self-exclusion schemes, provision of prominent information leaflets and helpline telephone numbers for organisations such as GamCare will be expected to be taken by licensees in order to protect vulnerable persons.
- 13.5 Operators who own several betting shops across the District's licensing area, are encouraged to forward to the licensing team details of a senior representative who is able to act as a single point of contact with the Licensing Authority should any issues of concern arise relating to any of the operators premises.

14 Betting Tracks

14.1 Only one premises licence can be issued for any particular premises at any time unless the premises are a 'track'. A track is a site where races or other sporting events take place.

14.2

- 14.3 Track operators are not required to hold an 'operators licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Licensing Authority, are likely to contain detailed requirements for premises licence holders about their responsibilities in relation to the proper conduct of the betting facilities. Track premises licence holders will also be expected to ensure that betting areas are properly administered and supervised.
- 14.4 Although there will primarily be a betting premises licence for the track, there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 14.5 When considering whether to exercise its power to restrict the number of betting machines at a track the Council will consider the circumstances of each individual application and, among other things, will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.
- 14.6 There may also be other specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and this authority would expect the premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It should be noted in this regard that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when sports events e.g. association football or rugby league, take place, although they are still prohibited by law from entering areas where gaming machines (other than category D machines) are provided.

Appropriate licence conditions may include:

- Proof of age schemes and age scheme training for staff
 - CCTV
 - Door supervisors
 - Supervision of entrances / machine areas
 - The location of gaming machines
- 14.7 Measures including the use of self-exclusion schemes, provision of information leaflets and helpline telephone numbers for organisations such as GamCare will be expected to be taken by licensees in relation to the protection of children and vulnerable people.
- 14.8 Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their type and the circumstances in which they are made available, by attaching a licence condition to a track betting premises licence. It may be necessary to impose such restrictions particularly where the floor area covered by the machines is extensive.
- 14.9 In line with the Gambling Commission's guidance the Licensing Authority is also likely to attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public, such

as made available in leaflet form from the track office.

15 Casinos

- 15.1 Bradford Council has not passed a “no casino” resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Council decide in the future to pass such a resolution, this policy statement will be updated with details of that resolution.
- 15.2 Part 17 of the Gambling Commission Guidance for local authorities sets out the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises. This guidance will be considered by the licensing authority determining applications or reviewing casino licences. Consideration will also be given to the Commission’s code of practice on access to casinos by children and young people
- 15.3 When considering the number, nature and circumstances of betting machines proposed in premises, the licensing authority will, as per the Gambling Commission’s guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.
- 15.4 Measures including the use of self-exclusion schemes, provision of prominent information leaflets and helpline telephone numbers for organisations such as GamCare will be expected to be taken by licensees in order to protect vulnerable persons.
- 15.5 The Licensing Authority will also, where appropriate, encourage and if necessary attach conditions requiring operators to provide parts of the casino premises that are located separate from gambling facilities and provide other authorised forms of entertainment or relaxation. It is considered that this will allow customers opportunities to have a break from gambling during their visit.

16 Travelling Fairs

- 16.1 The Licensing Authority will ensure that, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, that those facilities are merely incidental to the activities of the travelling fair.
- 16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 16.3 It should be noted that there is a 27 day statutory maximum for the land being used as a fair per calendar year. This relates to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land on each occasion.

The Licensing Authority will work with its neighbouring authorities to ensure that land, which crosses district boundaries, is monitored so that the statutory limits are not exceeded.

17 Unlicensed Family Entertainment Centre Gaming Machine Permits

- 17.1 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 17.2 An application for a permit will be considered only if the Licensing Authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and that West Yorkshire Police have been consulted on the application.

Each application will be considered on its own merits; however the following broad principles will be followed when applications are considered.

- The Licensing Authority will consider whether the applicant is suitable to hold a permit for an unlicensed family entertainment centre. In this regard any evidence of previous convictions that would raise questions about the applicant's suitability would be considered carefully.
 - The proximity of the premises to facilities frequented by large numbers of children, e.g. schools and youth centres, and any evidence that this might contribute to problems related to truancy or other social problems.
 - The steps proposed to be taken by the applicant to ensure that managers and staff working in the facility are trained in the general awareness of cases where children in their premises are truanting and how staff should deal with unsupervised children, or those whose behaviour on the premises may give rise to concern.
 - The licensing objectives (set out in paragraph 3.1).
- 17.3 It should be noted that the Licensing Authority cannot attach conditions to this type of permit.
- 17.4 It should be noted that with regard to renewals as opposed to grants of these permits, the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

18 (Alcohol) Licensed Premises Gaming Machine Permits

- 18.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines of categories C and/or D. The premises merely need to notify the licensing authority. The Licensing Authority may remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of

the licensing objectives

- gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (e.g. that gaming has been provided in such a way that does not comply with any relevant code of practice issued by the Gambling Commission about the location and operation of the machines);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

18.2 If a premises wishes to have more than 2 machines, then the Licensing Authority will consider any such application based upon the licensing objectives, the guidance issued by the Gambling Commission, and any other relevant matters.

18.3 The Licensing Authority will determine on a case by case basis what other relevant factors apply, but generally particular regard will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The applicant will be expected to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to any adult only gaming machines. Measures which will satisfy the authority that there will be no access may include positioning the adult machines within sight of the bar area so they can be easily supervised, or specific staff responsible for ensuring that these machines are not being used by those under 18. Advisory notices and signage may also be required.

18.4 As regards the protection of vulnerable persons, applicants will be expected to provide information leaflets and helpline telephone numbers for organisations such as GamCare.

18.5 It is recognised that alcohol licensed premises operators may apply for a premises licence for their non-alcohol licensed area. Any such application would need to be applied for and dealt with as an adult entertainment centre premises licence.

18.6 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for.

18.7 Permit holders must comply with any code of practice issued by the Gambling Commission about the location and operation of any machine.

19 Prize Gaming Permits

19.1 The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to apply in exercising their functions relating to prize gaming permits which may, in particular, specify matters that the authority propose to consider in determining the suitability of the application permit.

19.2 The licensing authority has not prepared a statement of principles. Each application will be treated on its own merits having regard to guidance issued by the Gambling Commission guidance.

20 Club Gaming and Club Gaming Machines Permits

- 20.1 Members Clubs and Miners' Welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Machine Permit.
- 20.2 The Club Gaming Permit will enable the premises to provide up to 3 gaming machines (categories B3A, B4, C or D, only one of which may be a B3A machine), equal chance gaming and games of chance.
- 20.3 A Club Machine Permit will enable the premises to provide up to 3 gaming machines (categories B3A, B4, C or D, only one of which may be a B3A machine).

Commercial Clubs may site up to 3 machines from categories B4, C or D only, with a Club Machine Permit.

- 20.4 The Licensing Authority may only refuse an application on one or more of the following grounds;
- the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - the applicant's premises are used wholly or mainly by children and/or young persons;
 - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - a permit held by the applicant has been cancelled in the previous ten years; or
 - an objection has been lodged by the Gambling Commission or the police.

Where permits are refused, applicants will be informed of the reasons for this.

21 Temporary Use Notices

- 21.1 There are a number of statutory limits for temporary use notices for premises. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "premises" or "a set of premises", for the purpose of the Act, the Licensing Authority will consider, amongst other things, the ownership, occupation and control of the premises.
- 21.2 The Licensing Authority may decide to challenge a succession of notices where it appears that their cumulative effect would be to permit regular gambling in a place that should properly be considered as one premises and therefore covered by an appropriate premises licence.

22 Occasional Use Notices

- 22.1 The Licensing Authority will monitor very carefully in order to ensure that the statutory limit on occasional use notices of 8 days in a calendar year is not exceeded and that each event will take place at premises that can lawfully be defined as a "track". Further guidance can be found in the Useful Terminology part of this Statement of Principles.

23 Licensing Hours

- 23.1 The Licensing Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. It accepts that a variety of opening hours related to the circumstances, and the requirements of different licensees may assist in reducing friction at late night food outlets, taxi ranks and other sources of transport in areas where customers tend to gather.
- 23.2 However, generally speaking the hours of gambling premises will be restricted by default conditions as set out in Regulations made under the Gambling Act 2005 concerning Mandatory and Default Conditions. The Licensing Authority, however, reserves the right, where it is lawfully able to do so, to further restrict such hours where it is necessary in order to achieve the licensing objectives. For example, it may be necessary to further restrict the hours of opening in premises very near schools during periods when large amounts of children may be in the vicinity of the premises and there is evidence of a truancy problem in the area associated with particular gambling premises.

24 Effective Enforcement

- 24.1 The Licensing Authority will properly investigate any complaints received about the running of premises where they are relevant and/or relate to the three Licensing Principles.
- 24.2 The Licensing Authority adopts a multi-agency approach to the enforcement of licensing breaches. Consideration will be given as to the appropriate powers that should be used to address a problem where other agencies like the Police, Fire Authority or Gambling Commission also have their own powers. Formal enforcement will always be a last resort.
- 24.3 The Licensing Authority will have regard to the Regulators Code and any guidance issued under the Legislative and Regulatory Reform Act 2006 when taking enforcement action by being:
- **Proportionate:** The Licensing Authority will only intervene when necessary, remedies will be appropriate to the risk posed, and the costs of complying identified and minimised.
 - **Consistent:** Rules and standards will be implemented fairly.
 - **Accountable:** Any decisions will be justifiable and reasons for taking action given, with any right of appeal clearly explained.
 - **Transparent:** Licence conditions will be kept simple and user friendly and reasons will always be given for decisions.
 - **Targeted:** Any action or requirements will be focused on risk, with previous compliance records recognised where appropriate.

- 24.4 The main enforcement and compliance role for the licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which it may authorise. The Gambling Commission will be the enforcement body for Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines will also be dealt with by the Gambling Commission.

25 Exchange of Information

- 25.1 The Licensing Authority recognises that it will receive much personal information from applicants, those alleged to contravene the legislation, or from those making representations. It will need to share some of this information with bodies such as the Gambling Commission or Responsible Authorities in order to effectively administer the system in the public interest. The Council therefore accepts the need to set out the principles upon which it has agreed to share this information where appropriate.
- 25.2 The licensing Authority will ensure that the General Data Protection Regulations will not be contravened when exchanging information. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 25.3 Details of applications and representations which are referred to a Licensing Panel for determination will be published in reports that are made publicly available in accordance with the Council's Constitution. Personal details of people making representations will be disclosed to applicants as required by the regulations.

26 Conditions of Licence

- 26.1 All premises licences are subject to mandatory and default conditions, which are usually sufficient to ensure premises are operated in line with the licensing objectives.
- 26.2 The Licensing Authority will only impose additional conditions that are necessary, having regard to the licensing principles or other relevant legitimate concerns. Conditions will also only be attached where they are;
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.

Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of control measures the licensing authority will consider using should there be an evidence of risk to the licensing objectives. Such conditions may include, for example, the use of door supervisors, supervision of gaming and betting machines, appropriate signage for adult-only areas.

Applicants are also advised to consider the Gambling Commission's guidance on

Licence Conditions and Codes of Practice.

26.3 The Licensing Authority will not attach conditions where the matter at issue can be more appropriately addressed by other legislation. A particular condition will not be attached in the following circumstances;

- any condition on a premises licence which makes it impossible to comply with an operating licence condition imposed by the Gambling Commission
- conditions of premises licences relating to gaming machine categories, numbers, or method of operation. Licensees should ensure there is sufficient floor space to permit counted tablets to be used simultaneously.
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winning or prizes.

27 The Licensing Process

27.1 The Licensing Authority encourages individual applicants to address the licensing principles before submitting applications for premises licences having regard to the type of premises, the licensable activities to be provided, the operational requirements, the nature of the location and the circumstances of the local community.

Early consultation with the Police, Fire Authority, other responsible authorities and local residents or businesses is recommended as this will make it less likely that objections will be received to the application.

27.2 When determining applications the Licensing Authority will have regard to any guidance issued by the Gambling Commission, along with relevant Codes of Practice, the Licensing Principles and the relevant contents of this Statement of Principles. Any valid representations received from Interested Parties or Responsible Authorities will be considered.

27.3 An "Interested Party" is defined in the Act as a person who:

- lives sufficiently close to the premises to be likely to be affected by the activities taking place there;
- has business interests that might be affected by the authorised activities, or
- represents persons who satisfy paragraph (a) or (b)

In deciding whether a person is an Interested Party the licensing Authority will consider each case upon its merits. This authority will not apply a rigid rule to its decision making.

Interested parties can include trade associations, and residents associations, providing that they can show they represent someone who would be classed as an interested party in their own right. Elected councillors may represent interested

parties, providing they are not members of the Licensing Committee. The term “business interests” will be given its widest possible interpretation so that it includes charities, religious establishments and medical practices located near premises.

In determining whether someone lives sufficiently close to a particular premises as to likely to be affected by the authorised activities, or has business interests likely to be affected, the Licensing Authority will take account of:

- the size of the premises
- the nature of the premises
- the nature of the authorised activities being proposed
- the distance of the premises from the person making the representation
- the characteristics of the complainant
- the potential impact of the premises

27.4 It is recognised that most decisions made under the legislation are administrative in nature and therefore not contentious. For the sake of efficiency, therefore, officers under delegated authority will make most decisions.

Only contentious applications or policy matters will be referred to the Licensing Committee or Licensing Panel. A scheme of delegation for dealing with various applications and decisions has been agreed and is set out below.

28 Scheme of Delegation of Functions

28.1 The delegation of functions in relation to Gambling Act Licensing matters is as follows:

<u>Matter to be dealt with</u>	<u>Full Council</u>	<u>Full Committee</u>	<u>Licensing Panel</u>	<u>Officers</u>
Three year Gambling Policy	X			
Policy not to permit casinos	X			
Fee setting – when appropriate		X		
Application for premises licence: - Grant - Variation - Transfer - Provisional statement			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application to review premises licence			X	
Application for club gaming/club machine permits			Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits			X	

<u>Matter to be dealt with</u>	<u>Full Council</u>	<u>Full Committee</u>	<u>Licensing Panel</u>	<u>Officers</u>
Applications for other permits			Where objections have been made and not withdrawn	Where no representations received/representations have been withdrawn or no more than two permits in alcohol licensed premises are applied for.
Cancellation of licensed premises gaming machine permits				X
Consideration of temporary use notice				X
Decision to give a counter notice to a temporary use notice			X	
Decision on whether a complaint is irrelevant frivolous or vexatious				X
Decision as Responsible Authority to call for a review of a Premises Licence				X

28.2 The Licensing Panel can decide to refer a decision to the Licensing Committee for a decision where it considers that it is appropriate to do so.

28.3 Decisions made generally under the legislation are covered by the Member's Codes of Conduct.

29 The Consultation and Review Process

29.1 This Statement of Licensing Principles complies with the Licensing Authority's duties under the Gambling Act 2005 and account has been taken of the guidance issued by the Gambling Commission under section 349 of the Act, Codes of Practice issued under the Act and the broad objectives of gambling licensing set out in part 3 of this document.

- 29.2 The Licensing Authority has consulted with a wide range of stakeholders in reviewing this statement of principles. Consultees include the statutory consultees under the Gambling Act, representatives of local residents, local businesses and local voluntary organisations, trade representatives and industry associations, elected members of Council and other Council Services.
- Careful consideration has been given to all responses received from individuals and bodies consulted before adoption of this Statement.
- 29.3 This policy statement comes into effect on the 31 January 2022 and will be operational for a period of 3 years thereafter. Its effectiveness in assisting in the achievement of the Licensing Objectives will be monitored during this period with a view to a further review before the 31 January 2025.

30 Responsible Authorities in the Bradford District

Licensing Authority, Argus Chambers, Hall Ings, Bradford, BD1 1HX

West Yorkshire Police, Licensing Section, Trafalgar House, Nelson Street, Bradford, BD5 0DX

West Yorkshire Fire & Rescue Service, Fire Protection, Oakroyd Hall, Birkenshaw, Bradford, BD11 2DY

Planning Services, Britannia House, Hall Ings, Bradford, BD1 1HX

Environmental Services, Britannia House, Hall Ings, Bradford, BD1 1HX

Bradford Safeguarding Partnership, Floor 6 Margaret McMillan Tower, Princes Way, Bradford, BD1 1NN

HM Revenue & Customs, Excise Processing Teams, BX19 1GL

Gambling Commission, Victoria Square, Birmingham, B2 2BP

31 Helpful Terminology (A-Z)

Club Gaming and Machine Permits

Members clubs must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is permitted by separate regulations. Regulations have been made by the Secretary of State relating to bridge and whist clubs, which replicate the position under the Gaming Act 1968. A members’ club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men’s clubs, branches of Royal British Legion and clubs with political affiliations.

Before granting the permit the Licensing Authority will need to satisfy itself that the premises meet the requirements of a members’ club and may only grant the permit if the majority of members are over 18.

Codes of Practice

Means any relevant codes of practice issued under section 24 of the Gambling Act 2005. These are issued by the Gambling Commission and set out the Commission’s expectations on the standards that the operators of gambling facilities will be expected to adhere to.

Conditions

A premises licence may be granted subject to different conditions, and these may be in respect of different parts of the premises and different licensable activities. Gambling Commission guidance provides that only conditions which should be imposed on a premises licence are those which are necessary for the promotion of the licensing principles.

Accordingly, if the existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties on the premises licence holder". Conditions must be proportionate to the size, style, characteristics and activities taking place at the premises concerned and must not effectively prevent the authorised gambling activity from reasonably taking place. No conditions can be imposed when issuing permits save for any necessary restrictions on numbers of machines.

Gambling

"Gambling" is defined in the Act as either gaming, betting or taking part in a lottery:-

- | gaming means playing a game of chance for a prize
- | betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not
- | a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
- |

Gambling Commission

The Gambling Commission regulates gambling in the public interest.

It does so by keeping crime out of gambling by ensuring that gambling is conducted fairly and openly and by protecting children and vulnerable people. The Commission provides independent advice to the government about the manner in which gambling is carried out, the effects of gambling, and the regulation of gambling generally.

The Commission has issued Guidance under Section 25 regarding the manner in which local authorities exercise their licensing functions under the Act and, in particular, the principles to be applied by local authorities. The Commission will also issue one or more codes of practice under Section 24 of the Act about the manner in which facilities for gambling are provided, which may also include provisions about the advertising gambling facilities.

The Gambling Commission is responsible for issuing Personal Licences and Operators Licences under the Gambling Act and can be contacted at www.gamblingcommission.gov.uk

Gaming Machine Age Restrictions

Persons under 18 year of age are prohibited from playing on category A, B and C machines. There is no limit with regard to category D machines. However the Secretary of State has powers to impose restrictions on types of category D machines if it is deemed

necessary in the future. Holders of licences and permits must also comply with relevant Gambling Commission codes of practice on location and access to machines by under 18 year olds.

Gambling Operating Licences

A licence required by individuals or companies who wish to establish a gambling operation. A licence is required separately for both remote (e.g. mobile phone or internet gambling) and non remote gambling. These licences are issued by the Gambling Commission and must be in place before the Licensing Authority can issue a premises licence.

Gambling Personal Licences

A licence granted to an individual who physically works in a gambling establishment and can influence how gambling is provided in the establishment or how the actual gambling facilities work. For example it would cover mangers of facilities, but also might cover a croupier working in a casino. These licensing are issued by the Gambling Commission.

Gambling Premises Licences

A licence granted in respect of any premises, which authorizes the premises to be used for one or more licensable activity.

Has effect until revoked, surrendered or death, insolvency of the holder. Applications are dealt with by the local authority for the area where the premises are situated.

Interested Parties and Responsible Authorities

The Act creates two categories of people/bodies that can make representations to a licensing authority about an application for a licence.

“Interested parties” are persons or businesses living/situated sufficiently close to the premises as to be likely to be affected by the authorised activities; or persons representing them (see paragraph 25,4).

“Responsible authorities” include the licensing authority, police, fire, enforcing authority for health and safety, planning authority, Gambling Commission, bodies responsible for child protection and vulnerable people and Her Majesty’s Customs and Revenues Service. Only these groups can make representations about an application for a premises licence.

Licensable Activities

Activities that must be licensed under the Act: Those activities requiring a licence from the Licensing Authority are listed in paragraph 2.1.

Licensing Authority

Those Local authorities who are responsible for exercising licensing functions under the Gambling Act 2005 (i.e. Bradford Council). Licensing Authorities determine gambling premises licences, most permit applications, and small lottery registrations.

Licensing Committee

This is a committee of at least 10 but not more than 15 members of the local authority. It

may appoint one or more sub-committees consisting of three members.

Licensing Objectives

The objectives of licensing set out in the Act: Preventing gambling from being a source of crime and disorder or being associated with crime and disorder; ensuring gambling is conducted in an open and fair way; protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority must, among other things, carry out its functions under the Act having regard to the licensing objectives.

Mandatory and Default Conditions

A mandatory condition is one that must by law be automatically attached to all premises licence of a defined category issued by the Licensing Authority. A default condition is one that will automatically apply unless the Licensing Authority considers that there are grounds for excluding it.

Non-Commercial Gaming

Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the Council's Licensing Team where appropriate.

Occasional Use Notices

Procedures set out in the Act allow applications to be made to provide betting at tracks on no more than 8 days in a calendar year without the need for a premises licence. Tracks include sports stadium, and not just dog or horse race tracks.

This procedure would be useful for occasional uses of fields for point to point races because the "track" or sporting event does not need to be a permanent fixture.

Permits

Permits are required for the provision of gambling facilities in certain circumstances where premises are exempt from the need of a gambling premises licence. For example, premises that have gaming machines that are restricted to category D type machines do not require a Family Entertainment Centre Premises licence. They do, however require a permit from the Licensing Authority. Similarly, premises licenced to sell alcohol will require a permit. Certain types of registered members clubs also require permits, as opposed to premises licences.

Premises

In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place.

But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, the

Licensing Authority will pay particular attention if there are issues about sub-divisions of a single building or plot in order to ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer.

However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

The licensing authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular account will be taken of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity specified on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
-
- Is the Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

Private Gaming

Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating only equal chance gaming takes place; and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.

Provisional Statements

This procedure allows a prospective developer to apply for a statement from the Licensing Authority that premises they may be interested in would be likely to obtain a premises licence were they to proceed with their investment. Only current holders of (or applicants for) an Operators Licence from the Gambling Commission can apply for a Provisional Statement. A statement can also be obtained for premises that have an existing gambling premises licence, but the proposal is to provide a different type of gambling facility. For example, an operator may be considering turning a bingo hall into a casino but wants to first clarify if it is worth proceeding, and without the need to apply for a full premises licence immediately.

Ready for gambling

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process. First, whether the premises ought to be permitted to be used for gambling and second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Relevant Representations

The Gambling Act does not use the term “objections”. Instead interested parties and responsible authorities may be able to make relevant representations about an application for a licence.

Representations must relate to the licensing objectives and where made by an interested party must not be frivolous or vexatious. When considering representation from an interested party or responsible authority the local authority need only consider relevant representations. However, the Licensing Authority can also consider other factors not raised by other parties where these are relevant to achievement of the licensing principles.

Restrictions on Access to Premises

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

No customer should be able to access the premises directly from:

- a casino
- an adult gaming centre

Bingo Premises

No customer must be able to access the premise directly from:

- a casino
- an adult gaming centre
- a betting premises, other than a track

Family Entertainment Centre

No customer must be able to access the premises directly from:

- a casino
- an adult gaming centre
- a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

Review of Licences

Where a premises licence is in force an interested party or responsible authority may apply to the licensing authority for it to be reviewed. The authority must hold a hearing to review

the licence and as a result must take any necessary steps, having regards to the licensing principles, such as the modification of conditions; exclusion of licensable activities; suspension of the licence for up to three months; or the revocation of the licence. For example, the Police could apply to the licensing authority for the premises licence to be reviewed if they had concerns that premises were a base for criminal activity or are putting children at risk. Review applications can be rejected if they are deemed frivolous, vexatious, irrelevant to any licensing principles, repetitious, or clearly on grounds that would not warrant any action being taken against the premises. Reviews can also be initiated by the Licensing Authority itself where it has cause for concern about the running of individual premises.

Self-Exclusion Schemes

Many major betting outlets support self-exclusion schemes. This is an initiative where a customer recognises that they are at risk of becoming a problem gambler, or are gambling more than they wish or can afford to. That person can agree with the manager of gambling premises that they should be refused access to use the gambling facilities for a specified period and any credit or other accounts with the facility are cancelled or suspended. The period of such self-exclusion is usually at least six months and staff are informed of the restrictions that have been put in place.

Statement of Licensing Principles

Each licensing authority must every three years determine and publish a statement of principles setting out its approach to licensing gambling premises and facilities. There is a requirement to consult on the policy and keep it under review.

Temporary Use Notices

Where a holder of an Operators licence proposes to use other premises (the definition of which includes any place) for gambling where there is not a gambling premises licence in place, it is possible to use a temporary use notice. For example, the holder of a betting operating licence could apply to provide betting facilities at a snooker tournament. There is a 21 day limit on the total period per year that any premises can be used under temporary use permit(s).

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Betknowmore UK's Response to the Consultation: City of Bradford Metropolitan District Council Gambling Policy Review

About Betknowmore UK

Betknowmore UK was launched in 2014 and today we are a growing charity based in London. Our mission is to reduce gambling-related harms and we provide support to people from diverse communities who are experiencing gambling harms, empowering them and building hope. Our aims are to increase awareness of gambling-related harm, improve the health and wellbeing of the people affected, increase access to our services and strengthen the impact of lived experience.

Our response to the Call for Evidence

Our evidence comes from working with our clients over the previous seven years. We also have lived experience of gambling-related harms embedded within our organisation, from our founder and CEO through to our frontline staff and volunteers, and we draw upon this lived experience in our response below.

General comments

1. While the term 'problem gambling' is still in use with regard to the Problem Gambling Severity Index, as a general term it is now recognised to be offensive to those experiencing harmful gambling. The term implies that the 'problem' rests with the gambler, rather than with the operators, licensing authorities, structural inequalities within society etc. People with lived experience prefer the term 'harmful gambling' and this is now becoming the established terminology.
2. Given the high correlation between gambling harms and suicide (estimated to be one per day¹), suicide first aid training should be required for all frontline staff.

¹ House of Lords (2020) *Gambling Harm: Time for Action*, Select Committee on the Social and Economic Impact of the Gambling Industry, House of Lords, London.

Specific comments

3. Section 7.7 refers to:

- People who gamble more than they want to;
- People who gamble beyond their means;
- People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, or intoxication by alcohol or drugs.

In our experience, people who are experiencing gambling harms often do not recognise that their gambling is causing them (and others) harm. They may be experiencing very high levels of harm and yet want to gamble more – this is the nature of addiction. This makes the category of ‘people who gamble more than they want to’ problematic. Similarly, many people who experience gambling harms can afford to ‘gamble beyond their means’; financial harms are just one indicator of a wide range of gambling harms. For example, someone who can afford to spend a high percentage of their income gambling may be neglecting their relationships, their health and their work. Finally, while some people may not be able to make an informed or balanced decision due to mental impairment, many more cannot because compulsive gamblers experience cognitive distortions that give them an illusion of control, that reduce their understanding of risk and reward, leading them to chase their losses. Some products are deliberately designed by gambling operators to stimulate such cognitive distortions. In sum, harmful gambling is very complex and cannot be reduced to simplistic indicators such as your three bullet points. The focus should be on the harms gambling causes, rather than the people who are doing the gambling.

4. Section 7.9 states that ‘Problem gambling can affect anyone at any time. Whilst rates of problem gambling among all adults in Britain tend to be less than 1% (1.4% in large metropolitan areas such as Bradford), there are some groups that are more likely to experience problems’. This percentage encompasses those experiencing only the most significant levels of harm i.e. PGSI 8+. This ignores all those people who are experiencing significant levels of harms, those at risk of harm (who need interventions such as awareness raising in order to prevent harm), and all those people who are affected by someone else’s gambling (estimated at 6-15 people, most of whom are women).

Recent research² based on big financial data and a very large sample of 6.5 million people tracked over seven years in the UK, found that nights awake (with a resulting health impact), unemployment and mortality increased markedly for the highest-spending gamblers, but gambling is also associated with negative outcomes even at lower levels of gambling. For example, a 10% increase in

² Muggleton, N., Parpart, P., Newall, P., Leake, D., Gathergood, J. and Stewart, N. (2021) The association between gambling and financial, social and health outcomes in big financial data, *Nature Human Behaviour*, <https://doi.org/10.1038/s41562-020-01045-w>

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gambling spend is associated with an increase in payday loan uptake by 51.5% and the likelihood of missing a mortgage payment by 97.5%. Also, tracking individuals between 2014 and 2019, the researchers found that higher gambling is associated with a higher risk of future unemployment and future physical disability. Gambling at high levels is also associated with levels of mortality at about one third higher than non-gamblers.

Contact

Liz Riley, Research and Evaluation Manager, Betknowmore UK
liz@betknowmoreuk.org

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From: Sarah Exall <sarah.exall@bradford.gov.uk>
Sent: 05 December 2021 21:50
To: Licensing Team <Licensing@bradford.gov.uk>
Cc: Sarah Muckle <Sarah.Muckle@bradford.gov.uk>; Angela Hutton <Angela.Hutton@bradford.gov.uk>; Dawn Townend <Dawn.Townend@bradford.gov.uk>
Subject: Consultation Response: gambling policy review

Dear colleagues,

I'm writing below the formal response from Bradford Public Health department to the consultation on gambling policy. If you have any questions about any of the responses below, please come back to me. I'll email separately about working together more closely, including potentially providing Public Health representation to licencing panels.

Public Health response to gambling consultation

We are generally supportive of the draft licencing policy. There are areas we would like to see a more challenging approach taken, and some terminology which we would like to see reframed. Recent surveys have shown that public opinion is strongly in favour of more restrictions on gambling operators, meaning that a robust approach to licencing would be supported by many in the district. If advertising of gambling within the district could be included in the scope of this document, we would welcome a conversation separately about this.

Comments I have made are highlighted in yellow, with direct quotes highlighted. Red highlights are words which I have picked out from quoted passages.

2.2 The Licensing Authority recognises the important role that well regulated, varied and safe entertainment can play in promoting the vitality and viability of the district's city, town and village centres, particularly the evening economy. It is also aware that tastes and trends change over time and that, in the light of increasing competition within the entertainment industry, any licensing system must be sufficiently flexible and responsive to new initiatives from the licensing industry and individuals.

2.2 The Licensing Authority takes a positive approach to the licensing and regulation of events and betting and gaming establishments and will take care to help businesses, event organisers and others meet their legal obligations without unnecessary expense. However, the Licensing Authority will take firm action, including prosecution where appropriate, against those who flout the law or act irresponsibly

This reads as a positive endorsement of gambling premises in Bradford – I would want to see a much stronger acknowledgement of the significant harms caused by gambling, and the commitment of Bradford council to protect the health and wellbeing of our residents by ensuring that gambling premises are not licenced in high concentrations within areas more accessible to vulnerable communities

4.3 Overall, in making decisions about premises licences and temporary use notices, the Licensing Authority's general approach will be to aim to permit the use of premises for gambling in so far as is appropriate and:

- in accordance with any relevant codes of practice issued under the Act;
- in accordance with the guidance issued by the Gambling Commission;
- in accordance with this Statement of Licensing Principles; and
- is consistent with achievement of the licensing objectives.

Can we also add "where the use of premises for gambling does not expose the public to gambling-related harm, or the widening of inequalities as a result of gambling-related harm"

5.3 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime, the Licensing Authority will, in consultation with the police or other relevant Responsible Authority, consider whether specific controls need to be applied to prevent gambling in those premises from being a source of crime and/or disorder,” or whether the potential negative consequences are too great to allow a licence or permit to be granted.”

6.4 Further guidance and assistance to help a service provider meet the general needs of disabled customers and in meeting the requirements of the Equality Act is available from the Equality and Human Rights Commission website at www.equalityhumanrights.com. “This includes the protection of people more vulnerable to gambling-related harms from the risks of gambling, including those with learning disabilities. For example, information on gambling risks must be provided in ways which are accessible to all customers.”

7.7 The Licensing Authority does not seek to prohibit particular groups of adults from gambling, in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include: • People who gamble more than they want to; • People who gamble beyond their means; • People who may not be able to make an informed or balanced decision about gambling due to a mental illness or impairment, learning disability, or intoxication by alcohol or drugs

7.10 In 2016 Leeds Beckett University researched problem gambling in Leeds (Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016). This research looked specifically at identifying groups of society that could be considered vulnerable to problem gambling:... this should be updated with new research, including the new Public Health England review of gambling: [Gambling-related harms: evidence review - GOV.UK \(www.gov.uk\)](http://www.gov.uk). I’m happy to help with this.

...Minority ethnic groups – There is evidence that individuals from Asian or Black backgrounds are more vulnerable to gambling problems (Wardle, 2015). This should be rephrased, e.g. “There is evidence that gambling-related harms disproportionately affect people from Asian or Black backgrounds”

There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience problems with their gambling behaviour.... rephrase to “There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience gambling-related harm”.

Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group. I would remove the phrase “given associations with other mental health conditions” – homelessness is not a mental health condition, and should be considered a vulnerable group in its own right given the financial/ health/ stigma inequalities faces by homeless people, as well as the fact that gambling premises might be used as a “safe”, warm space to rest.

8.2 Gambling is a legitimate leisure activity enjoyed by many and the majority of those who gamble appear to do so with enjoyment, and without exhibiting any signs of problematic behaviour. There are however significant numbers of people who do experience significant harm as result of their gambling. I would reframe this: “Gambling is an activity undertaken by a significant number of adults. The extent of gambling-related harm (sometimes called “problem gambling”) is not yet fully

understood. However there is evidence that those who are already vulnerable and at risk of poor health are more at risk of gambling-related harms, further exacerbating existing inequalities.”

8.3 For these problem gamblers, harm can include higher levels of physical and mental illness, debt problems, relationship breakdown and, in some cases, criminality. It can also be associated with substance misuse. Reframe: “For “problem gamblers”, harm includes higher levels of physical and mental illness, debt problems, relationship breakdown and tragically, in some cases suicide. Criminality may also occur for some people experiencing significant harm.”

8.4 There can also be considerable negative effects experienced by the wider group of people around a gambler. The health and wellbeing of partners, children, and friends can all be negatively affected. Reframe: “It is estimated that for every gambler that experiences harm, around six other people in their life, most often close family members including children, are negatively affected.”

8.5 Therefore the Licensing Authority considers that Public Health teams, whilst not a responsible authority under the Act, can still assist the Licensing Authority to address gambling-related harms in its area. Replace “still assist” with “work collaboratively with”

8.6 The Licensing Authority will therefore engage with the local Public Health team in the further development of this Statement of Principles and the Local Area Profile. It is planned that the Public Health team will be able to help the Licensing Authority:

- Identify and interpret health data and evidence to inform the review of
- the Statement and develop locally tailored local area profiles.
- Make decisions that benefit and protect the health and wellbeing of local communities.
- Be clear on issues which they can have regard to when deciding on
- licenses for a wide range of gambling activities.
- Conduct a health-impact assessment of gambling in the local area or assess any existing information.

Replace “help” with “work jointly”. Sorry I’m not sure what the sentence “be clear on issues...” means. I would also go further and request that Public Health sit on licencing panels for gambling premises.

9.5 i. add the proximity of schools and other places which might be frequented by children to the list for local risk assessment

ii. Add the provision of information warning people about the harms of gambling, ensuring it is in accessible language and format.

iv. • The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality – maybe change to: “The provision of signage and documents relating to games rules, the risks of gambling, gambling care providers and other relevant information be provided in both English and the other prominent first languages for that locality, in easily understandable and accessible language and format.”

15. How can we pass a “no casino” resolution, and are there reasons why we haven’t done so?

Best wishes,
Sarah

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“Working Together to Deliver Better Health and Better Lives”

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GOSSCHALKS

BY EMAIL ONLY
LICENSING SECTION
BRADFORD COUNCIL

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / M JM / 123267.00001
#GS4186119
Your ref:
Date: 04 November 2021

Dear Sirs,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Betting and Gaming Council (BGC) and are instructed to respond on behalf of the BGC to your consultation on the review of your Gambling Act 2005 Statement of Principles.

The Betting and Gaming Council

The Betting and Gaming Council (BGC) was created in 2019 as the new standards body for the UK's regulated betting and gaming industry. This includes betting shops, online betting and gaming businesses, bingo and casinos. Its mission is to champion industry standards in betting and gaming to ensure an enjoyable, fair and safe betting and gaming experience for all of its members' customers.

BGC members support 119,000 jobs and account for £4.5 billion to the Treasury annually in tax. Recent study also showed that BGC members contributed around £7.7 billion in gross value added to the UK economy in 2019.

The gambling industry is integral to the survival of sport. Betting companies spend over £40 million a year on the English Football League (EFL) and its clubs. Horse racing, an industry estimated to be worth £3.5 billion a year to the UK economy and which generates 85,000 jobs receives over £350 million per annum through the Horse Racing Industry Levy, media rights and sponsorship. Darts and Snooker receive in excess of £10 million per annum which represents 90 % of all sponsorship revenue.

The BGC has four principal objectives. These are to –

- **create a culture of safer gambling throughout the betting and gaming sector, with particular focus on young people and those who are vulnerable**
- **ensure future changes to the regulatory regime are considered, proportionate and balanced**

- **become respected as valuable, responsible and engaged members of the communities in which its members operate**
- **safeguard and empower the customer as the key to a thriving UK betting and gaming industry**

Before we comment on your draft policy document, it is important that the backdrop against which the comments are made is established.

Betting and Gaming in the UK

Betting and gaming is an incredibly important part of the UK leisure and hospitality industry, employing over 70,000 people, including 50,000 in betting, 13,000 in casinos and 10,000 people directly employed online. The betting and gaming industry contributes £8.7 billion Gross Value Added to the UK economy & contributes £3.2 billion to HM Treasury. In addition, casinos contribute over £120 million to the tourism economy each year.

Betting and gaming is widely enjoyed in the UK. Around 30 million people participate in some sort of gambling, whether that is on the National Lottery, placing a bet in betting shops, playing in casinos or at bingo. The overwhelming majority of these people do so safely without reporting any problems.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that the number of betting offices (as of March 2020) was 7681. This is reducing every year and has fallen from a figure of 9137 in March 2014. Covid 19 had a devastating effect on the betting industry. The number of betting offices in June 2020 was down to 6461.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- In April 2019 a maximum stake of £2 was applied to the operation of fixed odds betting terminals
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable and possibly falling.

Problem Gambling

Problem gambling rates are static or possibly falling. The reported rate of 'problem gambling' (according to either the DSM-IV or the PGSI) was 0.8% of the adult population in 2015, in 2016 it was 0.7% and in 2018 it was 0.5% of the adult population.

This is termed statistically stable but is encouraging that we might finally be seeing a reduction in problem gambling due to the raft of measures that have been put in place recently both by the

industry, the Gambling Commission and the Government – from a ban on credit cards, restrictions to VIP accounts, new age and identity verification measures and voluntary restrictions on advertising. These rates have remained broadly the same since the introduction of the Gambling Act 2005.

Whilst one problem gambler is too many, both the Government and regulator both say there is no evidence that problem gambling has increased in recent years.

During the Covid-19 period of lockdown, both the Gambling Commission and Government have acknowledged that problem gambling levels have not increased.

In June 2020, the BGC's five largest members committed to increasing the amount they spend on research, education and treatment (RET) services from 0.1 per cent to 0.25 per cent of their annual revenue in 2020, 0.5 per cent in 2021, 0.75 per cent in 2022 and 1 per cent in 2023. The five operators confirmed they will provide £100 million to GambleAware charity to improve treatment services for problem gamblers.

Rates of 'problem gambling' in the UK are low by international standards – compared to France (1.3%), Germany (1.2%), Sweden (2.2%) and Italy (1.27%).

The BGC supported the creation of the new NHS gambling treatment clinics who have promised 22 clinics, 3 of which are open now. We are pleased that the NHS have committed to work to increase the number of clinics in the UK in addition to existing serviced delivered by Gordon Moody Association and GamCare's 120 treatment centres located throughout the UK.

The BGC welcomes the Gambling Commission's National Strategy was a way of accelerating progress on responsible gambling and tackling problem gambling. Our members are fully committed to meeting this challenge and are working tirelessly to deliver new responsible gambling initiatives including technology that tackles problem gambling and supporting a statutory levy and increased funding for problem gambling clinics.

Underage participating by those aged 11-16 in any gambling activity has declined from 22% to 11% over the past decade; here, 'gambling activity' mainly relates to personal betting (e.g. playing cards with friends) and legal play of lotteries (e.g. participating with consent of parents / guardians). BGC members have a zero tolerance to those under the age of 18 attempting to use their products.

Working in partnership with local authorities

The BGC 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 the opportunity to respond to this consultation is welcomed.

Differentiation between Licensing Act 2003 and Gambling Act 2005 applications

When considering applications for premises licences, it is important that a clear distinction is made between the regimes, processes and procedures established by Gambling Act 2005 and its

regulations and those that are usually more familiar to licensing authorities – the regimes, processes and procedures relating to Licensing Act 2003.

Whilst Licensing Act 2003 applications require applicants to specify steps to be taken to promote the licensing objectives, those steps being then converted into premises licence conditions, there is no such requirement in Gambling Act 2005 applications where the LCCP provide a comprehensive package of conditions for all types of premises licence.

It should continue to be the case that additional conditions in Gambling Act 2005 premises licence applications are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called “Think 21”. This policy is successful in preventing under-age gambling. Independent test purchasing carried out by operators and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%.

When reviewing draft statements of principles in the past, we have seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The BGC is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would 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

Considerations specific to the Gambling Act 2005 statement of licensing principles for the Bradford District 2022 to 2025

On behalf of the BGC we welcome the positive approach to the licensing and regulation of gambling and the acknowledgement that well-regulated entertainment has an important role in promoting the vitality and viability of the area.

Paragraph 7.9 refers to rates of problem gambling tending to be less than 1%. Figures published by the Gambling Commission last week showed that the rate of problem gambling for the year to September 2021 was 0.3% (down from 0.6% the previous year) and also that the rate of those gamblers classed as being at ‘moderate risk’ of harm fell from 1.2 per cent to 0.7 per cent in the same time frame. It is important that the draft statement of principles uses the most up to date figures and this paragraph should be amended accordingly.

Paragraph 7.10 refers to research undertaken which is (presumably) included within the statement of principles for context. We accept that context is important but where figures are given or where statements are made, these must be correct, and the full background must be given.

This paragraph recognises that young people are less likely to gamble generally but those that do so are more likely to experience difficulties with their behaviour (Wardle 2015). As far as minority ethnic groups are concerned, paragraph 7.10 indicates simply that *“there is evidence that individuals from Asian or Black backgrounds are more vulnerable to gambling problems”*. Again, this is taken from the Wardell research in 2015. This statement needs to have the same context as that given for young people above. The research (Wardell 2015) states, *“where both adults and children of Asian backgrounds were far less likely to gambling than their white British counterparts yet those that did were more likely to experience problems.”*

This paragraph also refers to an academic report (Wardell 2015) which looked at the distribution of machines and licensed betting offices. The paragraph that refers to this should be removed from the draft statement of principles. This research was conducted when the maximum stake for fixed odds betting terminals was £100. This maximum stake was reduced to £2 in 2019 and by the time the statement of principles comes into force, it will be almost 3 years since that reduction in minimum stake. Accordingly, any research conducted more than 6 years ago is of questionable relevance as there have been significant changes since that research was undertaken.

Paragraph 9 explains the requirement for operators to undertake local risk assessments. Paragraph 9.5 contains a bullet point lists of factors that the Licensing Authority recommends be taken into account by operators when undertaking local risk assessments. These lists need to be re-drafted to remove any bullet points that refer to matters that cannot be relevant to any assessment of risk to the licensing objectives.

For example, the first list of bullet points (the local area) refers to *“known problems in the area such as problems arising from street drinkers, youths participating in antisocial behaviour, drug dealing activity etc.”* None of these issues are relevant to any assessment of whether gambling will be a source of or associated with crime and disorder and therefore this bullet point should be removed.

Similarly, in the final list of bullet points, there are references to *“areas that are prone to issues of youths participating in antisocial behaviour, including activities such as graffiti, tagging, underage drinking etc”* and *“gaming trends that may coincide with days for financial payments such as paydays or benefit payments.”* These two bullet points should be removed. The first bullet point refers to issues of low level anti-social behaviour and nuisance which have no bearing on any assessment of risk to the licensing objectives. The second bullet point can only be relevant if the Licensing Authority’s view is that any person in receipt of benefits or indeed paid employment is to be considered automatically vulnerable. This cannot be the case.

Paragraph 26 explains the Licensing Authority’s approach to the imposition of conditions on premises licences. We welcome the acknowledgement that the mandatory and default conditions are usually sufficient to ensure that premises are operated in accordance with the licensing objectives.

Paragraph 26.2, however, should be re-drafted, this indicates that *“the Licensing Authority will also expect the licence applicant to offer their own suggestions as to ways in which the licensing objectives can be met effectively.”* This should be redrafted to avoid any confusion with Licensing Act 2003. Within Licensing Act 2003, applicants are required to explain measures to be undertaken to promote the licensing objectives. These measures are contained within the operating schedule and are then converted into conditions. There is no similar requirement within Gambling Act 2005 applications. Licensees/applicants are not expected to “suggest” their own conditions. Instead, this is dealt with through the risk assessment which is a requirement of SR Code Provision 10. The code provision requires that licensees/applicants conduct a local area risk assessment and specify policies, procedures and mitigation measures to address identified risks. That risk assessment should be submitted alongside a premises licence application.

It is important that these policies, procedures and mitigation measures are dealt with via the risk assessment rather than by way of licence conditions as the risk assessment is a dynamic document and (in accordance with SR Code Provision 10.1.2) must be reviewed if there is a significant change in local circumstances. As risks change or new risks are identified, the policies, procedures, and mitigation measures to address those identified risks may be changed very quickly. However, if the mitigation measures are the subject of premises licence conditions, then an application for variation of the premises licence will be required to change these conditions. This could delay any change and would cause unnecessary expense and administration for both operators and Licensing Authority.

Conclusion

On behalf of the BGC, we thank you for the opportunity to comment on your draft statement of principles and hope that these comments above are useful. The BGC will work with you to ensure that its members’ operation of its premises will operate in accordance with the licensing objectives.

Yours faithfully,



GOSSCHALKS LLP

From: Cllr Richard Dunbar <Richard.Dunbar@bradford.gov.uk>
Sent: 06 November 2021 22:14
To: Licensing Team <Licensing@bradford.gov.uk>
Cc: David Green <david.green@ageukbd.org.uk>
Subject: RE: Gambling Policy Review - City of Bradford Metropolitan District Council

Hi,

I would like see greater cross departmental collaboration and sorting this policy with a greater emphasis on public health approaches.

I would also be interested in seeing your distribution lists for the consultation

Thanks

Cllr Richard Dunbar (He/Him)
*Representing Thornton, Allerton & Sandy Lane
Bradford District LGBTQ+ Champion
Bradford 2025-Engagement & Inclusion Group Chair
West Yorkshire Police and Crime Panel*

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