



Licensing Committee

Date: Monday, 25 October 2021

Time: 10.00 am

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

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Membership of the Licensing Committee

Councillors - Ludford (Chair), Grimshaw (Deputy Chair), Andrews, Chambers, Connolly, Evans, Flanagan, Hassan, Hewitson, Hughes, Jeavons, S Judge, Lynch, McHale and Reid

Agenda

- 1. Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.
- 2. Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Minutes** 5 - 8
To approve as a correct record the minutes of the meeting held on 19 July 2021.
- 5. Review of Gambling Policy 2022-25** 9 - 68
The report of the Director of Planning, Building Control and Licensing is enclosed.

Information about the Committee

The Licensing Committee fulfils the functions of the Licensing Authority in relation to the licensing of premises for the sale or supply of alcohol, the provision of regulated entertainment, and the provision of late night refreshment (hot food or hot drink provided at any time between 11pm and 5am) and in relation to the Gambling Act.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE
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Further Information

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This agenda was issued on **Friday, 15 October 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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Licensing Committee

Minutes of the meeting held on Monday, 19 July 2021

Present: Councillor Ludford – in the Chair

Councillors: Grimshaw, Andrews, Chambers, Connolly, Evans, Flanagan, Hassan, Hewitson, Hughes, Jeavons, Lynch, McHale and Reid

Apologies: Councillor S Judge

LHP/21/4 Minutes

The minutes of the meeting held on 8 March 2021 were submitted for approval.

Decision

To approve as a correct record the Minutes of the Licensing Committee meeting held on 8 March 2021.

LHP/21/5 Update of Model Conditions Under the Licensing Act 2003 including incorporation of Martyn's Law

The Committee considered the report of the Director of Planning, Building Control & Licensing that provided the results of the public consultation and proposes the final model conditions for premises under the Licensing Act 2003, which incorporated the proposed new conditions in line with adopting the principles of Martyn's Law in Manchester.

The Principal Licensing Officer introduced the report and provided the Committee with a summary of the consultation process and the responses received. A copy of the Proposed Licensing Act 2003 Model Conditions was appended to the report that highlighted the proposed changes and amendments as a result of the consultation process.

The Chair invited members of the Committee to ask questions.

A member referred to an expected high level of business for licenced premises following the relaxation of covid rules and asked officers if training could be made mandatory for all new premises applications to ensure training for security staff was undertaken much sooner.

The Committee was advised that in consideration of a licencing application each application must be considered on an individual basis and any conditions would need to be proportionate based on the premises and type of premises licence involved. The Committee was informed that work on training for security staff is ongoing and will be introduced as soon as possible.

A member referred to Martyn's law and commented that the responsibility seemed to be being passed to the licence and away from the Council. An example of large

events taking place where it was unclear of where the licence premises ended and the event space started and the responsibility for controlling and protecting event attenders. Also, what were the cost implications and had any additional funding been identified for policing to cover the areas.

The Committee was advised that the Model Conditions focus on the licensed premises and so the responsibility for the event space is not within the scope, however the Council will consider those wider issues. The cost implications for the Council for the provision of training will be the officer time and venue cost and included in the delivery of the licensing function. The assessment of premises will be the responsibility of the licence holder through the completion of the risk and vulnerability assessments.

A member referred to the potential danger of a cumulative impact of multiple venues holding events at the same time and the area reaches saturation and requested the City Solicitor to provide advice.

The City Solicitor's representative reported that a Cumulative Impact Assessment addresses this situation and would require an assessment to be undertaken for an area of the City. This would require a review to be undertaken every three years.

A member requested that information and guidance on cumulative impact assessment be circulated to Committee members. The City Solicitor's representative undertook to circulate information to Members of the Committee.

A member of the Committee referred to the removal of Condition 51 and in noted the reasons put forward for the removal of the definition of a venue. Reference was made to use of the condition for licence applications to restrict the use of a venue as a vertical drinking venue and officers were asked if there were confidence that other conditions could be used in order to prevent vertical drinking establishments.

The Committee was advised that each application is considered on the basis of the proposal and officers are confident that an appropriate condition/s can be applied to a licence if it was considered that the proposed use was not appropriate for the premises.

A member referred to the process in producing the model conditions and the responses received. Officers were asked what funding maybe available and if this could be cost neutral to the Council. Also, what provision will be put in place to train staff and staff within premises and is this proportionate on the size of the premises..

The Committee was advised there is no proposed funding had been allocated although funding sources could be explored. Training can be explored as part of a review of the conditions.

A member asked for further clarification of the use of body worn video and how long would the cameras be switched on for and where would the footage be held.

The Committee was advised that guidance on the use of body video and CCTV systems will be produced for licence holders and the responsible authorities to include

best practice and changes in technology. The cost associated to the use and storage of CCTV and other footage would be included within the conditions of the licence to be the responsibility of the licence holder.

Decisions

1. The Committee noted the report and the responses received from the consultation process.
2. To approve the proposed Model Conditions, as detailed in the report submitted.

LHP/20/6 Proposed revision of Manchester City Council Gambling Policy

Consideration was given to the report of the Director of Planning, Building Control and Licensing that presented a draft statement of the Council's revised Gambling Act Policy and information on the method of consultation proposed.

The Principal Licensing Officer introduced the report and explained that the Council has responsibilities under the Gambling Act to issue premises licences, permits and temporary use notices in respect of premises where it is proposed that gambling should take place (betting shops casinos tracks gaming machine permits). Additionally, the Council will continue to be responsible for the registration of Small Society Lotteries. The Gambling Policy must be republished every three years to include a statement of principles for gambling. The policy has been developed in conjunction with the other GM Authorities and reference was made to the GM Gambling Harm Reduction programme.

The draft policy has been prepared for public consultation. Subject to approval by the Licensing Policy Committee, a 8-week public consultation would begin. The final policy taking account of consultation responses will then be presented to the Licensing Policy Committee and would require approval of full Council.

The consultation strategy for the draft Gambling Policy is as follows:

The Gambling Act 2005 requires consultation with the following:

- The chief officer of police for Manchester
- One or more persons who represent the interests of gambling businesses in Manchester Page 53 Item 6
- One or more persons who appear to represent the interest of persons who are likely to be affected by the implementation of the Gambling Act in Manchester
- The Responsible Authorities who are consulted on Gambling applications in Manchester (Greater Manchester Police, Planning, Environmental Health, Child Safeguarding Board, Greater Manchester Fire and Rescue Service, HM Revenue and Customs, Gambling Commission)
- All Ward Councillors of Manchester City Council
- All Strategic Area Managers
- Gamcare
- All gambling premises in Manchester

- Gambling Trade Associations
- Cityco
- Public Health

The proposed revised policy will also be made available on the Public Consultations page of the council's website.

The draft policy has been prepared for public consultation. Subject to approval by the Licensing Policy Committee, 8-week public consultation would start. The final policy taking account of consultation responses will then be presented to the Licensing Policy Committee and then require the approval of full Council.

Decisions

1. To note draft Gambling Policy.
2. To endorse the consultation strategy as follows:

LHP/20/7 Remote attendance at hearings under the Licensing Act 2003

The Committee considered the report of the Director of Planning, Building Control and Licensing that sought approval to remote input by parties via video conferencing for hearings under the Licensing Act 2003.

The Committee was informed that the use of remote video conferencing to allow interested parties to input into a licensing hearing would be undertaken as and when required in accordance with requests received.

Members were reminded that elected member physical attendance at meetings is a requirement.

Decision

To approve the use of remote attendance at meetings of Licensing Sub-Committees via video conferencing.

**Manchester City Council
Report for Information**

Report to: Licensing Committee – 25 October 2021

Subject: Review of Gambling Policy 2022-25

Report of: Director of Planning, Building Control & Licensing

Summary

This report presents the Committee with responses to the public consultation to the proposed revision of our revised Gambling Act Policy.

Recommendations

Members are asked to note the contents of the report and responses and provide any recommended alterations.

Wards Affected: All

Environmental Impact Assessment - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
None

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Licensed premises provide a key role as an employer, in regeneration, and in attracting people to the city. The efficient processing of applications as well as effective decision making in respect of them, plays an essential role in enabling businesses to thrive and maximise contribution to the economy of the region and sub-region.
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by	An effective licensing regime works with operators of licensed premises and other agencies to ensure, as far as it is able,

unlocking the potential of our communities	matters of equality and local issues are effectively addressed.
A liveable and low carbon city: a destination of choice to live, visit and work.	The Licensing process provides for local residents and other interested parties to make representations in relation to licensing applications to safeguard local place-based interests. The authority must aim to permit gambling insofar as doing so is reasonably consistent with the licensing objectives of 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 people from being harmed or exploited by gambling.
A connected city: world class infrastructure and connectivity to drive growth	Licensed premises play an important role in ensuring an economically successful City, and the Licensing Policy seeks to achieve desirable and high quality premises to help drive that growth.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue None

Financial Consequences – Capital None

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Background documents (available for public inspection):

Draft Statement of Gambling Policy 2022-25

1.0 Introduction

- 1.1 Members will be aware that under the Act the Council, as Licensing Authority, is required to produce a policy every three years setting out how it intends to implement the Act. Our next revision is required to be in place with effect from January 2022.
- 1.2 The draft policy was publicly consulted upon for an 8-week period concluding on 15 October.
- 1.3 This report provides the Committee with details of the responses received to the consultation. Any responses received following the publication of this report will be provided separately at the committee meeting.

2.0 Responses to the Consultation

- 2.1 Two responses were received to the consultation:
- 2.2 Response 1: Manchester citizen
“It's a mugs game we've stopped slavery kids in factories so bin gambling it's far more productive to be a gambling free zone and something the council can do easier than making Manchester nuclear free”
- 2.3 Response 2: Betting and Gaming Council submitted by Gosschalks solicitors
A copy of this response is provided in Annex 1.
- 2.3.1 In summary, the response claims that the policy adopts an “anti-gambling stance, is over prescriptive and should be simplified”. Points raised include:
- i. There should be greater recognition of the licensing authority’s statutory duty to “aim to permit”
 - ii. Concerns raised in relation to research quoted in the policy and the figures used in relation to levels of gambling-related harm
 - iii. Amendments to expectations on the content of local area risk assessments
 - iv. Removal of requirements for operators to share data with licensing authorities
- 2.4 Officers are in the process of reviewing the responses with a view to any prospective changes required having regard to the issues raised.

3.0 Recommendation

- 3.1 The Committee is asked to consider the responses received to the consultation and provide any recommended amendments.

4.0 Key Policies and Considerations

- 4.1 The proposals relate the Council’s Gambling Policy, also referred to as its Statement of Principles, under the Gambling Act 2005.

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GM Statement of Principles under the Gambling Act 2005

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1. Foreword

1.1

To be published in final policy

2. Introduction

- 2.1 As the licensing authority, we are required to perform the following functions under the Gambling Act:
- 1) Be responsible for licensing premises where gambling activities are to take place by issuing premises licences
 - 2) Issue provisional statements where it is proposed that gambling activities will take place but a premises is not yet ready for use
 - 3) Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by issuing club gaming permits and/or club machine permits
 - 4) Issue club machine permits to commercial clubs
 - 5) Issue permits for unlicensed Family Entertainment Centres where Category D machines may be used
 - 6) Receive notifications from premises licensed for on-sales of alcohol for use of two or fewer Category C or D gaming machines
 - 7) Issue licensed premises gaming machine permits for premises licensed for on-sales of alcohol for use of two or more Category C or D machines
 - 8) Register small society lotteries
 - 9) Issue prize gaming permits
 - 10) Receive and endorse Temporary Use Notices for temporary use of premises for gambling
 - 11) Receive Occasional Use Notices for betting at tracks
- 2.2 Gambling is defined in the Act as either gaming, betting or taking part in a lottery
- 2.3 Gaming' means playing a game for the chance to win a prize.
- 2.4 'Betting' means making or accepting a bet on:
- the outcome of a race, competition or other event
 - the likelihood of anything occurring or not occurring
 - whether anything is true or not.
- 2.5 A 'Lottery' is where participants are involved in an arrangement where prizes are allocated wholly by a process of chance.
- 2.6 The responsibility for regulating gambling is shared between the Gambling Commission and local authorities. The Gambling Commission is responsible for issuing operating licences to organisations and individuals who provide facilities for gambling and personal licences to persons working in the gambling industry. The Commission takes the lead role on ensuring that gambling is conducted in a fair and open way through the administration and enforcement of operating and personal licence requirements. The Commission is also responsible for remote gambling activities such as facilities provided via the internet, television or radio.
- 2.7 We are also required to:

- Provide information to the Gambling Commission regarding details of licences issued
 - Maintain a register of the permits and licences that are issued under the functions above.
- 2.8 The council has a responsibility under the Gambling Act 2005 to decide whether to grant or reject applications and in the case of premises licence applications to decide any conditions to apply where the decision is taken to grant. All decisions made by the licensing authority in relation to premises licences (and some other authorisations – see specific sections for details) are based on the Act, relevant guidance, Codes of Practice, our Gambling Policy and the three licensing objectives. These objectives 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
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 2.9 In the case of premises licences (and some other authorisations – see specific sections for details), the licensing committee will permit gambling only so far as it is reasonably consistent with these three objectives.

Publication of this Policy

- 2.10 Licensing authorities have a requirement to develop, consult on, and publish a statement of licensing policy every three years with regards to the principles they propose to apply in exercising functions under the Gambling Act 2005.
- 2.11 The policy statement forms the licensing authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.
- 2.12 The authority is one of the 10 Metropolitan Districts of Greater Manchester. In Greater Manchester we have a shared aim reducing gambling related harms, our approach focuses on preventing gambling harms from occurring, as well as improving how we support our residents who are already experiencing harms, either directly or as a result of someone else's gambling. The renewal of licensing policies presents an opportunity for local authorities to embed these principles. Licensing leads across Greater Manchester have agreed to take a common approach to refreshing gambling licensing policies.
- 2.13 The following people and organisations have been consulted in preparing the statement:
- [to be completed with summary of consultees in final policy]
- 2.14 The Authority consulted upon this Policy before finalising at a full Council meeting held on the [date to be included in final policy].

Manchester

- 2.15 Manchester is the original modern city and the economic engine of the North West. With a concentration of people and business activity without parallel in the northern England, Manchester's high economic productivity is essential to the North and the City Region. Manchester is at the heart of Greater Manchester and it is the North West's regional centre for finance, commerce, retail, culture and leisure, and is home to a major international airport and one of the largest student populations in Europe.
- 2.16 Manchester has undergone a remarkable transformation since the mid 1990s. High quality new buildings and strong urban design have helped create a distinctive and contemporary City Centre. The City has also been home to many successful regeneration projects including the redevelopment of Hulme, which acted as a model for Manchester's approach to regeneration, and the creation of Eastlands.
- 2.17 Manchester has led the revival of city centre living. This level of indigenous population has added not only to the economy of the City, but also to its vitality, offering animation and activity around the clock.
- 2.18 Manchester is dynamic and creative because it is incredibly diverse with a rich mixture of cultures, origins, languages, customs and lifestyles. People are welcomed from all over the world for the contribution they can make. The gay community and black and minority ethnic groups have helped shape the City's success and style.
- 2.19 As the central hub of the regional transport network, Manchester is easily accessible and provides a fifth of all jobs in the City Region. Manchester's economic growth has been driven by the rapid expansion of a number of sectors including commercial and professional services, science and research, culture and media, advanced manufacturing and ICT. It is now one of the top European cities for business locations.
- 2.20 Manchester is a centre of excellence for research and learning. It is home to several institutions of higher education including the University of Manchester, the Manchester Metropolitan University (MMU), the Royal Northern College of Music, the Central Manchester University Hospitals and the University Hospital of South Manchester.
- 2.21 Manchester has one of the largest student populations in Europe, with over 90,000 students at Greater Manchester's five universities, and over 380,000 students at the 22 Higher Education Institutions (HEIs) within an hour's drive. There were 74,164 students enrolled at one of Manchester's three HEIs in 2017/18, of which 48,393 had a term time address in Manchester (HESA). Of the remaining c.25,000 students, a significant proportion live at home with their families across Greater Manchester and beyond.
- 2.22 Manchester universities have a high retention rate of students, with over 50% of students staying in the city after graduating.
- 2.23 Despite the high levels of students, Manchester also has a higher proportion of residents with no formal qualifications which acts as a major barrier to accessing the jobs available.
- 2.24 Manchester has a relatively high rate of worklessness, due to high unemployment amongst those registered as disabled and the proportion of the population dependent upon income support. Many of the residents claiming out of work benefits are lacking the appropriate skills which would help them secure the growing number of job opportunities in the City. The skills gap between residents and available work is a key challenge for Manchester.

- 2.25 We keep records of the [data and intelligence about income and welfare benefits](#).
- 2.26 As of October 2020, there were 34,515 unemployed in Manchester. This figure is made up of residents in Manchester claiming Jobseekers Allowance (JSA) and Universal Credit (UC) and representing 8.86% of residents aged 16-64.
- 2.27 Whilst the economy has been restructured and new jobs are being created, the City is still tackling the social, physical and environmental legacy of years of economic decline. According to the 2019 Index of Multiple Deprivation (IMD), [Manchester ranks 6 out of 326 local authorities in England](#), where 1 is the most deprived.
- 2.28 The health of Manchester's residents is also amongst the worst in the country, On 30 June 2021, the Institute of Health Equity published the [results of its work with Greater Manchester](#). The work with Greater Manchester, to inform and support action on health inequalities, began in 2019. It was already the case that health in Greater Manchester, along with the rest of the North West, had suffered more than areas of England in the South during the decade of austerity and regressive funding allocations. Then came the pandemic, and made it all worse: exposing the underlying inequalities in society and amplifying them. Covid-19 mortality was 25% higher in Greater Manchester than in England as a whole, and the social gradient in mortality from covid-19—a close link between deprivation and mortality—was steeper in Greater Manchester. The effect of the pandemic was dramatic. During 2020, life expectancy fell by 1.2 years in women in the North West and 1.6 years in men; compared to a fall in England of 0.9 and 1.3 years.
- 2.29 Manchester has achieved exceptional growth over the past two decades, with very significant increases in the city's population and sustained economic growth, helped by major investment and strong partnerships. The city's assets, infrastructure, innovation, population and skills have enabled the city to be more resilient to the last recession than many other parts of the UK, and have powered growth over the past decade.
- Population: Strong level of population growth as more graduates and young adults are attracted by new housing and career opportunities in the city, increasing the number of residents aged 25–39. Source: Manchester City Council Forecasting Model S2020 (forecast does not include impact of COVID-19)
 - 627,000 residents expected by 2025
- 2.30 Developing a more inclusive economy and society is a key challenge identified in the city's Our Manchester Strategy. This means connecting all the citizens of Manchester to the opportunities of economic growth and tackling the significant inequalities among Manchester's diverse communities.
- 2.31 Deprivation, poverty and health outcomes were significant challenges before COVID-19, and the pandemic has heightened inequalities right across the city:
- Family poverty: 45,150 children living in poverty, after housing costs taken into consideration in March 2019. Affecting around 40.6% of those aged under 16, this rate is significantly higher than the UK average. COVID-19 update: During May 2020 at the height of the pandemic, 3,177 households signed up to receive food response support. Source: Research by the Centre for Research in Social Policy at Loughborough University for the End Child Poverty Coalition
 - Rough sleeping: 91 people were counted as sleeping rough in Manchester city centre in 2019, compared to 123 in 2018. However, as a rate per 10,000 households (4.2) this is more than twice the national average (1.8).

- Unemployment benefits: Significant increase in ONS claimant count between March 2020 and August 2020; unemployment claimant rate almost doubled, from 4.6% to 9.1%.
- 2.32 Manchester is at a critical point, due to the combined challenges of the continued impacts of COVID-19, the UK exiting the EU, and the uncertainties in our well-established international relationships and trade. Adapting and mitigating the impact of climate change is a major challenge given the city's zero-carbon ambitions, but also an opportunity to build into our recovery plans.
- 2.33 Our Economic Growth Plan sets out the importance of investing in our people, our places, and our prosperity to continue to strengthen our role in driving economic growth throughout the North and beyond the boundaries of the city. The next phase of public-service reform and health and social-care integration will require redoubling efforts to connect all our residents to the opportunities of economic growth and reduce demand

Our Manchester Strategy

- 2.34 The [Our Manchester Strategy](#) was formally adopted by the Council in January 2016 and was launched in March 2016, setting out our long-term vision for Manchester's future and providing a framework for action by us and our partners across the city.
- 2.35 The overarching vision is for Manchester to be in the top flight of world-class cities by 2025:
- With a competitive, dynamic and sustainable economy that draws on our distinctive strengths in science, advanced manufacturing, culture, creative and digital business, and that cultivates and encourages new ideas
 - With highly skilled, enterprising and industrious people
 - A city connected internationally and within the UK
 - A city that plays its full part in limiting the impacts of climate change
 - A city where residents from all backgrounds feel safe, can aspire, succeed and live well
 - A clean, attractive, culturally rich, outward-looking and welcoming city
- 2.36 Halfway through the original Strategy, we reset priorities for the years to 2025, acknowledging – but looking beyond – current challenges, to make sure the city achieves its ambition.
- 2.37 The reset of our goals is based on over 3800 consultation responses during summer 2020.
- 2.38 Our communities want a renewed focus on young people, our economy, health, housing, our environment and infrastructure.
- 2.39 Through each priority runs Manchester's commitment to build a more equal, inclusive and sustainable city for everyone who lives, works, volunteers, studies and plays here. Only by working together can we achieve our vision by making an impact on our priorities of making Manchester:
- A thriving and sustainable city
 - A highly skilled city

- A progressive and equitable city
 - A liveable and zero-carbon city
 - A connected city
- 2.40 We'll be tracking progress of the strategy year-on-year in the [State of the City](#) report.
- 2.41 Implementing the strategy is overseen by the Our Manchester Forum made up of partners from across the city.
- 2.42 Our detailed plans for supporting the delivery of our high-level framework for action are:
- Developing a More Inclusive Economy – Our Manchester Industrial Strategy – establishes priorities for the city to create a more inclusive economy that all residents are part of and can benefit from. Crucial to it are: the Manchester Economic Recovery and Investment Plan; and the Greater Manchester Good Employment Charter.
 - Work and Skills Strategy – aims to develop a work and skills system that meets the needs of all businesses, and support residents from all backgrounds to get skills and attributes employers need.
 - Children and Young People's Plan—Our Manchester, Our Children 2020–2024 – how the city will build a safe, happy, healthy and successful future for children and young people.
 - Manchester: A Great Place to Grow Older – Manchester's vision to continue being an Age Friendly city.
 - Family Poverty Strategy 2017–2022 – aims for everyone in the city to have the same opportunities and life chances, no matter where they are born or live.
 - Our Healthier Manchester Locality Plan – details the strategic approach to improving health outcomes for residents whilst creating sustainable health and care services.
 - Manchester Population Health Plan 2018–2027 – long-term plan to tackle entrenched health inequalities.
 - Local Plan – the spatial framework for the city setting out development guidance; due to be published in 2023.
 - Residential Growth Strategy 2015–2025 – guides Manchester's approach to housing development and supply.
 - Manchester Climate Change Framework 2020–2025 – how we plan to tackle climate change and reduce the city's carbon footprint.
 - Green and Blue Infrastructure Strategy – improving green spaces and waterways.
 - Digital Strategy – how we will achieve our digital ambitions.
 - City Centre Transport Strategy – key transport policies and opportunities for the future.
 - Clean Air Plan – proposals to decrease air pollution in Greater Manchester.

- Greater Manchester Strategy – the city region’s ambition to make Greater Manchester the best place to grow up, get on and grow old.

Powering Recovery

- 2.43 Powering Recovery: Manchester’s Economic Recovery and Investment Plan has been produced by Manchester City Council, in partnership with the private sector, and complements the Greater Manchester Combined Authority and Greater Manchester Local Enterprise Partnership city region proposals.
- 2.44 It sets out what Manchester is doing to sustain the economy and its people, and what Manchester proposes to do in the future in response to the COVID-19 pandemic, as well as other challenges and opportunities. This is a positive statement about Manchester’s future, while recognising the challenges and impact of COVID-19 on Manchester’s people and public/community services.
- 2.45 The opportunities identified in the Our Manchester Industrial Strategy are more relevant than ever; if anything, the need to re-establish economic growth and investment momentum has reinforced the three-pillar approach based on:
- People: Equip residents and workers with the qualifications and softer skills that will enable them to access more opportunities.
 - Place: Ensure sustainable growth is achieved in key assets, including the city centre and around the Airport. Create the conditions that will deliver a more inclusive, zero-carbon economy by investing in transport infrastructure, digital infrastructure and the environment.
 - Prosperity: Create higher-quality job opportunities, including better pay, improved working conditions and flexibility, particularly within the foundational economy.
- 2.46 Establishing sustainable growth in people and skills is a high priority, as is long-term sustainability in our place and assets, which is critical to the future development of the city.
- 2.47 The Manchester Climate Change Framework outlines our strategy towards making Manchester a thriving, zero-carbon, climate-resilient city, which this plan will help to deliver.

3. General principles

- 3.1 In making decisions on premises licences, the licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it:
- In accordance with any relevant code of practice issued by the Gambling Commission;
 - In accordance with any relevant guidance issued by the Gambling Commission;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the authority's statement of licensing policy
- 3.2 As the licensing authority, we will regulate gambling in the public interest, which will be reflected in this policy statement.
- 3.3 This policy statement does not undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so.
- 3.4 This policy does not override anybody's right to make an application, make representations about an application, or apply for a review of a licence.
- 3.5 Each application will be considered on its merits in accordance with the requirements of the Gambling Act and without regard to demand.

Other regulatory regimes

- 3.6 The licensing authority will avoid duplication with other regulatory regimes, so far as possible. A range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements do not need to be included in the policy statement.

Responsible Authorities

- 3.7 Responsible Authorities are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to one or more of the licensing objectives.
- 3.8 Section 157 of the Act defines those authorities. For this area they are: -
- The Gambling Commission
 - Greater Manchester Police
 - Greater Manchester Fire and Rescue
 - The Planning Authority
 - The authority which has functions in relation to pollution to the environment or harm to human health
 - Manchester Safeguarding Partnership
 - HM Revenue and Customs

- The Licensing Authority.
- 3.9 The contact details of all the Responsible Authorities are available are set out in Appendix 1.
- 3.10 The licensing authority has designated the Manchester Safeguarding Partnership as the body that is competent to advise it about the protection of children from harm. The principles that have been used in making this designation is that the board is:
- responsible for the whole of the licensing authority's area
 - answerable to democratically elected persons

Public Health

- 3.11 While for some gambling is an enjoyable activity, it is a source of harm for many.
- 3.12 Research suggests that in a city-region like Greater Manchester there are approximately 39,000 people living with a gambling disorder, with a further 118,000 at risk, however we know that self-reported surveys underestimate true prevalence of harm given the unfortunately shame and stigma associated with gambling disorder. For every person who gambles, it is estimated that between six and ten people are 'affected others' and experience similar harms. These may be dependents, parents, partners, friends or colleagues.

Area	Estimate of Adult Population 2016	Estimated number of problem gamblers	Estimated number of 'at risk' gamblers
Greater Manchester	2,148,660	38,676	118,176
Bolton	216,920	3,905	11,931
Bury	145,880	2,626	8,023
Manchester	416,480	7,497	22,906
Oldham	173,900	3,130	9,565
Rochdale	164,820	2,967	9,065
Salford	192,840	3,471	10,606
Stockport	227,920	4,103	12,536
Tameside	173,960	3,131	9,568
Trafford	179,920	3,239	9,896
Wigan	256,020	4,608	14,081

- 3.13 Anyone who gambles is vulnerable to harm. Men, younger adults (aged 18-34) and adults from a lower socioeconomic or black and minority ethnic backgrounds are more likely to be classified as gamblers experiencing some level of harm. Gambling related harms are often described at an individual level, however these harms have a wider

impact on communities and society with costs to the UK as a whole estimated at being between £260m and £1.16bn.

- 3.14 People living with, or at risk of developing, a gambling disorder may experience stress, anxiety and depression, financial losses, debts and exhibit compulsive behaviours, such as chasing losses. Gambling related harms may accrue over a long period of time or very quickly at a time of crisis, many harms have a lasting legacy beyond initial recovery from gambling disorder. Harms associated with gambling include poor mental health and wellbeing, relationship breakdown, neglect of other priorities in life, poor performance at work or school and criminal activity. It is estimated that for every day of the year, one person takes their own life as a result of gambling disorder.
- 3.15 Awareness of gambling harms as an emerging public health problem has increased in recent years, however Public Health are not a responsible authority under the Gambling Act 2005. Nonetheless, the licensing authority will consult the Director of Public Health on all premises licence applications and will advise the Director of Public Health to consider the use of the Gambling Commission's toolkit for public health and safeguarding: <https://www.gamblingcommission.gov.uk/for-licensing-authorities/Licensingauthority-toolkit/Public-health-and-Safeguarding-toolkit.aspx>
- 3.16 Greater Manchester has a gambling harms reduction programme (which aims to reduce the harms caused by gambling to the population. Licence applicants and holders will be expected to show how they are actively protecting the local population from gambling harms with their processes and operations, and consider how the location, opening hours and promotion of their activities can minimize opportunities for harm to the vulnerable groups listed above. Section 5 of this document on protecting vulnerable groups highlights some of the standards licence holders are expected to meet to minimize harm to customers and local residents.
- 3.17 The licensing authority recognises that local authority public health teams can offer insights from those impacted by gambling harms and offer contextual information about treatment and support in the local area and can add value to the licensing application process where there are concerns raised about risk of harm to vulnerable groups locally.
- 3.18 Greater Manchester's gambling harms reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, licence holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations.

Determining whether a person is an interested party in relation to a premises licence, or an application for or in respect of a premises licence

- 3.19 For the purposes of the Gambling Act, an 'interested party' is:
 - a) Someone who lives sufficiently close to the premises to be likely to be affected by the gambling premises
 - b) Has business interests that might be affected by the authorised activities
 - c) Represents persons who satisfy paragraph (a) or (b)
- 3.20 Whether or not a person is an 'interested party' is ultimately the decision of the Licensing Authority which issues the licence or to which the application is made.

- 3.21 To determine who lives ‘sufficiently close to the premises to be likely to be affected by the gambling premises’, we will consider the following on a case-by-case basis:
- The size of the gambling premises
 - The nature of the gambling premises
 - The distance of the premises from the address of the person making the representation
 - The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises)
 - the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises e.g. ‘sufficiently close to be likely to be affected’ could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults
 - The ‘catchment’ area of the premises (i.e. how far people travel to visit it).
- 3.22 Having a ‘business interest’ will be given the widest possible interpretation and include community and voluntary groups, schools, charities, faith groups and medical practices. The licensing authority will consider the following factors relevant when determining whether a person’s business interests may be affected:
- The size of the premises
 - The ‘catchment’ area of the premises (i.e. how far people travel to visit it)
 - whether the person making the representation has business interests in the affected catchment area
- 3.23 In so far as who represents persons who satisfy paragraphs (a) or (b), this would include for example:
- i. Residents’ associations and tenants’ associations
 - ii. Trade associations and trade unions
 - iii. Any other person with written permission from somebody who satisfies paragraph (i) or (ii)
 - iv. Local councillors and MPs

Exchange of information between the licensing authority and the Gambling Commission (s29 and s30 of GA2005), and the exchange of information between the licensing authority and other persons listed in Schedule 6 of the Act

- 3.24 The licensing authority may share application information received in the course of processing applications with the Gambling Commission, a constable or police force, an enforcement officer, another Licensing Authority, her Majesty’s Commissioners of Customs & Excise, The Gambling Appeal Tribunal, The National Lottery Commission, The Secretary of State or Scottish Ministers.
- 3.25 We will abide by the Freedom of Information Act and the General Data Protection Regulation (GDPR) in its safeguarding/release of information or data.

- 3.26 In the context of the Gambling Act, we will retain only that information which relates to the processing of applications for licences, permits, permissions and representations. Applications and representations in respect of applications are both in the public domain and are therefore available on request and may be published as part of our web register. Personal addresses/contact numbers attached with representations may also be released. Information may also be shared with other Gambling Act regulators or other parties prescribed by the Secretary of State.
- 3.27 Licensing authorities have statutory duties to notify the Commission as well as the applicant and other responsible authorities of the grant/rejection of applications (new, variations, transfers etc) as well as the revocation, surrender or lapse of a premises licence using the correct statutory forms.
- 3.28 We will inform the Gambling Commission without delay if:
- The Licensing Authority receives information that causes it to question the suitability of the person holding/applying to hold an operating licence
 - There are persistent or serious disorder problems that an operator could or should do more to prevent, so that the Commission may consider the continuing suitability of the operator to hold an operating licence
 - If it comes to our attention that: alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes and makes it possible that the £2,000 in seven days is being exceeded.
- 3.29 The licensing authority will act in accordance with the relevant legislation and guidance from the Commission and will adopt the principles of better regulation.

Functions of the licensing authority under Part 15 of the GA2005 with respect to the inspection of premises and the power under s346 of the Act to institute criminal proceedings in respect of the offences specified in that section

- 3.30 Our principal enforcement role under the Gambling Act is to ensure compliance with the conditions of the premises licence and legal requirements in respect of other permissions the licensing authority regulates. However, we will also ensure that any unlicensed premises which are operating illegally are dealt with appropriately to ensure compliance. Where appropriate, we will work with the Gambling Commission in our enforcement activity. The Council will adopt a risk-based inspection and enforcement programme, which will mean giving greater attention to high-risk premises and a lighter touch for low-risk premises. In all cases we will ensure our inspection and enforcement programme is operated in accordance with any codes of practice issued by the Gambling Commission, in accordance with the Government's Enforcement Concordat and the Compliance Code.
- 3.31 The Council will take account of the Gambling Commission's guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The Council will also follow its own policies and procedures regarding the use of underage test purchasers.
- 3.32 This licensing authority will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny
- Consistent: rules and standards must be joined up and implemented fairly
- Transparent: regulators should be open, and keep regulations simple and user friendly
- Targeted: regulation should be focused on the problem, and minimise side effects

3.33 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were seven Primary Authority arrangements with host local authorities:

Operator	Primary Authority local authority
BACTA	Reading
Coral Racing	Milton Keynes
Ladbrokes	Milton Keynes
Paddy Power	Reading
Rank Group	City of Westminster
Sky Betting & Gaming	Wakefield
William Hill	Reading

3.34 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par>

Commenting on a licence application

- 3.35 If 'interested parties' (see below for definition) or 'responsible authorities' wish to comment on an application for a premises licence relating to the licensing objectives, they can make a 'representation'. The Licensing Authority can only consider representations if made by either an 'interested party' or 'responsible authority'.
- 3.36 A representation is a statement that outlines any comments that the party making the representation wants to be taken into consideration by the Licensing Authority when determining the application. In all cases representations will need to be 'relevant'. The only representations likely to be relevant are those that meet one or more of the following criteria:
- Relate to the licensing objectives
 - Relate to relevant matters in our gambling policy
 - Relate to relevant matters in the Gambling Commission's Guidance to Local Authorities

- Relate to relevant matters in the Gambling Commission's Codes of Practice
 - Relate to the premises that are the subject of the application
- and
- Are neither frivolous nor vexatious nor will certainly not influence the authority's determination of the application.

Factors that will not be relevant

- 3.37 Any objections to new premises or requests for a review should be based on the licensing objectives of the Act. Unlike the Licensing Act 2003, the Act does not include the prevention of public nuisance as a specific licensing objective.
- 3.38 The licensing authority will not take into account representations that are:
- repetitive, vexatious or frivolous
 - from a rival gambling business where the basis of the representation is unwanted competition
 - moral objections to gambling
 - concerned with expected demand for gambling
 - anonymous
- 3.39 Details of applications and representations referred to a licensing sub- Committee for determination will be published in reports that are made publicly available and placed on the council's website in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details will however be removed from representations in the final website version of reports
- 3.40 Names and addresses of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is specifically asked to do so.

Split Premises

- 3.41 The Licensing Authority will always give the closest consideration to whether a sub-division has created separate premises meriting a separate machine entitlement. The Authority will not automatically grant a licence for sub- divided premises even if the mandatory conditions are met, particularly where the Authority considers that this has been done in order to sidestep controls on the number of machines which can be provided in a single premise. The Authority will consider if the sub-division has harmed the licensing objective of protecting the vulnerable. The Authority may also take into account other relevant factors as they arise on a case-by-case basis.

Premises "ready for gambling"

- 3.42 A licence to use premises for gambling will only be issued in relation to premises:
- that the 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

- where they are expected to be used for the gambling activity named on the licence.
- 3.43 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.
- 3.44 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: -
- 1) Whether the premises ought to be permitted to be used for gambling
 - 2) 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.
- 3.45 Applicants should note that this Authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 3.46 When dealing with a premises licence application for finished buildings, the licensing authority will not take into account:
- whether those buildings have to comply with the necessary planning or building consents;
 - fire or health and safety risks.
- 3.47 Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence.
- 3.48 It is noted that S.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building

Applications and plans

- 3.49 The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Authority to plan future premises inspection activity.
- 3.50 It is the local authority's policy that it will expect applicants for new premises licences and variations to provide a plan showing the indicative layout of the plan including, but not limited to:
- Machines, specified by category
 - Staff counters
- 3.51 We consider that this information is appropriate, in conjunction with the premises' risk assessment, to effectively assess the provision of gambling facilities at the premises. Where this information is not provided, it is more likely that a representation will be made in order to enable the licensing authority to accurately assess the likely effect of

granting the application relative to the LCCP and licensing objectives.

- 3.52 The premises plan in itself is only one means by which the licensing authority may seek reassurance that the requirements will be met. It may be that conditions attached to the premises licence regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices are a more effective method of doing so. Local circumstances and concerns and the layout of a particular premises may well determine what is most appropriate for an individual application.

Tracks

- 3.53 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises. In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.
- 3.54 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.
- 3.55 Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan.

4. Determining Premises Licences

How the Licensing Authority decides whether to grant or refuse an application

- 4.1 Where we receive an application for a gambling premises licence, we will aim to permit the use of premises for gambling where it is considered:
- a) In accordance with any relevant code of practice issued by the Gambling Commission
 - b) In accordance with any relevant guidance issued by the Gambling Commission
 - c) Reasonably consistent with the licensing objectives (subject to a and b) and
 - d) In accordance with this policy (subject to a – c).
- 4.2 The Licensing Authority has no discretion to either grant or refuse premises licences in circumstances that would mean departing from the above e.g. the committee cannot reject applications on moral grounds.
- 4.3 Each case will be decided on its merits.
- 4.4 The Licensing Authority will not have regard to any demand issues for the premises.
- 4.5 Where an area has known high levels of organised crime the licensing authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors.
- 4.6 Rather than reject applications outright, wherever possible the Licensing Authority will look to work with gambling premises and tackle concerns with licence conditions that uphold the licensing objectives. However, where there are reasons that granting a licence would not be consistent with (a) - (d) above, the application will normally be refused.
- 4.7 In accordance with the Guidance from the Gambling Commission, we will circulate 'clear and comprehensive' reasons for any decision to all parties. We will also cite the extent to which decisions have been made in accordance with the Council's gambling policy and the Guidance from the Gambling Commission.

How the licensing committee decides what conditions to apply to premises licences

- 4.8 Premises Licences may be subject to any or all of the following:
- Conditions specified in the Gambling Act 2005
 - Conditions specified in the regulations issued by the Secretary of State
 - Conditions attached by Manchester City Council's Licensing Committee following a hearing (where necessary).
- 4.9 With respect to conditions, licensing authorities are able to:
- Issue licences without modifying conditions set out in the Act and by the Secretary of State
 - Exclude default conditions

- Attach conditions where it is believed to be appropriate
 - Conditions may be general in nature (i.e. they attach to all licences of a particular premises type e.g. all casinos) or they may be specific to a particular licence.
- 4.10 We will ensure that any conditions we impose are:
- Proportionate to the circumstances which they are seeking to address
 - 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
 - Reasonable in all other respects.
- 4.11 There are also conditions, which the licensing authority cannot attach to premises licences:
- Conditions on a premises licence which make it impossible to comply with an operating licence condition
 - Conditions relating to gaming machine categories, numbers, or method of operation
 - Conditions that require membership of a club or body. (The Gambling Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
 - Conditions relating to stakes, fees, winnings or prizes
 - Conditions relating to demand for the premises.
- 4.12 Decisions about conditions will be taken on a case-by-case basis considering Gambling Commission guidance, Gambling Commission Codes of Practice, the Licensing Objectives and our policy.

Determining whether to review a licence

- 4.13 After a licence is granted, where the day to day operation of a gambling premises is not felt to be 'reasonably consistent with the licensing objectives', a review of the premises licence can be requested at any time.
- 4.14 A review may be initiated by the Licensing Authority or as a result of an application for review from an interested party or responsible authority. Where it is the Licensing Authority that initiate the review, they may do this for a whole class of premises e.g. all Adult Gaming Centres or in relation to particular premises. The Licensing Authority can review a licence for any reason it thinks appropriate.
- 4.15 Where an application for review is received from an interested party or responsible authority, as a licensing authority we must decide whether to go ahead with the review. The application for review will be considered based on the following:
- Does the request raise issues other than those found under the Gambling Commission's Guidance, Codes of Practice, the Licensing Objectives or our gambling policy?

- Is it irrelevant, frivolous or vexatious?
 - Is it so minor that the authority will certainly not wish to revoke or suspend the licence or remove, amend or attach conditions?
 - Is it substantially the same as a previous application for review relating to the same premises?
 - Is the application for review substantially the same as a representation made at the time the application for a premises licence was considered?
- 4.16 If the answer to ANY of the above questions is 'yes', the request for review may be rejected. The purpose of the review is to determine if the licensing committee should take any action in relation to the licence. If action is needed, the options are to either:
- Revoke the premises licence •
 - Suspend the premises licence for a period not exceeding three months
 - Exclude a default condition imposed by the Secretary of State (relating to, for example, opening hours) or remove or amend such an exclusion
 - Add, remove or amend a licence condition previously imposed by the Licensing Authority
- 4.17 To decide what action, if any, needs to be taken following an application for review, the licensing committee will make its determination:
- In accordance with any relevant code of practice issued by the Gambling Commission
 - In accordance with relevant guidance issued by the Gambling Commission
 - In so far as it is reasonably consistent with the licensing objectives
 - In accordance with the authority's statement of licensing policy
- 4.18 The committee will also consider any relevant representations and information given at the hearing. Codes or practice and the guidance referred to above may be obtained from the Gambling Commission.

5. Relevant factors when considering applications and reviews

5.1 In considering applications for new gambling licences, variations to existing licences and licence reviews the licensing authority will consider the following matters:

- the location of the premises
- the Local Area Profile
- the Local Risk Assessment (LRA)
- the views of responsible authorities
- the views of interested parties
- compliance history of current management
- the hours of operation
- the type of premises
- the operation of the premises in accordance with the expectations of the licensing authority, as set out in this policy
- the physical suitability of the premises
- the levels of crime and disorder in the area
- the level of deprivation and ill health in the area

5.2 The Licensing Authority believes that this list is not exhaustive and there may be other factors which may arise that could be considered relevant. The Licensing Authority will consider the relevance of any additional factors raised on a case-by-case basis.

Location of the premises

5.3 The location of the premises will be an important factor as it can impact on all three of the licensing objectives. The Licensing Authority will consider very carefully applications for premises licences that are located in close proximity to sensitive premises such as:

- Schools, including universities
- Parks, stations, other transport hubs and places where large numbers of school children might be expected
- other premises licensed for gambling
- premises licensed for alcohol
- children's and vulnerable persons' centres and accommodation
- youth and community centres
- health and treatment centres
- leisure centres used for sporting and similar activities by young persons and/or vulnerable persons
- religious centres and public places of worship

- 5.4 The Licensing Authority expects each premises to produce and keep on the premises a local risk assessment, covering the areas set out in this policy.

Gambling-related harm

- 5.5 Between 61 and 73 percent of British adults gamble to some extent each year. For the majority of these people, gambling is a harmless and sociable activity. However, between 0.4 and 1.1 percent of British adults are estimated to be ‘problem gamblers’ who experience harm as a consequence of their gambling. A further 4 percent are estimated to be ‘at-risk gamblers’ who may go on to become problem gamblers.[1]
- 5.6 Problem gambling has been defined as “gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits”[2]. Males are 5 times more likely than females to be problem gamblers. Problem gambling also varies by age with young people aged 16-24 the most likely to be affected. Problem gambling disproportionately affects people on low incomes and those from ethnic minorities. Individuals of Asian/Asian British heritage and Black/Black British heritage are more likely to be problem gamblers than people who identify as White/White British[3].
- 5.7 For problem gamblers, harms can include higher levels of physical and mental illness, debt problems, relationship breakdown and criminality. Problem gambling is also associated with domestic violence and substance misuse. Harms from gambling affect far more people than just the problem gambler: it is estimated that for every harmful gambler, between 6 and 10 additional people are directly affected (such as friends, family or colleagues)[4]. Problem gambling also has a significant impact on public finances due to increased costs to the welfare, housing, health and criminal justice sectors. For these reasons, gambling-related harm is increasingly recognised as a public health issue.

^[1] Institute for Public Policy and Research (2016). Cards on the table. The cost to government associated with people who are problem gamblers in Britain.

^[2] Lesieur, H. R. & Rosenthal, M. D. (1991). Pathological gambling: A review of the literature (prepared for the American Psychiatric Association Task Force on DSM-IV Committee on disorders of impulse control not elsewhere classified). *Journal of Gambling Studies*, 7 (1), 5-40.

^[3] See 1 above.

^[4] Local Government Association and Public Health England (2018). Tackling gambling related harm, A whole council approach.

Local risk assessments

- 5.8 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:
- when applying for a variation of a premises licence
 - to take account of significant changes in local circumstances, including those identified in a licensing authority’s policy statement
 - when there are significant changes at a licensee’s premises that may affect their mitigation of local risks.
- 5.9 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and

control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's policy statement.

5.10 In conducting their risk assessment, the Licensing Authority will expect operators to follow the general principles of risk assessment:

- 1) Identify hazards (think about what may cause harm using the information provided below as a guide and any other matters you consider relevant)
- 2) Assess the risks (decide how likely it is that someone could be harmed and how serious it could be. This is assessing the level of risk). Decide:
 - i) Who might be harmed and how
 - ii) What you're already doing to control the risks
 - iii) What further action you need to take to control the risks
 - iv) Who needs to carry out the action
 - v) When the action is needed by
- 3) Control the risks (Look at what you're already doing, and the controls you already have in place.) Ask yourself:
 - i) Can I get rid of the hazard altogether?
 - ii) If not, how can I control the risks so that harm is unlikely?
- 4) Record your findings (record your significant findings), including:
 - i) the hazards (things that may cause harm)
 - ii) who might be harmed and how
 - iii) what you are doing to control the risks
- 5) Review the controls. (You must review the controls you have put in place to make sure they are working.) You should also review them if:
 - i) they may no longer be effective
 - ii) Also consider a review if your workers have spotted any problems or there have been any accidents or near misses.
 - iii) to take account of significant changes in local circumstances, including those identified in this policy statement
 - iv) when there are significant changes at the premises that may affect your mitigation of local risks
 - v) Update your risk assessment record with any changes you make.

5.11 The Licensing Authority considers the following as significant changes at the premises that may affect your mitigation of local risks:

- Staffing changes
- Layout of the premises
- Changes to gaming facilities provided

5.12 The Authority will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools
- The commercial environment
- Factors affecting the footfall
- 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 ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather
- The 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

5.13 The local risk assessment must show how vulnerable people, including people with gambling dependencies, are protected through:

- The 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 anonymised information regarding self-exclusion and gaming trends.
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
 - dedicated and trained personnel
 - leaflets and posters
 - self-exclusion schemes
 - window displays and advertisements designed to not entice children and vulnerable people.
- 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
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate

5.14 The local risk assessment should show how children are to be protected:

- 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 place 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.

5.15 Other matters that the assessment will include as appropriate: -

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

5.16 Such information may be used to inform the decision the Authority makes about whether to grant the licence, to grant the licence with special conditions, or to refuse the application.

5.17 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

Local Area Profile

5.18 The Greater Manchester Gambling Harms Reduction programme is listening to residents with lived experience of gambling and is commissioning its own research to better understand problem gambling in the region. As findings from this research emerge, license holders will be expected to support the delivery of recommendations to help minimize gambling harms to the local populations. This research and evidence will be available online at: <https://www.greatermanchester-ca.gov.uk/what-we-do/health/gambling/understanding-gambling-related-harms/> and should be referred to in Local Risk Assessments.

How the premises will operate consistent with the licensing objectives

5.19 We expect high standards from all gambling premises. Operators will be expected to demonstrate that they have given careful consideration to the licensing objectives and have appropriate measures in place to uphold them.

5.20 The following paragraphs indicate the physical and management factors that the licensing authority may take into account when considering applications for new, varied

licence applications and reviews. These are not mandatory requirements but should be used as a guide to applicants and licensees as to the sort of arrangements that it should have in place and demonstrate these are in place through their bespoke risk assessment. Where an applicant or licensee can demonstrate that these factors are not relevant, or alternative arrangements are more appropriate, the licensing authority will take these into account.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

- 5.21 The Gambling Commission play a leading role in preventing gambling from being a source of crime, through maintaining rigorous procedures that aim to prevent criminals from providing facilities for gambling, or being associated with doing so, as a result of the operating licence procedure.
- 5.22 However, as a Licensing Authority, we will take into account any local considerations that may impact with regard to this licensing objective, particularly in respect to the location of the premises, to ensure the suitability of the gambling premises. When considering whether a disturbance was serious enough to constitute disorder, we will have regard to the individual merits of the situation including, but not limited to, whether police assistance was required and how threatening the behaviour was to those who could see or hear it. We acknowledge that the Gambling Commission highlights in its guidance to local authorities that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance”.
- 5.23 Whilst regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences; if there are persistent or serious disorder problems that we consider an operator could or should do more to prevent, we will bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence
- 5.24 Licensees and applicants will be expected to demonstrate that they have given careful consideration to preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- 5.25 In addition to the need to consult a local Crime Reduction Officer, the operators of new premises/premises undergoing a refurbishment should also engage with the police’s architectural liaison unit at the design stage to ensure crime prevention and detection.
- 5.26 We encourage that premises liaise with their Neighbourhood Policing Team to develop relationships at a local level and promote effective communication and co-operation. Additionally, operators are expected to actively support and participate in any local business partnership schemes, where any such schemes are in operation, and where such schemes are reasonably consistent with the licensing objectives.
- 5.27 The measures to be considered should include:
- The arrangements in place to control access (preventing unauthorised access shall not be limited to the provision of supervisory personnel; other options may include, but are not limited to, time-lock or maglock entrances)
 - The opening hours
 - The provision of registered door supervisors*
 - The provision of CCTV

- The number of staff on duty and effective staff training, especially in relation to lone working
- The provision of toilet facilities
- Prevention of antisocial behaviour associated with the premises, such as street drinking, litter, activity outside the premises including the management of clients leaving the premises
- Adequate lighting inside and out (appropriate to the premises in question) to ensure against robbery and other covert activity.

* Only staff directly employed by Casinos and Bingo Clubs have an exemption from SIA registration. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

Ensuring that gambling is conducted in a fair and open way

5.28 Generally, this objective will be addressed by:

- The management of the gambling business (in conjunction with the Gambling Commission, who are responsible for issuing and enforcement of the operating licence).
- The personal licence holders proving their suitability and actions (which again is the responsibility of the Gambling Commission)

5.29 Where we suspect that gambling is not being conducted in a fair and open way, we will bring this to the attention of the Gambling Commission, for their further consideration, and work in partnership with their officers. In the case of those premises that do not hold an operating licence such as tracks, additional conditions may be required dependent on the risks outlined in the application.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

5.30 The Gambling Act defines 'children' as those persons under 16 years of age and 'young persons' as those persons aged 16 or 17 years of age. The term 'vulnerable persons' is not defined and what constitutes harm or exploitation will have to be considered on a case-by-case basis.

5.31 Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society. These harms are diverse, affecting resources, relationships and health, and may reflect an interplay between individual, family and community processes. The harmful effects from gambling may be short-lived but can persist, having longer-term and enduring consequences that can exacerbate existing inequalities.

5.32 Regard will be had to current evidence in relation to vulnerability to gambling-related harm. In 2015, Manchester City Council in partnership with Westminster Council commissioned research into this issue and published a report: Exploring area-based vulnerability to gambling-related harm: Who is vulnerable? Findings from a quick

scoping review by Heather Wardle, Gambling and Place Research Hub, Geofutures 13th July 2015. Similarly, In 2016 Leeds City Council commissioned Leeds Beckett University to undertake research into Problem Gambling (Problem Gambling in Leeds; Kenyon, Ormerod, Parsons and Wardle, 2016) looking specifically at identifying groups of the society that could be considered (more) vulnerable to problem gambling:

- Younger people, including students
- Those who are unemployed and/or with constrained financial circumstances
- Those from minority ethnic groups
- Those under the influence of alcohol or drugs
- Problem gamblers seeking treatment
- Homeless people
- Those living in areas of greater deprivation
- Those with other mental health issues and substance abuse/misuse disorders
- Those with poorer intellectual functioning
- Custodial and non-custodial offenders

5.33 Licensees and applicants will be expected to demonstrate they have carefully considered how to protect children and vulnerable persons from harm and have adequate arrangements for preventing underage gambling on their premises. The measures that should be considered where appropriate are:

- The provision of CCTV
- Location of entrances
- Restricted opening and closing times to protect residents vulnerable to harm
- Supervision of entrances
- Controlled access to the premises by children under the age of 18
- Dealing with pupils who are truanting, and policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays
- Design layout/lighting/fit out to not attract children or vulnerable persons having a nationally-recognised proof of age scheme – Think 21/25
- The provision of registered door supervisors
- Clear segregation between gaming and non-gaming areas in premises frequented by children
- The provision of adequate signage and notices
- Supervision of machine areas in premises, particularly areas to which children are admitted
- Controlled opening hours
- Effective self-barring schemes

- The provision of materials for GamCare, Betknowmore UK or similar, Citizens Advice Bureau information, local public and mental health and housing/homeless associations, printed in languages appropriate to the customer base.
 - Advertising local support services in the area such as Beacon Counselling Trust or the NHS Gambling Clinic.
 - The number of staff on duty and effective staff training, especially in relation to the ability to effectively identify and engage with vulnerable persons, including primary intervention and escalation
 - A requirement that children must be accompanied by an adult (in premises where children are allowed)
 - Enhanced DBS checks of staff
 - Obscuring windows where appropriate and labelling premises so it is clear that they are gambling premises
 - Self-exclusion schemes
- 5.34 With reference to those persons with a mental impairment or mental health difficulties, operators would be well-advised to consult a suitable Mental Health Advisor and formulate a policy to protect this category of vulnerable person from being harmed or exploited by gambling
- 5.35 For multi-occupied premises consideration should be given to the arrangements for controlling access to children and the compatibility of the different uses. Separate and identifiable entrances may be required to ensure that people do not drift inadvertently into a gambling area.
- 5.36 Children are not permitted to use Category C or above machines and in premises where these machines are available and children are permitted on the premises the licensing authority will require:
- all Category C and above machines to be located in an area of the premises which is separated from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance
 - adults only admitted to the area where these machines are located
 - adequate supervised access to the area where the machines are located
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
 - prominent notices displayed at the entrance to, and inside, any such areas there indicating that access to the area is prohibited to persons under 18

Expectations of operators: Staffing provision

- 5.37 Staff in licensed gambling premises are recognised as being subject to risk in the workplace from violence and verbal abuse, especially if working alone. In addition, lone workers may not be able to sufficiently serve and supervise the customers, identify and prevent young people from gambling, protect vulnerable persons, deal with customers who may be consuming alcohol and prevent the premises being used as a source of crime or supporting crime.

- 5.38 We expect premises management to recognise and address this as part of their management arrangements, especially at times where it has been identified that there is a spike in crimes around the premises.
- 5.39 We expect there to be an adequate number of staff and managers on the premises to cover key points throughout the day, especially where premises are close to schools/colleges/universities, pubs, bars, shopping centres and stadia.

Expectations of operators: Data gathering and sharing

- 5.40 Keeping track of the incidence and handling of problem gambling in Manchester is a key part of promoting the licensing objectives. We expect all gambling premises to maintain a log and share this and other information with the Licensing Unit upon request.
- 5.41 Data that we consider should be recorded and shared includes (but is not exclusive to) We would expect that all records including time and date along with a short description of the incident and action taken:
- 1) Customer interventions
 - 2) Cases where persons who have decided to voluntarily exclude themselves from the premises have tried to gain entry
 - 3) Mandatory exclusions needing enforcement
 - 4) Attempts to enter by those underage in a calendar month
 - 5) Attempts to enter by those underage in the company of adults
 - 6) Attempts to enter by those underage with complicit adults
 - 7) Incidents of 'at risk behaviour'
 - 8) Incidents of 'behaviour requiring immediate intervention'
- 5.42 We expect that this application will be provided to the licensing authority annually.
- 5.43 A template for this information to be provided is at Appendix 2.

Expectation of applicants: Staff Training and Knowledge

- 5.44 We expect all customer-facing and management staff in premises licensed under the Gambling Act 2005 to have sufficient knowledge to tackle risks associated with gambling and know how to promote responsible gambling. Amongst other elements, staff knowledge should include (where appropriate):
- 1) The importance of social responsibility (Premises may wish to seek an audit from GamCare in order to obtain a certificate of Social Responsibility)
 - 2) Causes and consequences of problem gambling
 - 3) Identifying and communicating with vulnerable persons: primary intervention and escalation, supported by high quality training given the challenging nature of these conversations.
 - 4) Dealing with problem gamblers: exclusion (mandatory and voluntary) and escalating for advice/treatment including local treatment providers
 - 5) Refusal of entry (alcohol and drugs)

- 6) Age verification procedures and need to return stakes/withdraw winnings if under age persons found gambling
 - 7) Importance and enforcement of time/spend limits
 - 8) The conditions of the licence
 - 9) Maintaining an incident log
 - 10) Offences under the Gambling Act
 - 11) Categories of gaming machines and the stakes and odds associated with each machine
 - 12) Types of gaming and the stakes and odds associated with each
 - 13) Ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc.
 - 14) Safe cash-handling/payment of winnings
 - 15) Identify forged ID and bar those using forged ID from the premises
 - 16) Knowledge of a problem gambling helpline number (for their own use as well as that of customers)
 - 17) The importance of not encouraging customers to:
 - (a) Increase the amount of money they have decided to gamble
 - (b) Enter into continuous gambling for a prolonged period
 - (c) Continue gambling when they have expressed a wish to stop
 - (d) Re-gamble winnings
 - (e) Chase losses.
- 5.45 Above and beyond this we expect managers to have an in-depth knowledge of all of the above and be able to support staff in ensuring the highest standards with regard to protecting children and other vulnerable persons from being harmed or exploited by gambling. In so far as training, we do not intend to duplicate any existing training requirement, such as may be required by the Gambling Commission's Code of Practice.

Expectation of applicants: Gaming machines / layouts

- 5.46 It is an operator's responsibility to ensure staff are able to effectively monitor gaming machine play for a number of reasons that are part of the operator's licence conditions. Age verification, customer interaction and self-exclusion policies all require operators to take into account the structure and layout of their gambling premises.
- 5.47 The Licence conditions and code of practice (LCCP) state: 'Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times'.
- 5.48 A screen or pod around a gaming machine, designed to increase the privacy of the player, could prevent staff in a gambling premises from effectively monitoring gaming machine play

- 5.49 Operators will be expected to be able to evidence to the licensing authority how they have considered the risk to the licensing objectives and implemented effective controls, prior to the introduction of any new machine arrangements.
- 5.50 It will be important to consider the means by which gaming machines are supervised (e.g. line of sight to counter, effective CCTV, mirrors or floor staff) and consider whether that is appropriate for that premises.
- 5.51 Whether amendments to a premises amount to a 'material change' warranting an application to vary the premises licence under s.187 of the Gambling Act is a matter for local determination and the licensing authority will adopt a common-sense approach.

6. Premises-specific considerations

Adult Gaming Centres

- 6.1 Adult gaming centres (AGCs) are premises able to make category B, C and D gaming machines available to their customers. Persons operating an AGC must hold a gaming machines general operating licence from the Commission as well as a premises licence from the Council.
- 6.2 This 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, for example, ensure that under 18 year olds do not have access to the premises.
- 6.3 Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls. The council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

Casinos

- 6.4 Manchester only has casinos that were previously licensed under the Gaming Act 1968 and have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences. There are no small or large casinos.
- 6.5 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines.

'No Casinos' resolution

- 6.6 This licensing authority 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 this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

Bingo premises

- 6.7 The Gambling Act 2005 does not contain a definition of Bingo. It is to have its ordinary and natural meaning and the Act does stipulate that "bingo" means any version of that game, irrespective of how it is described. Two types of bingo may be offered:
 - Cash bingo, where the stakes panel made up the cash prize that's won; or
 - Prize bingo, where various forms of prizes is won, not directly relating to the stakes panel

- 6.8 Subject to the rules of individual operators, children and young people are allowed into bingo premises. However, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.
- 6.9 Where category C or above machines are available in premises to which children are admitted then the council will ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose, a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one metre high
 - only adults are admitted to the area where the machines are located
 - access to the area where the machines are located is supervised at all times
 - the area where the machines are located is arranged so that it can be observed by staff
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
 - children will not be admitted to bingo premises unless accompanied by an adult.
- 6.10 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for bingo premises.
- 6.11 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

Electronic bingo gaming machines

- 6.12 Where a premises intends on providing electronic terminals to play bingo, we will expect operators (as part of their application) to provide a breakdown of the number of electronic bingo terminals that will be provided at the premises

Gaming machines at bingo premises

- 6.13 In addition to bingo, this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act. Bingo premises licences authorise a maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4.
- 6.14 Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.
- 6.15 The LCCP requires (Social Responsibility Code Provision 9) that gaming machines are only made available in combination with the named non-remote activity of the operating licence. So, unless a bingo premises operator offers substantive facilities for non-

remote bingo it should not make gaming machines available for use on the premises in question.

- 6.16 As the licensing authority, we will need to satisfy ourselves that a premises applying for or licensed for bingo is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo. Equally, we must ensure that a premises licensed for the purposes of providing facilities for bingo is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.
- 6.17 Therefore, we will expect operators (as part of their application) to provide information on:
- any times they intend to provide gaming machines at any times that bingo facilities are not provided
 - how the premises will be recognised as a premises licensed for providing facilities for bingo
 - A breakdown of gaming machine numbers (by category)
- 6.18 The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority will expect applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.19 The licensing authority will use their power to restrict the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
 - the number of counter positions and staff on the premises
 - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.20 The licensing authority will not seek to limit the number of gambling machines by category as this entitled provision is defined in the Gambling Act. However, we will seek to ensure that the number and provision of gaming machines are only provided in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo.
- 6.21 To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised.
- 6.22 The licensing authority will information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and the Gambling Commission's guidance to licensing authorities.

'Entertainment' Bingo

- 6.23 A phenomenon over recent years has been the evolution of businesses, such as Bongo's Bingo, providing facilities for high turnover bingo (the aggregate stakes or prizes for bingo in any seven day period may exceed £2,000); typically providing equal

chance gaming at pubs and nightclubs, in reliance on the alcohol licence held by the premises, and therefore doing so under the rules for exempt gaming.

- 6.24 We note that it is a condition of some such companies' operator's licence that they must notify both the Commission and the relevant LA at least 28 days before any event takes place in new premises, by providing a description of the event taking place, a copy of the premises contract and any amendment to the rules of the bingo.
- 6.25 We would encourage venues hosting such events to promote responsible gambling messaging at them.

Betting Premises

- 6.26 We encourage operators to participate in the Safebet Alliance in order to help ensure the highest standards for the safety and security of staff working at betting premises. Where an operator does not participate in the scheme, it is expected that they can satisfactorily demonstrate the security measures they incorporate are adequate.
- 6.27 Licensed betting premises are only permitted to offer gambling facilities between 7am and 10pm, unless the licensing authority has granted a variation application to extend these hours. The licensing authority is concerned that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The licensing authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer.
- 6.28 As a consequence, the licensing authority is unlikely to grant variation of hours' applications unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.
- 6.29 The licensing authority will use their power to restrict the number of betting machines (bet receipt terminals), their nature and the circumstances in which they are available for use when appropriate by way of conditions. When considering imposing conditions, the licensing authority will take into account, among other factors:
- the size and physical layout of the premises
 - the number of counter positions and staff on the premises
 - the ability of staff to monitor the use of machines by children, young persons under the age of 18 or vulnerable people
- 6.30 Betting machines - This 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, when considering the number/nature/circumstances of betting machines an operator wants to offer. It is noted that that children are not able to go into premises with the benefit of a Betting Premises Licence.

(Licensed) Family Entertainment Centres

- 6.31 The Act creates two classes of family entertainment centre (FEC). Licensed FEC's provide category C and D machines and require a premises licence. Unlicensed FEC's provide category D machines only are regulated through FEC gaming machine permits.
- 6.32 This 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, for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas. Operators should ensure that a proof of age scheme is in force.
- 6.33 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

Occasional use notices

- 6.34 Occasional Use Notices (OUN) are designed to allow licensed betting operators to provide betting facilities at genuine sporting events, such as point-to point racecourses and golf courses for major competitions, within the boundaries of the identified venue on a specific date.
- 6.35 An OUN must be submitted for EACH day that the betting activity will be conducted on the premises. For example, four notices for four consecutive days of betting and not one notice covering the four days.
- 6.36 We will liaise with the Gambling Commission should we receive an OUN that does not relate to a genuine recognised sporting event to ensure that OUN's are not misused, for example, venues seeking to become tracks through a contrived sporting event, utilising OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue.

7. Permits and other permissions

Alcohol Licensed Premises Gaming Machine Permits

- 7.1 Premises licensed to sell alcohol that have a bar and the alcohol is not ancillary to food for consumption on the premises, having more than two gaming machines, will need to apply for a permit and must also notify the Licensing Authority if they have one or two machines. In considering whether to grant a permit, the licensing authority will have regard to the licensing objectives, guidance issued by the Gambling Commission and any other relevant matters. Permits will not be granted to licensees who have failed to demonstrate compliance with the Gambling Commission's Code of Practice.
- 7.2 In addition to the requirements of the Gambling Commission's Code of Practice, the Licensing Authority expects applicants to:
- display adequate notices and signs, advertising the relevant age restrictions
 - position machines within view of the bar in order for staff to be able to monitor the machines for use by under age or misuse of the machines
 - challenge anyone suspected of being under age and refuse access
 - provide information leaflets and / or help-line numbers for organisations such as GamCare and Betknowmore UK.

Prize Gaming Machine Permits

- 7.3 Prize gaming premises will appeal to children and young persons and weight will be given to child protection issues. Therefore, the licensing authority will expect the applicant to demonstrate that they are suitable to hold a permit (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises.
- 7.4 The licensing authority expects applicants to set out the types of gaming machines that they intend to offer and be able to demonstrate that:
- they understand the limits to stakes and prizes that are set out in regulations
 - that the gaming offered is within the law
- 7.5 The Gambling Commission website gives advice on types of permits, conditions, stakes and prizes. See <https://www.gamblingcommission.gov.uk>

Unlicensed FECs (uFEC)

- 7.6 Unlicensed family entertainment centres (FEC's) will perhaps be most commonly located at places such as airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. Unlicensed FEC's will be able to offer only category D machines in reliance on a gaming machine permit.
- 7.7 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 (Section 238). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport,

motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

- 7.8 Given that the premises is likely to appeal particularly to children and young persons, when considering applications for permits we will give weight to matters relating to protection of children from being harmed or exploited by gambling and are keen to ensure that staff supervision adequately reflects the level of risk to this group. Therefore, we will generally expect such risks to be addressed through effective:
- Staff supervision and training
 - Detailed plan
 - Social responsibility policies
 - Staff being easily identifiable
 - Clear signage
- 7.9 As part of an application for a uFEC, it is our policy that a plan for the uFEC must be submitted.

Small Society Lotteries

- 7.10 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.
- 7.11 To be 'non-commercial' a society must be established and conducted:
- for charitable purposes,
 - for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
 - for any other non-commercial purpose other than that of private gain.
- 7.12 This licensing authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:
- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
 - Submission of incomplete or incorrect returns
 - Breaches of the limits for small society lotteries
 - The eligibility of society as 'non-commercial'

8. Appendix 1 –Responsible Authorities

Licensing Authority

The Principal Licensing Officer, Premises Licensing

Manchester City Council, PO Box 532, Town Hall Extension, Manchester M60 2LA

Premises.licensing@manchester.gov.uk

Environmental Health

Licensing and Out of Hours Team (Gambling Licences) Level 1, Town Hall Extension, Lloyd Street Manchester M2 5DB

Outofhours.compliance@manchester.gov.uk

Greater Manchester Police

Greater Manchester Police Licensing Partnership Team Level 1, Town Hall Extension, Lloyd Street Manchester M2 5DB

centrallicensing@gmp.police.uk

The fire and rescue authority

North Manchester Fire and Rescue Service (if the premises have a postcode within the ranges M1-M4, M8-M9, M11-M13, M18, M25)

The Fire Safety Manager, Greater Manchester Fire & Rescue Service

Manchester Central Fire Station, Thompson Street, Manchester M4 5FP

northmanlic@manchesterfire.gov.uk

South Manchester Fire and Rescue Service (if the premises have a postcode within the ranges M14-M16, M19-M23, M40, M90)

The Fire Safety Manager, Greater Manchester Fire & Rescue Service

Withington Central Fire Station, Wilmslow Road, Withington, Manchester M20 4AW

southmanlic@manchesterfire.gov.uk

Safeguarding Board

Manchester Safeguarding Children Board, Manchester City Council, Level 4, Town Hall Extension, P.O. Box 532, Manchester, M60 2LA

mascb@manchester.gov.uk

HM Revenue & Customs

National Registration Unit, Portcullis House, 21 India Street, Glasgow G2 4PZ

nrubetting&gaming@hmrc.gsi.gov.uk

Planning

Manchester Local Planning Authority (Premises Licences), PO Box 436, Town Hall Extension, Manchester M60 3NY

planning@manchester.gov.uk

Gambling Commission

Victoria Square House

Victoria Square, Birmingham, B2 4BP

info@gamblingcommission.gov.uk

Applications must be submitted to:

Premises Licensing, Manchester City Council, PO Box 532, Town Hall Extension, Manchester M60 2LA

9. Appendix 2 – Template for data collection

The data collection template is available as an Excel file upon request from the Licensing Unit. The information to be collected (by month) is summarised below:

1) Licensee Interventions

1a) The number of gambler interventions (e.g. challenging excessive gambling, advising of gambling help services etc.) that are made in a calendar month. Record a short description of the cause and effect in the template.

1b) From the interventions in 1a, the number of interventions that changed a customer's behaviour (e.g. onward referral to support services, limited spend for that session, registered for time/money limits etc.)

2) Self Exclusions

2a) Provide the number of self-exclusions during the month (self-exclusion scheme only, not time/money limits)

2b) Number of cases per month where persons who have voluntarily self-excluded from the premises have tried to gain entry

2c) Number of cases per month who have chosen to return to gambling once their self-exclusion period has ended.

3) Time/money limits

3a) Record the number of times time/money limits are voluntarily set on gambling machines per month

4) Incidents on the premises

4a) The number of licensee-mandated exclusions made

4b) The number of mandatory exclusions needing enforcement due to persons trying to gain entry

4c) Incidents of behaviour requiring policing assistance (including where the police were unable to attend)

5) Children and young persons

5a) Attempts to enter the premises or gamble by underage persons

5b) Attempts to enter the premises or gamble by underage persons accompanied by an adult, including a short description of the incident

5c) The number of persons who, having gambled, were unable to prove they were 19 (or 16 for lotteries) when challenged

6) Licensee Interventions

Record a short description of the cause and effect of each intervention made (e.g. challenging excessive gambling, advising of gambling help services etc.)

- Time and date of intervention (dd/mm/yy)
- Reason for intervention
- Outcome of intervention

10. Appendix 3 - Glossary

Term	Description
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Authority.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.
Licensing Objectives	<p>The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives. The licensing objectives are:</p> <ul style="list-style-type: none"> • 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 people from being harmed or exploited by gambling.

Term	Description
Lottery	A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).
Money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a money prize.
Non-money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by: <p>(i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or</p> <p>(ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.</p>
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: <ol style="list-style-type: none"> 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.

Term	Description
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the Authority which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks and stadia) where races or other sporting events take place

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GOSSCHALKS

BY EMAIL ONLY
LICENSING SECTION
MANCHESTER CITY COUNCIL

Please ask for: [REDACTED]
Direct Tel: [REDACTED]
Email: [REDACTED]
Our ref: [REDACTED]
Your ref:
Date: 11 October 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 Draft Gambling Licensing Policy Statement 2022-2025

Paragraph 1.8 refers to the council’s “*responsibility under the Gambling Act 2005 to decide whether to grant or reject applications...*” It is disappointing that this paragraph which effectively paraphrases s153 Gambling Act 2005 omits the council’s responsibility to “aim to permit” the use of premises for gambling. Indeed, this responsibility is not acknowledged until page 11 (paragraph 2.1). As this is a fundamental requirement of the Act, paragraph 1.8 should be redrafted to include a reference to the “aim to permit” principle.

The purpose of the licensing policy statement is to set out the principles that the licensing authority proposes to apply when exercising its functions under Gambling Act 2005. It is not to provide a commentary on research documents or to provide an over simplified precis of research documents taken out of context. Paragraphs 2.11 to paragraph 2.18 are headed “Public Health.” The purpose of these paragraphs is unclear, the information provided is oversimplified, their inclusion is pejorative, and they should be deleted.

If these paragraphs are not to be deleted then they must be amended in order that any “research” referred to is properly identified, context is provided, and the correct figures used when calculating the estimated numbers of problem gamblers and at risk gamblers.

Paragraph 2.11 should be deleted. This is, at best, misleading. The paragraph indicates that whilst gambling is an enjoyable activity for “some”, it is a source of harm for “many.” This statement ignores the fact that for the overwhelming majority, gambling is a harmless and enjoyable activity. If the paragraph is to remain, it should be clear that gambling is an enjoyable leisure activity for many but a source of harm for some.

Paragraph 2.12 refers to “research”, but it is not clear what this research is, when this research was conducted or where. The paragraph refers to a “city region like Greater Manchester” and if it is to be left in the statement of principles, it should be clear that these figures are not figures from Greater Manchester itself.

Thereafter there is a table outlining the estimated number of problem gamblers and the estimated number of at-risk gamblers. The Gambling Commission figures show that the overall rate of problem gambling is stable at around 0.5% of the population. The figures used in the table estimating the number of problem gamblers in the Greater Manchester area are however more than three times this at 1.8%.

Similarly, whilst the Gambling Commission published rates of persons at risk are 2.7%, the figure used in the table showing the estimated number of at risk gamblers in the Greater Manchester area is almost twice this at 5%.

It is not clear where these inflated figures used have come from and if this table is to remain in the draft statement of principles, the correct figures should be used.

Paragraphs 3.8 to 3.12 explain the licensing authority’s approach to the imposition of conditions on premises licences. This section would be assisted by the inclusion of an acknowledgement that the mandatory and default conditions that attach to all premises licences are designed to be, and usually are sufficient to ensure operation that is reasonably consistent with the licensing objectives. This section of the draft statement of principles should also state that additional conditions will only be considered where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that is not adequately addressed by the policies, procedures and mitigation measures contained within the applicant’s risk assessment.

Paragraphs 4.5 to 4.7 are headed “Gambling related harm.” It is not clear why this section appears in the draft statement of principles as the information in these paragraphs has nothing to do with the exercise of the licensing authority’s function and the section should therefore be removed. If it is not to be removed then again, as with the public health section above, context should be given. The figures given for participation include everyone who may have had a wager with a friend, who has participated in an office sweepstake, played the national lottery or gambled on-line. These forms of gambling are all outside the Licensing Authority’s remit and are irrelevant considerations for the licensing authority when exercising its functions. If these paragraphs are to remain in the draft statement of principles then to have any relevance to the licensing authority’s function then figures

should be given for those who use premises for gambling with licences granted by the licensing authority.

Paragraphs 4.8 to 4.17 explain the requirements for operators to conduct risk assessments. This section is too prescriptive with the licensing authority dictating what is to be included and matters that it expects to be considered. This section should be abridged to simply outline the requirements of SR Code Provisions 10.1 and 10.2, acknowledging that operators are best placed to assess the risks posed by their proposals and the bullet point lists in paragraphs 4.12, 4.13 and 4.14 amended to exclude matters that are not relevant to any assessment of risk to the licensing objectives. For example, paragraph 4.12 indicates that the risk assessment is expected to consider "*Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity etc.*" It is impossible to see how these activities can be relevant to an assessment of risk to the licensing objectives.

Similarly, "*Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti tagging, underage drinking etc.*" should be removed from paragraph 4.14.

Finally, the references to, "*Gaming trends that may mirror days for financial payments such as pay days or benefits= payments*" in paragraph 4.13 should be removed as these can only be relevant to an assessment of risk to the licensing objectives if the authority's view is that anyone in receipt of benefits or indeed paid employment is deemed vulnerable or likely to commit crime as a result of gambling.

Paragraphs 4.40 to 4.43 are headed "*Expectations of operators: Data gathering and sharing*" and list matters that are to be recorded with an expectation that this information will be shared annually with the licensing authority. This section should be removed. The matters listed are the subject of returns to the Gambling Commission and whilst the licensing authority can be provided with this information, the provision of it cannot effectively become a condition.

Overall, the draft statement of principles appears to adopt an anti-gambling stance, is over prescriptive and should be simplified.

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