

Appendix 2: Summary of the feedback on the Gambling Act Policy and the Licensing Authority's response

Q1 Are you responding as a resident or as a representative of an organisation?

- Resident: 1,2,3,4,5,7
- Representative of an organisation: 6,8

About you

Q2 Please tell us your name and postal address:

1 – EN1 1EF; 2 – EN3 6SL, 3 – N14 6LR, 4 – N21 3PD, 5 – Not completed, 7 – EN2

Q3 How old are you?

- | | | |
|---------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> 18 – 24 5, | <input type="checkbox"/> 35 - 39 | <input type="checkbox"/> 50 - 54 |
| <input type="checkbox"/> 25 – 29 1, 7 | <input type="checkbox"/> 40 – 44 2, | <input type="checkbox"/> Over 55 4, |
| <input type="checkbox"/> 30 – 34 3, | <input type="checkbox"/> 45 - 49 | <input type="checkbox"/> Prefer not to say |

Q4 Are you male or female?

- Male 3,5, 7
- Female 1,2,4

About your organisation

Q5 Please tell us the name and the address (in Enfield) of the organisation you represent?

6 – Red Card Gambling Support Project Ltd, Edmonton, N9 7HX
8 – William Hill Organization Ltd, 50 Station Road, London, N22 7TP (22 shops in the borough)

In addition, four responses were received by email direct rather than via the website from:-

- Coral bookmakers (1850 betting offices across GB – comprising 20% of all betting shops),
- Ladbrokes (employing around 13,000 across 2,200 shops in the UK)
- the Association of British Bookmakers (ABB – represents over 80% of high street betting market such as William Hill, Ladbrokes, Coral, Paddy Power and almost 100 smaller independents) and
- Paddy Power (251 betting offices in Ireland and 325 betting offices in the UK).

Their responses to the consultation are summarised under the most relevant questions below.

Q6 To what extent do you agree or disagree the Council's approach to the licensing of gambling premises is clear?

- Strongly agree 4, 6,
- Tend to agree
- Neither agree nor disagree 2, 7
- Tend to disagree 1,
- Strongly disagree 5, 8
- Don't know 3,

Q7 Please tell us why you disagree.

The feedback is summarised in the table below:

Question 6: To what extent do you agree or disagree the Council's approach to the licensing of gambling premises is clear?						
Residents (Respondents 1,2,3,4,5,7)	Red Card Gambling Support Project Ltd	William Hill	Coral	Ladbrookes	Association of British Bookmakers (ABB)	Paddy Power
<i>Respondent 1 - Enfield council do not push gambling premises to reduce antisocial behaviour or impose more staff be present within shops that have bad antisocial behaviour</i>		<i>In part 2.6, the policy does not make clear distinction between nuisance and disorder – disorder must be associated with gambling, betting shops often victims of crime, not responsible for what occurs outside shops out of their control</i>				
LA RESPONSE: Please refer to Section 1.9 of the Policy: the Police and/or the Licensing Authority provide advice to the premises when notified of any incidents. If the incidents at the premises show inadequate improvement, the Police and/or Licensing Authority will take the appropriate enforcement action (which could include review of the licence), in accordance with the council's enforcement policy, Gambling Commission Guidance		LA RESPONSE: The narrative provided by the respondent in relation to paragraph 2.6 does not seem to reflect the content of the policy at this part. Paragraph 2.6.2 makes it clear that 'issues of nuisance cannot be addressed via the Gambling Act provision'. However, the policy has been amended to differentiate between nuisance (which cannot be dealt with under the Act) and crime or disorder.				

<p>and the Regulators Code. Bet-Watch Enfield (see paragraph 2.7 of the policy) is also a forum used to discuss any concerns about alleged antisocial behaviour associated with betting shops. The narrative in Figure 14 in Appendix C of the Policy provides a narrative of the reported crime and antisocial behaviour associated with/near betting shops in the last 12 months. No amendment is needed to the proposed Gambling Act policy.</p>						
<p><i>Respondent 5 - I couldn't understand it (the policy)</i></p>						
<p>LA RESPONSE: We accept that the policy deals with matters of a technical nature, and is primarily aimed to inform those operating gambling premises. No amendment is needed to the proposed Gambling Act policy.</p>						

Q8 To what extent do you think the Council's approach to licensing of gambling premises is fair?

- Strongly agree 4, 6,
- Tend to agree
- Neither agree nor disagree 1, 5,
- Tend to disagree 7,
- Strongly disagree 2, 8,
- Don't know 3,

Q9 Please tell us why you disagree.

The feedback is summarised in the table below:

Question 8: To what extent do you think the Council's approach to licensing of gambling premises is fair?						
Residents (Respondents 1,2,3,4,5,7)	Red Card Gambling Support Project Ltd	William Hill	Coral	Ladbrookes	Association of British Bookmakers (ABB)	Paddy Power
<p><i>Respondent 2 - Even with a policy there is still far too many gambling establishments in the borough especially in the more deprived areas.</i></p>		<ul style="list-style-type: none"> • <i>The Licensing Authority should not seek in the Policy to undermine the 'aim to permit' principle by imposing burdens/additional hurdles on operators above that outlined in the Act.</i> • <i>Should not make demands of operators that undermine better regulation</i> • <i>Objection to the phrase "invisible and insidious" nature of gambling – as not all gambling is harmful – only problem gambling behaviour.</i> 		<ul style="list-style-type: none"> • <i>Concerned that guidance alters the regime in the Act and increases burdens on already responsible businesses. Considers that the existing guidance and regime, including recent (2015) changes to the planning law, offers adequate protection for communities</i> 	<ul style="list-style-type: none"> • <i>The Licensing Authority should not seek in the Policy to undermine the 'aim to permit' principle by imposing burdens/additional hurdles on operators above that outlined in the Act.</i> • <i>Objection to the phrase "invisible and insidious" nature of gambling – as not all gambling is harmful – only problem gambling behaviour. ABB response stated the phrase should be removed</i> • <i>Concerned that guidance alters the regime in the Act and increases burdens on already responsible businesses. Considers that the existing guidance and regime,</i> 	<ul style="list-style-type: none"> • <i>LA must 'aim to permit' gambling and can request additional information but paragraph 2.19 suggests that the Authority may require additional information to be contained within premises licensing plans, and only the requirements set out in the Act can be requested.</i>

					<p><i>including changes to the planning law, offers adequate protection for communities</i></p> <ul style="list-style-type: none"> • <i>Foreword of the policy recognises that gambling is a legitimate leisure industry but the rest of the policy appears to view it as not a legitimate industry and ones that requires heavy regulation.</i> 	
<p>LA RESPONSE: The Gambling Act states that the Licensing Authority must “aim to permit” gambling that is not a source of crime and disorder, is conducted in a fair and open way and protects children and other vulnerable persons from being harmed or exploited. The guidance to the Act is clear that Licensing Authorities cannot take account of the number of gambling establishments in the borough when determining applications. This guidance is reflected in paragraph 1.7.2 of the Policy. However, the new policy aims to make operators aware of the profile of the borough of Enfield, and Figure 9 in Appendix C provides information on the location of deprived areas to assist gambling operators to take into account local risks when preparing their risk assessment. Gambling</p>		<p>LA RESPONSE:</p> <ul style="list-style-type: none"> • The Policy has been drafted in accordance with the guidance issued to licensing authorities by the Gambling Commission. The Policy properly acknowledges the ‘aim to permit’ principle, but also embraces the ability permitted in section 153 for the authority to set out the matters it will take into account when making decisions about applications. • Amendments made to the policy outlined in this appendix to ensure better regulation • The foreword in relation to the phrase “invisible and insidious” nature of gambling has been amended and specifically now refers to problem gambling. 		<p>LA RESPONSE:</p> <ul style="list-style-type: none"> • This comment appears to relate to the draft 5th edition guidance issued to licensing authorities by the Gambling Commission during its consultation period. No amendment to the policy required. 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> • The Policy has been drafted in accordance with the guidance issued to licensing authorities by the Gambling Commission. The Policy properly acknowledges the ‘aim to permit’ principle, but also embraces the ability permitted in section 153 for the authority to set out the matters it will take into account when making decisions about applications. • The foreword in relation to the phrase “invisible and insidious” nature of gambling has been amended and specifically now refers to problem gambling. • The 3rd comment appears to relate to the draft 5th edition guidance issued to licensing authorities by the Gambling 	<p>LA RESPONSE: Paragraph 2.19 refers to plans of tracks and mostly reflects the guidance issued by the Gambling Commission. The Policy has been amended to mirror the recently published final 5th edition of the guidance.</p>

<p>Operators are encouraged to share their risk assessment with the Licensing Authority when making a new application or variation application from an existing premises. Overall since 2007, there has been a small increase in the number of betting shops. In 2007 there were 78 licensed betting shops in the borough and currently there are 80. Since 2007, some betting shops have closed and new ones have been licensed. No amendment is needed to the proposed Gambling Act policy.</p>					<p>Commission during its consultation period. No amendment to the policy required.</p> <ul style="list-style-type: none"> In relation to the comment on the difference in tone of the foreword and of the rest of the policy, the policy has been prepared in accordance with the guidance issued by the Gambling Commission and states the matters the authority will take into account when making decisions on applications. No amendment to the policy is needed. 	
<p><i>Respondent 7 - If people want to gamble their money away let them.</i></p>						
<p>LA RESPONSE: One of the Licensing Objectives to which the council and gambling operators must have regard is the 'protection of children and other vulnerable persons from being harmed or exploited by gambling. Operators are required to have measures in place to identify and signpost problem gambling. No amendment is needed to the proposed Gambling Act policy.</p>						

Q10 Do you think the local area profile will assist gambling premises operators prepare their risk assessment?

- Yes 3, 4, 6
- No 1, 2, 7,8
- Don't know 5,

Q11 Please tell us why you said 'no'

The feedback is summarised in the table below:

Question 10: Do you think the local area profile will assist gambling premises operators prepare their risk assessment?						
Residents (Respondents 1,2,3,4,5,7)	Red Card Gambling Support Project Ltd	William Hill	Coral	Ladbrookes	Association of British Bookmakers (ABB)	Paddy Power
<p>Respondent 1 - Risk assessments that are carried out are not done to correct measures, more in favour of the company to save money, not for the safety of staff and the community</p>		<ul style="list-style-type: none"> • Figures 4-14 (Appendix C) are of limited value to operators in assessing gambling related harm. Not underpinned by research showing gambling harm associated with proximity of betting shops to temporary accommodation, medical facilities and care homes. • In paragraph 2.4.2, the authority can have 'special consideration' to risk controls where there is evidence that premises could be accessed by children and vulnerable 	<ul style="list-style-type: none"> • In relation to para 2.4.1 about proximity of betting shops to schools, youth clubs etc. should be made clear that there must be evidence of a link of harm to the licensing objectives. Coral knows of no evidence that children coming from schools are gaining access to betting offices and have measures in place anyway. Betting shops already operate in such areas causing problems with gambling to children. • Already operate systems to ensure the licensing objectives 	<ul style="list-style-type: none"> • Concerned about the over-prescription of the risk assessment in the policy (Appendix G) as they undertake their own risk assessments and encourage the council to allow operators to complete the assessment in line with their own practices. Risks should be proportionate and not used to impose additional conditions on responsible businesses • Concerned that the elements of a risk assessment of the local area to be 	<ul style="list-style-type: none"> • Figures 4-14 are unnecessary and add nothing to the policy to assist operators in assessing gambling related harm • Maps dealing with unemployment and deprivation unhelpful unless authority considers them automatically vulnerable. Crime hotspot maps (figures 13-14) not relevant as to whether betting shops are a source of crime and disorder. Appendix C maps should identify actual pre-deposition to vulnerability to gambling related 	<ul style="list-style-type: none"> • The policy should recognise that existing policies and procedures may already address the local area and provide sufficient controls. Careful consideration of premises near schools and other such premises and crime and disorder hotspots should be risk based and evidenced (not theoretical risks). • As a regulator, the authority should take an evidence based approach in accordance with the Regulators' Code towards the local area

		<p>persons but cannot have a general exclusion policy in a location due to theoretical risk</p> <ul style="list-style-type: none"> In paragraph 2.4.3, cannot see relevance of maps showing social deprivation as betting shops cater for demand in areas of high density/footfall. Cannot understand what further controls could be put in place to further reduce gambling related harm in deprived areas. Deprivation not relevant consideration in 'aim to permit' principle unless authority wishes to operate an exclusionary policy for betting shops. Planning regime most suitable for dealing with location of betting shops. Location of schools and youth centres is irrelevant if the operator has age restriction controls. The Authority cannot simply provide a list of theoretical risks related to gambling harm. The risks have to be real, evidenced and apparent otherwise potential interference with operator's property rights. In section 6.2 and Appendix G (Risk Assessment template), the template is unsuitable and 	<p>are promoted (many examples given eg operator's licence, Licence Conditions and Codes of practice etc.).</p> <ul style="list-style-type: none"> The risk assessment requirement (from 6/4/16) is to assess specific local risks and control measures and not to list/include all the sorts of locations mentioned in the 20 bullet points of information in the policy (section 6.2.3 and 6.3) which is disproportionate to a well-regulated business. Offered to help re-draft this section. 	<p>considered (eg proximity to schools, gaming trends that reflect benefit payments, street drinking, increased footfall) are suggested risks and not evidence based and fails to acknowledge existing policies operator has in place to manage local changes. Do not accept that proximity of young people to betting shops poses a local risk and already have age identification measures in place.</p> <ul style="list-style-type: none"> Concerned that council intends to apply policies that are not evidence based such as in paragraph 6.4 which states "in assessing the risk factors associated with a gambling operation the assessor should take into account the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk" Whilst it is not clear who the document refers to when it mentions 'stakeholders', this is a potentially worrying development as there are a variety of myths in the public domain around gambling habits and trends. We would therefore encourage the Council to only to accept risks 	<p>harm.</p> <ul style="list-style-type: none"> In paragraph 2.4 the policy states will give careful consideration to premises located near schools, youth clubs and other establishments used by children and those who may be vulnerable. The policy should acknowledge that betting shops have been located in such areas for over 50 years and operators have developed policies and procedures to ensure only those able to access them do so. Important that any risk identified in the local area profile are supported by substantive evidence and not perceived risks. Otherwise this would be disproportionate and distort the 'aim to permit' principle by reverse the burden of proof from the local authority to prove the risks to the operator to mitigate potential risks. Do not believe it is for the licensing authority to prescribe the form of the risk assessment. Operators should be allowed to use their own risk assessments. Local area risk assessments are required from 6 April 2016. Paragraphs 6.2.3, 6.3.3 and 6.3.4 	<p>profile and risk assessment. Operators should be allowed to assess their existing processes. Identification of theoretical risk factors (paragraph 6.2) such as area demographics, ethnicity, proximity to other premises (including medical centres and places of worship), trends relating to benefit payments and deprivation should only be included where local evidence is available, which quantifies the ascertainable risk to be mitigated.</p> <ul style="list-style-type: none"> Do not believe it is for the licensing authority to prescribe the form of the risk assessment. Operators should be allowed to use their own risk assessments. Maps in Appendix C should be evidence based and the evidence for risk shared with stakeholders on consultation. Finalised policy should not infer there is an inherent risk of gambling harm to vulnerable persons.
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		<p><i>complex. Will be adapting own existing risk assessment process. LA has no power to prescribe risk assessment template</i></p> <ul style="list-style-type: none"> <i>In paragraph 6.2.3, strongly refute that need to provide the sort of information listed as deemed unreasonable, disproportionate and ultravires. Considers having to provide granular detail is against better regulation principles and will approach the Better Regulation Delivery Office. Considers that provision of gaming trends in relation to benefit payment days is irrelevant (and interference with freedoms and commercially sensitive and not necessary for LA) as is the proximity of betting shops and irrelevant also to refreshment and entertainment facilities. Consider that the lists in paras 6.3.2 and 6.3.3 are prescriptive and of theoretical risk not evidence as being legitimate risk factors to gambling harm and amounts to exclusionary policy. Requests that this approach is reconsidered otherwise will consider challenging the policy.</i> 		<p><i>which can be substantiated with robust evidence.</i></p> <ul style="list-style-type: none"> <i>Already operate age restricted controls and design to mitigate risks (examples provided).</i> 	<p><i>contain criteria that should be considered in the local area risk assessment that cannot be relevant. It is for the authority to identify matters that are relevant to the licensing objectives. Paragraph 6.2.3 should be removed and replaced by the statement at 6.2.4.</i></p> <ul style="list-style-type: none"> <i>Paragraph 6.6.3 should be removed as the terms 'sensitive building' and 'vulnerable community' are not defined in the Act or policy, specifying within 400 metres is arbitrary and in any case is unnecessary as operators will have considered sensitive premises or vulnerable persons in their risk assessment.</i> 	
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		<ul style="list-style-type: none"> <i>In figure 14 (crime hotspots), statements provided about limited evidence of drug, notifiable crime and the recording of CAD data and that crime has to be shown to be associated with gambling premises to be a risk to the licensing objectives.</i> 				
<p>LA RESPONSE: The requirement for gambling operators to undertake a risk assessment having regards to the local area is a new requirement that comes in on 6 April 2016. The adequacy of the risk assessment will be considered during applications for new and varied licences, and of course by the Gambling Commission as part of their enforcement/compliance activities. No amendment is needed to the proposed Gambling Act policy.</p>		<p>LA RESPONSE:</p> <ul style="list-style-type: none"> The figures in Appendix C are provided to ‘map’ the characteristics of the local area. The respondent has not stated what would be helpful to operators. We will keep the local area profile data under review and consider any feedback provided as to how it could be more useful. All licensing decisions are made in accordance with Section 153 (aim to permit) and the policy. No amendment is needed to the proposed Gambling Act policy. In relation to para 2.4.2, Paragraphs 2.4.4 – 2.4.6 make it clear that each application is considered on its merits, that the risk assessment undertaken by the operator based on location will be considered and the Authority will consider 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> The figures in Appendix C are provided to ‘map’ the characteristics of the local area. We will keep the local area profile data under review and consider any feedback provided as to how it could be more useful. All licensing decisions are made in accordance with Section 153 (aim to permit) and the policy. No amendment is needed to the proposed Gambling Act policy. The Policy is amended to acknowledge that operators may have existing measures in place to deal with the matters identified in the local area. Paragraph 6.2.1 of the policy is amended to emphasise further to para 6.1.2 that the requirement to produce risk assessments comes in on 6 April 2016. 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> The Policy has been amended to remove the risk assessment template from Appendix G. The Licence Conditions and Codes of Practice (February 2015) states (albeit from April 2016) licensees should share their risk assessment with the licensing authority when applying for a new licence or to vary a licence, or otherwise on request. Further, it states that in making risk assessments, licensees must take into account relevant matters identified in the licensing authority’s statement of licensing policy. The 5th edition Guidance to Licensing Authorities states that the Council’s statement of policy should set out the factors it is likely to take account of when considering applications, may take 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> The figures in Appendix C are provided to ‘map’ the characteristics of the local area. The respondent has not stated what would be helpful to operators. We will keep the local area profile data under review and consider any feedback provided as to how it could be more useful. All licensing decisions are made in accordance with Section 153 (aim to permit) and the policy. The purpose of Figures 13-14 is to show crime hotspots and narrative on Police crime data relating to betting shops. No amendment is needed to the proposed Gambling Act policy. Paragraph 2.4.4 already makes it clear that this does not preclude any application, each case decided on its merits 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> The Policy is amended to acknowledge that operators may have existing measures in place to deal with the matters identified in the local area. Paragraph 2.4.4 already makes it clear that this does not preclude any application, each case decided on its merits and that the applicant should demonstrate how potential concerns will be addressed. Paragraph 2.4.4 of the policy will be amended to emphasise that operators are encouraged to provide information in their application that demonstrates they have existing policies and procedures to mitigate any risks. The local area profile in Appendix C is provided to ‘map’ the characteristics of the local area. We will

		<p>any other measures it considers necessary to mitigate the risk. The Policy will be amended in paragraph 2.4.5 to emphasise that the risk assessment undertaken and controls identified by the operator will be considered.</p> <ul style="list-style-type: none"> • The 5th edition guidance issued by the Gambling Commission to Licensing Authorities permits licensing authorities to provide a local area profile in their policy to 'map out' the key characteristics of the local area. The purpose of the maps in Appendix C is to provide operators with information pertaining to the characteristics of the local area to assist them when undertaking their own risk assessments and identifying risk controls. • The policy throughout makes it clear that decisions on applications will be made in accordance with Section 153 of the Act and the Licensing Authority's statement of policy, and that decisions will be evidence based and each application considered on its own merits. No amendments needed 	<p>Paragraphs 6.2.3, 6.3.3 and 6.3.4 are amended to make it clear that the lists are examples of matters that should be considered.</p>	<p>account of the local area profile and will include considerations such as proximity of gambling premises to schools and vulnerable adult centres. The Policy is amended to acknowledge that operators may have existing measures in place to deal with the matters identified in the local area. Paragraph 6.2.1 of the policy is amended to emphasise further to para 6.1.2 that the requirement to produce risk assessments comes in on 6 April 2016. Paragraphs 6.2.3, 6.3.3 and 6.3.4 are amended to make it clear that the lists are examples of matters that should be considered.</p> <ul style="list-style-type: none"> • In relation to the comments about perception of risk by stakeholders, paragraph 6.4 is amended to remove reference to stakeholder perceptions. 	<p>and that the applicant should demonstrate how potential concerns will be addressed. Paragraph 2.4.4 of the policy will be amended to emphasise that operators are encouraged to provide information in their application that demonstrates they have existing policies and procedures to mitigate any risks.</p> <ul style="list-style-type: none"> • In relation to risks being evidenced based, Appendix C is provided to 'map' the characteristics of the local area. All licensing decisions are made in accordance with Section 153 of the Act ('aim to permit' principle) and the policy. No amendment is needed to the proposed Gambling Act policy. • The Policy has been amended to remove the risk assessment template from Appendix G. • The Licence Conditions and Codes of Practice (February 2015) states (albeit from April 2016) licensees should share their risk assessment with the licensing authority when applying for a new licence or to vary a licence, or otherwise 	<p>keep the local area profile data under review and consider any feedback provided as to how it could be more useful. All licensing decisions are made in accordance with Section 153 (aim to permit) and the policy.</p> <ul style="list-style-type: none"> • The Policy has been amended to remove the risk assessment template from Appendix G. • The policy has been amended to ensure it further meets good regulation principles.
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		<p>to the policy.</p> <ul style="list-style-type: none"> • The Policy has been amended to remove the risk assessment template from Appendix G. • The Licence Conditions and Codes of Practice (February 2015) states (albeit from April 2016) licensees should share their risk assessment with the licensing authority when applying for a new licence or to vary a licence, or otherwise on request. Further, it states that in making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy. The 5th edition Guidance to Licensing Authorities states that the Council's statement of policy should set out the factors it is likely to take account of when considering applications, may take account of the local area profile and will include considerations such as proximity of gambling premises to schools and vulnerable adult centres. The Policy is amended to acknowledge that operators may have existing measures in place to deal with the 			<p>on request. Further, it states that in making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy. The 5th edition Guidance to Licensing Authorities states that the Council's statement of policy should set out the factors it is likely to take account of when considering applications, may take account of the local area profile and will include considerations such as proximity of gambling premises to schools and vulnerable adult centres. The Policy is amended to acknowledge that operators may have existing measures in place to deal with the matters identified in the local area. Paragraph 6.2.1 of the policy is amended to emphasise further to para 6.1.2 that the requirement to produce risk assessments comes in on 6 April 2016. Paragraphs 6.2.3, 6.3.3 and 6.3.4 are amended to make it clear that the lists are examples of matters that should be considered.</p>	
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		<p>matters identified in the local area. Paragraph 6.2.1 of the policy is amended to emphasise further to para 6.1.2 that the requirement to produce risk assessments comes in on 6 April 2016. Paragraphs 6.2.3, 6.3.3 and 6.3.4 are amended to make it clear that the lists are examples of matters that should be considered.</p> <ul style="list-style-type: none"> The narrative accompanying Figure 14 provides appropriate context of crime data in relation to betting shops and so no amendment to the policy is required. 			<ul style="list-style-type: none"> In relation to para 6.6.3, the authority considers that is a relevant matter to ensure that the operator has had regard to the local area within approx. 5 minutes walk (approx. 400 metres), but para 6.6.3 is amended to make it clear that operators are encouraged to ensure that premises/locations where children, young persons and vulnerable are/resort within 400m are considered. 	
<i>Respondent 2 - They don't care all they care about is profit</i>						
LA Response: Comment noted. No amendment is needed to the proposed Gambling Act policy.						
<i>Respondent 7 – Gambling shops have too many constraints</i>						
LA RESPONSE: The Gambling Act 2007 and associated guidance sets out the regulation of the gambling industry. No amendment is needed to the proposed Gambling Act policy.						

Q12 If there is any further information the Council should provide for the local area profile, let us know.

The feedback is summarised in the table below:

Question 12: Is there is any further information the Council should provide for the local area profile?						
Residents (Respondents 1,2,3,4,5,7)	Red Card Gambling Support Project Ltd	William Hill	Coral	Ladbrookes	Association of British Bookmakers (ABB)	Paddy Power
<i>Respondent 4 - Proximity of betting shops to bus stops that serve schools</i>						
LA RESPONSE: A map showing the locations of bus stops was prepared, but it does not show those bus stops that specifically serve schools so was not included. No amendment is needed to the proposed Gambling Act policy.						
<i>Respondent 6 - there has to be figures of unemployment and homelessness, as well as crime figures as we know that gambling has a huge affect on other social issues such as the fore mentioned. There is clear evidence that the number of young adults indulging in gambling are increasing in our boroughs and cities so the council need to</i>						

<p><i>look at what support there is out there for those suffering and for those more vulnerable and at risk. We want to help as an organisation that offer support, advice, treatment.</i></p>						
<p>LA RESPONSE: Figure 10 in Appendix C shows the numbers of persons claiming job seekers allowance (JSA) as an indication of unemployment. We do not hold any data for unemployed persons not claiming JSA. We do not have homelessness data represented geographically. We will contact Red Card Gambling Support Project Ltd to explore how we can signpost their service for promotion and access. No amendment is needed to the proposed Gambling Act policy.</p>						

Q13 If you have any suggestions for amending the Policy, let us know.

The feedback is summarised in the table below:

Question 13: Suggested amendments to the Policy						
Residents (Respondents 1,2,3,4,5,7)	Red Card Gambling Support Project Ltd	William Hill	Coral	Ladbrookes	Association of British Bookmakers (ABB)	Paddy Power
<p>Respondent 1 - Compulsory double manning gambling premises at night where there has been at least three instances where police or local community officers have attended within 6 months. Make Betwatch meetings for licence holders within community compulsory.</p>		<ul style="list-style-type: none"> Amend foreword to reference the desirability of licensed and regulated supply over illegal supply of gambling Make reference to the significant level of regulation under the operating licence and Licensing Conditions and Codes of Practice to which operators have to adhere and obtain an operators licence from the Gambling Commission before a premises licence In paragraph 1.7.2, the Authority is misdirected in law and cannot circumvent the law by considering the number of premises (cumulative impact) where there is a risk to the licensing objectives as only the risk posed by the particular premises can be considered 	<p>Incorporated in feedback to other questions.</p>	<ul style="list-style-type: none"> Paragraph 1.11 refers to strategies that may not have direct impact on the licensing objectives, but may indirectly impact on them and then goes onto to say conditions will only be attached where reasonable and proportionate to be consistent with the licensing objectives. Council needs to apply the agreed licensing objectives and not seek to extend them to other factors. Comments made in relation to the 2010 Gambling Prevalence Study – no significant rise in problem gambling despite increased participation (and most recent survey suggesting it has remained static) and problem gambling levels remain low. Concerned that the pool of conditions are 	<ul style="list-style-type: none"> In paragraph 1.7.2, the Authority cannot circumvent the law by considering the number of premises (cumulative impact) where there is a risk to the licensing objectives as only the risk posed by the particular premises can be considered Later health surveys ignored, which found that gambling is not rising and problem gambling is static and perhaps falling. This section should be removed as it does not assist the local authority with its 'aim to permit' principle in the Gambling Act In paragraph 1.7.2, should include nuisance in the list as not being a valid reason to reject an application Additional conditions should only be 	<ul style="list-style-type: none"> Amend foreword to reference the desirability of licensed and regulated supply over illegal supply of gambling Make reference to the significant level of regulation under the operating licence and Licensing Conditions and Codes of Practice to which operators have to adhere and obtain an operators licence from the Gambling Commission before a premises licence Cannot see the relevant of this information in paragraph 1.13 (Gambling prevalence) and should be removed. Over 99% of individuals do not present as problem gamblers. Existing mandatory and default conditions are already imposed,

		<ul style="list-style-type: none"> • <i>In paragraph 1.7.4, the authority cannot widen the definition of those with “business interests”. It is clear that there is a second category for “interested parties”. The definition should be given its normal meaning. The Authority is clearly trying to widen the scope for objections; which is tantamount to an unlawful exclusionary policy.</i> • <i>In paragraphs 1.11 and 1.12, wider strategies should not be included if not relevant to the licensing objectives and not be used to bury exclusionary policies relating to betting shops</i> • <i>In paragraph 1.13, the Authority has failed to use the latest data from the English and Scottish health surveys (separate and combined). Also there has been selective use of data and quotes aimed at stigmatising “FOBTs” and betting shops generally. This betrays an element of bias in the policy which would be unlawful.</i> • <i>There will be more references to problem gambling organisations from the betting sector because it constitutes some 70% of the commercial</i> 		<p><i>prescriptive and go beyond that which was agreed by the Regulator</i></p>	<p><i>imposed in exceptional circumstances where there are clear reasons for doing so. Paragraph 2.8 should be amended to acknowledge that premises are already subject to mandatory and default conditions and additional conditions should only be added if these need supplementing.</i></p> <ul style="list-style-type: none"> • <i>In paragraph 1.16 it refers to the ‘promotion’ of the licensing objectives, whereas the licensing authority must only ‘have regard’ to the licensing objectives</i> 	<p><i>so additional conditions to (new and) variations of existing licences should only be added where there is clear evidence of risk and existing measures are insufficient. Use of a pool of conditions will encourage their use rather than case by case basis.</i></p> <ul style="list-style-type: none"> • <i>Requests for information of a commercial or sensitive nature (such as in paragraph 6.4) are not necessary for the authority to consider the application.</i>
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		<p><i>gambling industry. Also there are processes in place for sign posting. Rising referral numbers are in fact an indication of enhanced responsible gambling processes within betting shops. This exposition contains little balance. Problem gambling levels are stable and possibly falling (certainly not rising).</i></p> <ul style="list-style-type: none"> <i>The sample conditions in Appendix D should be removed as they are unworkable and seek to extend over and above the mandatory and default conditions.</i> 				
<p>LA RESPONSE: If gambling premises are shown to have a pattern of crime associated with them then the licence can be reviewed and measures appropriate to the issues; which might include increased staffing, would be sought through additional conditions to the licence. The Licensing Authority cannot require Betwatch meetings to be compulsory unless was considered necessary to impose a condition. No amendment is needed to the proposed Gambling Act policy.</p>		<p>LA RESPONSE:</p> <ul style="list-style-type: none"> Paragraph 1.9.5 of the policy is amended to state that we will also target enforcement towards illegal gambling as it is potentially higher risk/harm due to the lack of regulation and oversight that legitimate licensed gambling is subject to. Paragraph 2.1.2 has been amended to reflect the fact that applicants for premises licence have been subject to the operating licence and Licensing Conditions and Codes of Practice before applying. Paragraph 1.7.2 has been amended as it was not clear that it 		<p>LA RESPONSE:</p> <ul style="list-style-type: none"> The section about wider strategies has been removed in the final version of the 5th edition of guidance to local authorities so will be deleted from our policy. Paragraph 1.13 has been amended to reflect the executive summary of the ‘Findings from the Health Survey for England 2012 and Scottish Health Survey 2012’ and a weblink to the full report. It has not been removed as it provides information on gambling prevalence and behaviours. The pool of conditions in Appendix D 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> Paragraph 1.7.2 has been amended as it was not clear that it meant that an application for a licence is assessed on <u>its</u> impact in the locality. Paragraph 1.13 has been amended to reflect the executive summary of the ‘Findings from the Health Survey for England 2012 and Scottish Health Survey 2012’ and a weblink to the full report. It has not been removed as it provides information on gambling prevalence and behaviours. Paragraph 2.6.2 makes it clear that 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> Paragraph 1.9.5 of the policy is amended to state that we will also target enforcement towards illegal gambling as it is potentially higher risk/harm due to the lack of regulation and oversight that legitimate licensed gambling is subject to. Paragraph 2.1.2 has been amended to reflect the fact that applicants for premises licence have been subject to the operating licence and Licensing Conditions and Codes of Practice before applying. Paragraph 1.13 has been amended to reflect the executive

		<p>meant that an application for a licence is assessed on <u>its</u> impact in the locality.</p> <ul style="list-style-type: none"> In relation to para 1.7.4 of the policy, the 5th edition of the guidance to Licensing Authorities states such groups could be considered to be interested parties or having business interests. Paragraph 1.7.4 of the policy has been amended ('qualified') to make it clear that when considering 'business interests' in the widest context that this will be in accordance with the criteria in paragraph 1.7.3. The section about wider strategies has been removed in the final version of the 5th edition of guidance to local authorities so will be deleted from our policy. Paragraph 1.13 has been amended to reflect the executive summary of the 'Findings from the Health Survey for England 2012 and Scottish Health Survey 2012' and a weblink to the full report. It has not been removed as it provides information on gambling prevalence and behaviours. In relation to the 		<p>emanate from the draft 5th edition guidance to Licensing Authorities from the Gambling Commission that was placed on consultation March- 22 June 2015. The pool of conditions has been removed from the final version of the 5th edition guidance by the Gambling Commission published in September 2015 and placed instead on their website to make them easier to update. The pool of conditions are provided as examples for use should they be needed, and will now be referenced by a link to the Gambling Commission's website rather than appended to this policy. The policy is clear (paras 2.8.2 and 2.8.4) that additional conditions are only imposed if the Licensing Authority consider they are needed to mitigate risk to the licensing objectives and considered on a case by case basis, but a new paragraph 2.8.1 will be added to make this even clearer.</p>	<p>'issues of nuisance cannot be addressed via the Gambling Act provision'. No amendments needed to the policy.</p> <ul style="list-style-type: none"> The pool of conditions in Appendix D emanate from the draft 5th edition guidance to Licensing Authorities from the Gambling Commission that was placed on consultation March- 22 June 2015. The pool of conditions has been removed from the final version of the 5th edition guidance by the Gambling Commission published in September 2015 and placed instead on their website to make them easier to update. The pool of conditions are provided as examples for use should they be needed, and will now be referenced by a link to the Gambling Commission's website rather than appended to this policy. The policy is clear (paras 2.8.2 and 2.8.4) that additional conditions are only imposed if the Licensing Authority consider they are needed to mitigate risk to the licensing objectives and considered on a case by case basis, but a new paragraph 2.8.1 will be added to make this even 	<p>summary of the 'Findings from the Health Survey for England 2012 and Scottish Health Survey 2012' and a weblink to the full report. It has not been removed as it provides information on gambling prevalence and behaviours.</p> <ul style="list-style-type: none"> The pool of conditions in Appendix D emanate from the draft 5th edition guidance to Licensing Authorities from the Gambling Commission that was placed on consultation March- 22 June 2015. The pool of conditions has been removed from the final version of the 5th edition guidance by the Gambling Commission published in September 2015 and placed instead on their website to make them easier to update. The pool of conditions are provided as examples for use should they be needed, and will now be referenced by a link to the Gambling Commission's website rather than appended to this policy. The policy is clear (paras 2.8.2 and 2.8.4) that additional conditions are only imposed if the Licensing Authority consider they are needed to mitigate risk to the licensing
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		<p>comment 'There will be more references to problem gambling organisations....' the comments noted. No further amendments needed to the policy. The 'Findings from the Health Survey for England 2012 and Scottish Health Survey 2012' referenced in 1.13 of the policy reports research into the prevalence of gambling, use of different means of gambling and data/risks in relation to problem gambling.</p> <ul style="list-style-type: none"> The pool of conditions in Appendix D emanate from the draft 5th edition guidance to Licensing Authorities from the Gambling Commission that was placed on consultation March- 22 June 2015. The pool of conditions has been removed from the final version of the 5th edition guidance by the Gambling Commission published in September 2015 and placed instead on their website to make them easier to update. The pool of conditions are provided as examples for use should they be needed, and will now be referenced by a link to the Gambling Commission's website rather than appended to this policy. The policy is 			<p>clearer.</p> <ul style="list-style-type: none"> Paragraph 1.16 has been amended to make it clear the authority must have regard to the licensing objectives rather than 'promote' them. 	<p>objectives and considered on a case by case basis, but a new paragraph 2.8.1 will be added to make this even clearer.</p> <ul style="list-style-type: none"> Paragraph 6.4.1 is clear that the operators may want to consider providing such information. (This is to assist the authority in determining the application). No amendments needed to the Policy.
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		clear (paras 2.8.2 and 2.8.4) that additional conditions are only imposed if the Licensing Authority consider they are needed to mitigate risk to the licensing objectives and considered on a case by case basis, but a new paragraph 2.8.1 will be added to make this even clearer.				
<i>Respondent 6 - find suitable local gambling support avenues for problem gamblers.</i>						
LA RESPONSE: All gambling premises are required under the Social responsibility code provision 3.3.1, to make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling and well as having other measures in place. No amendment is needed to the proposed Gambling Act policy.						
<i>Respondent 2 - Stop approving licenses for so many betting shops</i>						
LA RESPONSE: The Gambling Act states that the Licensing Authority must “aim to permit” gambling that is not a source of crime and disorder, is						

<p>conducted in a fair and open way and protects children and other vulnerable persons from being harmed or exploited. There is a presumption in the Act therefore in favour of licensing betting shops unless the Council considers that these objectives cannot be met and so the licence application would be refused.</p>						
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Q14 If you have any other comments you would like to make, let us know.

The feedback is summarised in the table below:

Question 14: Further comments						
Residents (Respondents 1,2,3,4,5,7)	Red Card Gambling Support Project Ltd	William Hill	Coral	Ladbrookes	Association of British Bookmakers (ABB)	Paddy Power
<p>Respondent 6 - As an Enfield /Edmonton resident i would like to do something in my community with regards to helping young adults steer clear of GAMBLING. Also the council definitely need to identify where the most vulnerable and at risk young adults are and how they can be supported. Gambling figures are rising in Enfield so the council need to sought help from outside agencies if need be, as EDUCATION/AWARENESS is the key.</p>		<ul style="list-style-type: none"> Numbers engaged in commercial gambling are small once remove cohort for those doing National Lottery. Betting shops are not a significant societal issue or public health concern; albeit a serious issue for a minority We accept that the Authority has enforcement responsibilities, but again when making reference to enforcement, there should be consistency with the principles of better regulation and good enforcement; with intervention being at the lowest level to achieve the desired outcome In paragraph 2.9.1, door supervisors are not an effective control in betting shops as staff watch the door and door supervisors 	<ul style="list-style-type: none"> Highly experienced operator. Once of first operators licensed under 1960 Act. Operating in high streets (high and low deprivation) for over 50 years. Broadly in support of policy but some amendments needed (detailed above). 	<ul style="list-style-type: none"> Already operate robust age restrictions and design premises to mitigate risk (examples were given). Betting offices are also valuable contributors to the vitality and viability of high streets (established use and compatible in high streets, generate footfall, linked trips to high street) Responsible operator which devotes significant resources to compliance and partnerships with LAs Have primary authority relationships and leading signatory to the 'ABB-LGA Framework for local partnerships on betting shops' 	<ul style="list-style-type: none"> Recent media coverage has suggested that there has been a proliferation in betting shops. The numbers have remained relatively stable and downward decline (figures provided for UK). Problem gambling rates in the UK are stable (0.6%) and possibly falling. In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA) to encourage joint working (examples given). All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities (narrative provided). In paragraph 6.6.4, it states that as there 	<ul style="list-style-type: none"> Have Operators licences and clear and proactive policies to promote the Gambling Licensing Objectives LA should follow Regulators code and avoid any unnecessary burdens, ensure risk are evidence based and should consult with stakeholders again on policy once GA guidance finalised Have a primary authority relationship.

		<p><i>cannot police the street.</i></p> <ul style="list-style-type: none"> <i>In paragraph 6.6.4, it states that as there have been no complaints or age restricted sales that this must show it is low risk as betting shops are already located in areas of children and young persons.</i> <i>William Hill have opened one additional betting shop in Enfield since 2007. Total of 28 in Enfield – 1 for every 4000 of population – does not pose over supply. Main growth due to market challenger Paddy Power (increased from 2 to 12). Increased shop numbers will not have increased gambling prevalence – instead diluted profits overall.</i> <i>Welcome being in regulated sector and devote many resources to compliance, social responsibility and community engagement.</i> 			<p><i>have been no complaints or age restricted sales that this must show it is low risk as betting shops are already located in areas of children and young persons.</i></p>	
<p>LA RESPONSE: Identifying individuals that are the vulnerable to gambling harm is difficult. Gambling operators have duties to identify customers and signpost them to help for problem gambling. Recently published research has identified</p>		<p>LA RESPONSE:</p> <ul style="list-style-type: none"> Comments noted. No further amendments needed to the policy. The 'Findings from the Health Survey for England 2012 and Scottish Health Survey 2012' referenced in 1.13 of 	<p>LA RESPONSE: Comments noted. No further amendments needed to the policy.</p>	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> Comments noted. No amendment to the policy needed. 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> Comments noted. Information from recent surveys on problem gambling has been updated in paragraph 1.13 of the policy. Comments noted in relation to examples 	<p>LA RESPONSE:</p> <ul style="list-style-type: none"> Comments noted. No amendment to the policy needed. Policy was reviewed once Gambling Commission's guidance to LAs was published (Sept

<p>groups of persons who may be vulnerable to gambling-related harm, which includes children and young people. The local area profile we have developed in Appendix C seeks to identify locations and places vulnerable persons may be. No amendment is needed to the proposed Gambling Act policy.</p>		<p>the policy reports research into the prevalence of gambling, use of different means of gambling and data/risks in relation to problem gambling.</p> <ul style="list-style-type: none"> • Paragraph 1.9 of the policy references the Regulators' Code and the Council's Enforcement Policy which provides more detail of application by the Council of the principles in the Regulators' Code. No amendments needed to the policy. • In relation to para 2.9.1 (door supervisors) - No amendments needed to the policy. • In relation to the comment on age restricted sales, this does not in itself show there is low risk. The test purchases conducted have been few in number and only test at that point in time. • Other comments are noted. 			<p>of partnership working. No amendment to the policy needed.</p> <ul style="list-style-type: none"> • In relation to the comment on age restricted sales, this does not in itself show there is low risk. The test purchases conducted have been few in number and only test at that point in time. • Other comments noted. 	<p>2015) and the policy amended in accordance with the guidance.</p>
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