

Responses to consultation on Statement of Gambling Policy – 2013-2016

No comments were made to sections:

- 1 Introduction and General Description Nottingham
Map of the City and Wider Conurbation
- 3 Consultation on the Policy
- 4 The Functions of the Licensing Authority
- 6 Responsible Authorities
- 7 Interested Parties
- 10 Notifications
- 11 Permits and Registrations
- 12 Exchange of and Access to Information
- 13 Fees
- 14 Delegations
- 16 Monitoring and Review of this Statement

Appendix 1 Persons Consulted

Appendix 2 'No Casino' resolution with supporting reasons

Section 2 – Licensing Objectives

Ref No.	Name of Respondent	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
2	CDP	2.1	Analysis of crimes and antisocial behaviour attributed to Gambling premises and request for the policy to ensure that robust procedures are in place to prevent crime and anti-social behaviour and include mechanisms for licensed premises to have ongoing review processes to evaluate these and their effect on crime and antisocial behaviour.	The CDP analysis indicates that crime is low at licensed premises amounting to 0.5% of all crime. The licensing objective concerned relates only to crime and disorder, this does not include nuisances. There appears to be a lack of appreciation for the way in which the Gambling regime operates and the limitations and duties it imposes on Licensing Authorities. For example, mandatory and default conditions are prescribed for premises licenses and the Authority has only a limited discretion to impose other conditions. Even if other conditions are attached they must meet the statutory tests of being necessary, proportionate, relevant, fair and reasonable. "Standard" conditions and reviews of licenses are not permitted.	No amendments required <ul style="list-style-type: none"> • Each application must be judged on its own merits. • Mechanisms are in place within the Act for persons to object to applications as they are submitted and/or for reviews to be requested where required. • The Licensing Authority has a duty to carry out a compliance role under the Gambling Act 2005. • The crimes indicated in the CDP's analysis do not arise out of the gambling activities themselves but are more targeted against individuals who use them (eg thefts of phones) or the businesses themselves (eg robberies) • The analysis refers to antisocial behaviour of

					which the overwhelming majority was nuisance behaviour. The Act and Guidance are clear that the licensing objective only relates to disorder and not nuisances
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Section 5 – Statement of Principles

Ref No.	Name of Respondent	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	RCA	5.18, 5.25	Location of existing gambling premises	Noted	No amendments required
2	CDP	5.8	Request for further information on how the Gambling Commission will prevent gambling from being a source of crime	CDP referred to Gambling Commission website for further information	No amendments required – website link already provided on page 30
2	CDP	5.9	Request for information on responsibility for considering suitability of applicants	CDP referred to Gambling Commission website for further information.	No amendments required - All applicants for premises licences are required to have an operator's licence which is regulated by the Gambling Commission and their suitability is assessed as part of that process.
2	CDP	5.25	Request for special consideration for premises in sensitive areas	Paragraph 5.25 contains the caveat that the Licensing Authority can only look at the sensitivities of a location where the legislation permits it to do so.	No amendments required – each application dealt with on its merits. Complaints and concerns will be dealt with via compliance or

				Mechanisms are in place within the Act for persons to object to applications as they are submitted and/or for reviews to be submitted where required	review procedures as the law permits.
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Section 8 – Local Standards Relevant to Gambling Matters

Ref No.	Name of Respondent	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority’s Appraisal of Comments	Authority’s Response with regard to Statement of Policy
2	CDP	8.25	Imposition of conditions specifying membership of club or body	The conditions mentioned in paragraph 8.25 of the Policy are specifically prohibited by Sections 169-172 of the Gambling Act	No amendments required

Section 9 – Local Standards Relevant to Specific Types of Premises Licence

Ref No.	Name of Respondent	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
1	RCA	9.5	Implications of additional conditions above mandatory and default	Each application will be considered on its merit	No amendments required
2	CDP	9.10	Why is the list of measures mentioned in this paragraph for tracks not mandatory to ensure they meet the licensing objectives and how measures which a premises chooses to put in place will be assessed.	The list is not mandatory as it is not prescribed by statute. As indicated previously the Licensing Authority can only impose conditions where they are necessary, proportionate, relevant, fair and reasonable. "Standard" conditions are not permitted. The compliance regime will monitor if premises are complying with the terms and conditions of their premises licence	No amendments required
1	RCA	9.10	Note that race courses are required to provide door supervisors in some roles	Noted	No amendments required
1	RCA	9.15	Betting machines are provided by other operators	Noted	No amendments required

Section 15 – Inspection & Enforcement

Ref No.	Name of Respondent	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
2	CDP	15.4	Requirement for risk based inspection programme to take account of high impact areas	All gambling premises are visited every year to ensure compliance with the legislative requirements and the terms and conditions of their licence	No amendments required

Miscellaneous Matters

Ref No.	Name of Respondent	Policy/Paragraph /Question No.	Summary of Respondents Comments	Authority's Appraisal of Comments	Authority's Response with regard to Statement of Policy
2	CDP		References to money laundering, anti sexual exploitation and anti drug dealing/using measures	Not directly within remit of Licensing Authority – considered by Gambling Commission as part of operators licence procedure. However, representations/reviews relating to specific premises on such grounds will be considered on a case by case basis.	No amendments required