

Appendix 3

Responses to Consultation of Gambling Act Statement of Principles 2022-2025

	Responder	Response	Feedback
1	Gosschalks (a Legal Firm)	<p>Considerations specific to the Gambling Act 2005 Draft Statement of Principles 2022 to 2025</p> <p>Paragraph 1.10 in Part B starts with what appears to be an incomplete sentence. The first sentence of this paragraph states, “The Council will need to be satisfied that there is sufficient evidence that the particular location of the premises will be harmful to the licensing objectives.” The paragraph does not, however go on to specify the consequence of the Council being satisfied that the location of premises would be harmful to the licensing objectives. This sentence should be completed.</p> <p>There is a heading on page 13 reading “Promotion of the Licensing Objectives”. This heading should be amended to avoid any confusion with requirements under Licensing Act 2003. Under Gambling Act 2005 the operation of premises and applications for new licences are required to be “reasonably consistent” with the licensing objectives. There is no requirement upon any entity other than the Gambling Commission to promote the licensing objectives. In the circumstances this heading should be amended.</p> <p>Paragraphs 11.2 to 11.4 explain the Licensing Authority’s approach to betting machines in betting premises. This section would be assisted if a clear distinction was made between betting machines and gaming machines. Paragraph 11.2 refers to the ability under Section 181 Gambling Act 2005 of the Council to restrict the number of betting machines. Paragraph 11.3 then refers to gaming machines. This section should be clear that whereas there is the ability to restrict the number of betting machines,</p>	<p>The Statement at paragraph 1.14 Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application. – this advises what actions can be taken by the Council.</p> <p>Heading updated to read “Promotion of the Licensing objectives for the Gambling Act 2005”</p> <p>Headings have been highlighted to indicate the paragraphs.</p> <p>Betting Machines</p> <p>11.2. Betting Machines -The Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict</p>

		<p>there is no such ability to restrict the number of gaming machines. The holder of a betting premises licence may (by virtue of Section 172(8) Gambling Act 2005) make available to use up to four gaming machines of categories B, C or D.</p>	<p>the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Council, amongst other things, will 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.</p> <p>11.3. Gaming Machines - Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including Fixed Odds Betting Terminals (FOBT's), then applicants should consider the control measures related to the protection of vulnerable persons. There is no ability to restrict the number of gaming machines.</p>
2	Uttoxeter Race Course	Support for the policy with no amendments	An email has been sent thanking the Racecourse for the response
	Cllr Hall	Support for the policy with no amendments	An email has been sent thanking the Cllr for the response

