



Cabinet Member for Policing and Equalities

Time and Date

9.00 am on Monday, 25 November, 2024

Place

Committee Room 3 - Council House

Public Business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 6)
 - (a) To agree the minutes of the Cabinet Member Policing and Equalities meeting held on 7th October, 2024.
 - (b) Matters arising
4. **Gambling Act 2005 - Review of Gambling Policy Statement of Principles 2025 - 2028** (Pages 7 - 46)

Report of the Director of Law and Governance
5. **Outstanding Issues**

There are no outstanding issues
6. **Any Other Business**

To consider any other items of business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

Private Business

Nil

Julie Newman, Director of Law and Governance, Council House, Coventry

Friday, 15 November 2024

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett Email: suzanne.bennett@coventry.gov.uk

Membership: Councillor AS Khan (Cabinet Member)

By invitation: Councillors P Akhtar (Deputy Cabinet Member) and J Lepoidevin (Shadow Cabinet Member)

Public Access

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Suzanne Bennett

Email: suzanne.bennett@coventry.gov.uk

24 February 2025 (originally 28 October 2024 but having recently been postponed).

The Procurement Act 2023:

- Replaced the existing procurement rules (Public Contracts Regulations 2015)
- Amalgamated the different tender procedures, places focus on the priorities of the National Procurement Policy Statement and seeks to open up public procurement to new entrants and SMEs.
- Sought to provide greater transparency through the procurement and contract management lifecycle, greatly increasing the number of notices that relevant Authorities would need to publish through the procurement process and term of the contract.

To ensure compliance, the proposed changes to the Contract Procedure Rules can be summarised as follows:

- Updated terminology with respect to the legislation and notice portals
- Reference of the requirement to consider the priorities of the National Procurement Policy Statement (NPPS)
- Expansion on clause 15 in relation to Specifications to align to the requirements of the Procurement Act 2023.
- Reflection of the new procedure types under the Procurement Act 2023.
- Inclusion of notice publication requirements reflected throughout the document to ensure officers are aware of the requirements, as well as the inclusion of Appendix 4 providing information and exclusions with regards to the new notice regime.
- Expansion of the contract management provisions in relation to the requirements under the Procurement Act 2023.
- Updated job titles in relation to the Director for Finance and Resources reflected throughout the document.

Furthermore, the proposed changes to the Contract Procedure Rules included the requirement to publish all contracts in excess of £5,000 on the Contracts Register in accordance with the Local Government Transparency Code, expanding on the legislative requirement of £25,000.

Members present asked questions and sought assurances in relation to companies' competency frameworks and the process of opening up public procurement to new entrants and SMEs

RESOLVED that the Cabinet Member for Policing and Equalities recommends that Council:

- (1) Approves the proposed amendments to the Contract Procedure Rules, Part 3G of the Constitution as detailed in Appendix A to the report and delegates authority to the Director of Law and Governance to make the necessary amendments to the Constitution once the Procurement Act 2023 is enacted.**

(2) Notes the minor amendments and corrections that will be made under delegated authority by the Director of Law and Governance to the Scheme of Functions Delegated to Employees in Part 2M of the Constitution as detailed in Paragraph 3.1 to ensure that the Constitution is up to date.

9. Outstanding Issues

There were no outstanding issues.

10. Any Other Business

There were no items of urgent business.

(Meeting closed at 9.15 am)

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Public report Cabinet Member Report

Licensing & Regulatory Committee
Cabinet Member for Policing & Equalities
Full Council

19th November 2024
25th November 2024
3rd December 2024

Name of Cabinet Member:

Cabinet Member for Policing and Equalities - Councillor AS Khan

Director Approving Submission of the report:

Director of Law and Governance

Ward(s) affected:

All

Title:

Gambling Act 2005 – Review of Gambling Policy Statement of Principles 2025 - 2028

Is this a key decision?

No

Although the matters within the report affect all wards in the city, it is not anticipated that the impact will be significant.

Executive Summary:

The purpose of this report is to update Members of the outcome of the six-week consultation undertaken on the review of the Council's Gambling Policy Statement of Principles for the Gambling Act 2005 and to recommend for approval, a revised policy for the period 2025 – 2028.

Recommendations:

Licensing & Regulatory Committee is recommended to:

1. Consider the results of the consultation, and the proposed changes on the revised Gambling Policy Statement of Principles for the period 2025 – 2028 and notify the Cabinet Member for Policing & Equalities of its comments.

Cabinet Member for Policing and Equalities is recommended to:

1. Consider the results of the consultation, and the proposed changes on the revised Gambling Policy Statement of Principles for the period 2025 – 2028 and any comments from the Licensing & Regulatory Committee.
2. Recommend to Council that it adopts the Gambling Policy Statement of Principles attached as Appendix A of the report.

Council is recommended to:

1. Adopt the revised Gambling Policy Statement of Principles attached as Appendix A of the report.

List of Appendices included:

Appendix A - Revised Gambling Policy Statement of Principles 2025 - 2028 (shaded paragraphs illustrate the amendments to the document).

Appendix B – Summary of consultation responses and changes to the policy.

Other useful background papers:

Gambling Act 2005

Gambling Act 2005 Guidance to Licensing Authorities

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

Yes

Cabinet Member for Policing & Equalities – 1st August 2024 & 25th November 2024

Licensing & Regulatory Committee – 6th August 2024 & 19th November 2024

Will this report go to Council?

Yes

3rd December 2024

1. Context (or background)

- 1.1 The Gambling Act 2005 requires each Licensing Authority to prepare and publish a Gambling Policy Statement of Principles. The policy sets out how the licensing authority intends to approach its licensing responsibilities and how it intends to promote the three licensing objectives.
- 1.2 The current Gambling Policy came into effect on 3rd January 2022, to cover a period up to 31st January 2025.
- 1.3 This policy must be renewed every three years and be subject to a full consultation process.
- 1.4 Cabinet Member for Policing & Equalities on 1st August 2024 and Licensing & Regulatory Committee on 6th August 2024, considered a report on the draft revised Gambling Policy Statement of Principles and authorised the Director of Law & Governance to consult on its contents.
- 1.5 This report advises Members of the consultation that has taken place and outlines the comments received and amendments made to the Council's draft Gambling Policy.
- 1.6 There are no major changes to the policy except some minor wording amendments. The general principles of the Gambling Policy Statement of Principles remain the same and the document is still centered around the Gambling Act's three licensing objectives, namely:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.7 Following public consultation, the revised draft Gambling Policy Statement of Principles is now ready to be recommended for adoption to take effect from 31st January 2025 (Appendix A).

Key Changes to the Revised Gambling Policy

- 1.8 There are no proposed significant changes to the policy, only minor amendments and additions. These can be shown highlighted in yellow in the draft revised policy.
- 1.9 The Gambling Commission have confirmed the following changes to Gambling Regulations have been made:
 - Improving consumer choice on direct marketing;
 - strengthening age verification in premises;
 - amending and introducing new requirements on remote game design, remote gambling (financial vulnerability checks and financial risk assessments).
- 1.10 The changes that directly affect land based gambling include strengthening age verification in premises. Section 7 in the Gambling Policy relates to the criteria that premises are required to meet to protect children & young persons from being harmed or exploited by gambling.

2. Options considered and recommended proposal.

2.1 The Licensing & Regulatory Committee is recommended to:

Consider the results of the consultation on the revised Gambling Policy Statement of Principles for the period 2025 – 2028 and notify the Cabinet Member for Policing & Equalities of its comments (Appendix B).

2.2 The Cabinet Member for Policing & Equalities is recommended to:

1. Consider the results of the consultation of the revised Gambling Policy Statement of Principles for the period 2025 – 2028 and any comments from the Licensing & Regulatory Committee.
2. Recommend to Council that it adopts the revised Gambling Policy Statement of Principles for the period 2025 – 2028.

2.3 Council is recommended to:

1. Adopt the revised Gambling Policy Statement of Principles 2025 – 2028 (Appendix A).

3. Results of consultation undertaken

3.1 The public consultation ended on 20th September 2024 and included the following elements:

- Mail shots to operators;
- Notification to the responsible authorities;
- Mail shots to trade organisations and religious organisations;
- Wider public consultation through the city council's website.

3.2 All statutory consultees have received a letter with a link to the revised Gambling Policy Statement of Principles 2025 – 2025 on the Council's website. The consultation was made available from 9th August 2024 – 20th September 2024. The link was sent to all licensed businesses, Responsible Authorities, resident associations and other public consultees as set out in the policy inviting them to comment.

3.3 Three responses have been received to the consultation and this is summarised in Appendix B. After considering the comments it is proposed that the following amendments be made:

- Paragraph 11 Provisional Statements has been added;
- Paragraph 19 Adult Gaming Centre has been added;
- Paragraph 30, has been amended to include the Regulators Code.

4. Timetable for implementing this decision.

4.1 The revised Gambling Policy Statement of Principles must be published by 3rd January 2025 and commence from 31st January 2025, allowing the Council to continue to carry out any function in respect of individual applications made under the authority of the Gambling Act 2005.

5. Comments from Director of Finance and Director of Law & Governance.

5.1 **Financial implications**

The financial implications associated with the recommendation are limited to the employee costs associated with undertaking the consultation exercise and any costs involved in publishing the Gambling Policy Statement of Principles.

5.2 Legal implications

The Council will not be able to undertake its role as a Licensing Authority after the 31st January 2025 unless it has approved and published its revised Gambling Policy Statement of Principles. The policy must be reviewed every three years, or more often if appropriate.

The licensing function is carried out by the Council's Licensing and Regulatory Committee and officers exercising delegated powers. The one exception is the approval of the policy, which must be approved by Full Council.

The Council is required to have regard to any current Government Guidance when carrying out any licensing functions under the Gambling Act 2005 including its Gambling Policy Statement of Principles.

6. Other implications

6.1 How will this contribute to achievement of the One Coventry Plan?

Preventing gambling from being a source of crime or disorder is a licensing objective where the Gambling Commission takes a leading role. The Commission investigates the suitability of applicants to hold an operators or personal licence. An operator's licence is required to be held prior to being able to apply for a premises licence through the licensing authority. Licensing authorities may consider the locations of premises in the context of this objective. There are strong links between the administration of the licensing process and the role of the Community Safety Partnership and West Midlands Police. The Gambling Policy provides information about proposed enforcement protocols with the police and other enforcement authorities. As a Responsible Authority, the Police have been a key consultee.

One of the licensing objectives is 'Protecting children and other vulnerable persons from being harmed or exploited by gambling'. Applicants are required to show how they will address this objective in their risk assessment when making applications. The Coventry Safeguarding Children Board is a Responsible Authority consulted when applications are made. They have been made aware of the policy review and have been consulted.

This aligns with the One Coventry Plan and the following delivery priorities:

- Improving outcomes and tackling inequalities within our communities
- Improving the economic prosperity of the city and regions

6.2 How is risk being managed?

If the Gambling Policy is not renewed in the above timeframe, the City Council will not legally be able to perform its function under the Act. The consultation process and committee dates have been planned to ensure that the policy is in place at the required time.

The Gambling Policy Statement of Principles will inform decisions taken by the licensing authority that will have an impact on the interests of private individuals and businesses. The policy reflects the need to respect the relevant rights given by the Human Rights Act.

Decisions of the licensing authority are open to challenge through the Magistrates Court and beyond. The Gambling Policy Statement of Principles is designed to ensure our compliance with legislation and statutory guidance, minimising the risk of legal challenge.

6.3 What is the impact on the organisation?

The adoption of the policy should have no impact on the organisation. There is no human resource, financial or ICT implications.

6.4 Equalities / EIA

The Gambling Policy makes links to the Council’s Equality and Diversity Policies and an Equalities Assessment exists for licensing activities. This has been reviewed and updated as part of the consultation process.

6.5 Implications for (or impact on) climate change and the environment

None

6.6 Implications for partner organisations?

The Gambling Policy contributes towards the work of the Community Safety Partnership and specifically with the work of the police.

6.7 Human Rights Act Implications

None

Report author(s):

Name and job title:

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
Contributors:				
Tom Robinson/Carolyn Sinclair	Governance Services Officer	Law and Governance	31/10/24	31/10/24
Debbie Cahalin-Heath	Strategic Manager - Regulation & Communities	Regulatory Services	20/10/24	24/10/24

Davina Blackburn	Strategic Lead - Regulation & Communities	Regulatory Services	25/10/24	28/10/24
Names of approvers for submission: (officers and members)				
Amy Wright	Regulatory Lawyer	Law and Governance	31/10/24	31/10/24
Richard Shirley	Lead Accountant	Finance	31/10/24	31/10/24
Julie Newman	Director of Law and Governance	Law & Governance	01/11/24	04/11/24
Cllr A S Khan	Elected Member	Cabinet Member for Policing &	01/11/24	06/11/24

		Equalities		
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Appendix A

Gambling Act 2005

Gambling Policy Statement of Principles

2025/2028

1. Introduction

1.1 Coventry City Council, as the Licensing Authority (referred to in this Statement as the Authority), makes this Statement of Principles in pursuance of its powers and duties under Section 349 of the Gambling Act 2005 (referred to in this Statement as “the Act”) and sets out the Authority’s approach in dealing with its responsibilities under the Act.

1.2 Coventry is a city situated in the West Midlands with a population of 345,300 inhabitants. It is mainly urban but includes significant areas that are semi-rural.

1.3 List of Consultees

The Authority has consulted the following on the content of this Statement of Principles:-

- Responsible Authorities;
- Holders of existing licences, permits and registrations;
- Councillors and Parish Councils and MP’s;
- Representatives of businesses;
- Representatives of persons carrying on gambling businesses in Coventry;
- Local bodies representing vulnerable persons; and
- Departments within the Council with an interest in the licensing of gambling.

1.4 In preparing this statement, the Authority has had regard to the provisions of the Act, the Guidance issued by the Gambling Commission, Regulations made by the Secretary of State and responses to its consultations.

2. Gambling Act 2005

2.1 The Act specifies licensing objectives which are central to the regulatory regime, these are:-

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

2.2 In carrying out the licensing function under the Act the Authority will aim to permit the use of premises for gambling as long as it is considered to be :-

- **in accordance with any relevant Codes of Practice issued by the Gambling Commission;**
- **in accordance with any relevant Guidance issued by the Gambling Commission; and**
- **in accordance with this Statement of Principles; and reasonably consistent with the licensing objectives.**

2.3 The Act provides for 3 categories of licence:

- operating licences;
- personal licences; and
- premises licences.

2.4 The Authority will be responsible for issuing premises licences. The Gambling

Commission will be responsible for issuing operating and personal licences.

- 2.5 This statement will come into force on **31st January 2025** and will have effect until **30th January 2028** being kept under review and revised or amended as required following consultation.

3. Authorised Activities

- 3.1 'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery.
- gaming means playing a game of chance for a prize;
 - betting means making or accepting a bet on the outcome of a race, competition, or any other event, the likelihood of anything occurring or not occurring, or whether anything is true or not; and
 - a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
- 3.2 The main functions of the Authority are to:
- licence premises for gambling activities;
 - grant permits for gambling and gaming machines in clubs;
 - regulate gaming and gaming machines in alcohol licensed premises;
 - grant permits to family entertainment centres for the use of certain lower stake gaming machines;
 - grant permits for prize gaming;
 - consider notices given for the temporary use of premises for gaming;
 - receive occasional use notices for betting at tracks; and
 - register small society's lotteries.
- 3.3 The following activities are not authorised by the Authority:
- Spread betting is regulated by the Financial Services Authority;
 - Remote Gambling is dealt with by the Gambling Commission; and
 - The National Lottery (regulated by the Gambling Commission).

4. General Statement of Principles

- 4.1 The Authority recognises the wide variety of premises which will require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs, amusement arcades and racing tracks.
- 4.2 In carrying out its licensing functions the Authority will have regard to guidance issued by the Gambling Commission.
- 4.3 The Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation. This statement of principles will avoid duplication with other regulatory regimes wherever possible. In considering applications and taking enforcement action, under the Gambling Act the Authority will have regard to the provisions of the Human Rights Act.
- 4.4 To ensure the licensing objectives are met the Authority will establish a close working relationship with the police, the Gambling Commission and other responsible authorities.

4.5 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Authority has considered the Gambling Commission's Guidance to local authorities. However, the overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits.

5. Preventing gambling from being a source of crime and disorder; being associated with crime and disorder or being used to support crime

5.1 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling or being associated with providing such facilities.

5.2 When applying to this Authority for a premises licence the applicant will have to hold an operating licence from the Commission before a licence can be issued so the Council will not be concerned with the suitability of the applicant. Where concerns about a person's suitability arise the Council will bring those concerns to the attention of the Commission. The Authority will have to be satisfied that the premises will not adversely affect the licensing objective and is compliant with the Commissions Guidance, codes of practice and this gambling policy.

5.3 The Authority will expect the applicant to have a good understanding of the local area in which they either operate or intend to operate. The applicant will have to provide evidence that they meet the criteria set out in the policy and local area profile and demonstrate that in operating the premises they will be reasonably consistent with the licensing objectives. Operators need to be aware of how the operation of their premises may impact on this objective. The Council will expect the applicants to provide details as to their crime prevention measures and any risk assessments that they have carried out.

5.4 To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.

Criteria:

Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent the premises being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.

Considerations:

- Where an area is known for high levels of crime the Council will consider carefully whether gambling premises are suitable to be located there, and whether additional conditions may be necessary, such as the provision of CCTV, minimum levels of staffing and licensed door supervisors;
- Whether there is a history of crime or disorder associated with the premises or its use by those involved in crime to associate or dispose of the proceeds of crime;
- Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder;

- Whether sufficient management measures are proposed or are in place to prevent the premises being a source of, or associated with crime or disorder, or used to support crime either as a place of association or to avoid being apprehended;
- The Authority will also consider the location of the premises in the context of this licensing objective and applicants must have regard to the local area profile. If an application is received in relation to premises that are in an area noted for particular problems with organised crime or a premises that have previously been a focus for antisocial behaviour, the Authority will expect applicants to demonstrate that they have sufficient measures in place to prevent or deter people involved from using their premises and will also consider conditions being put on the licence to be reasonably consistent with the licensing objectives; and
- Whilst issues of nuisance are not included specifically in the gambling objectives and cannot be addressed via the Act, the Council may consider, when making decisions on the applications for premises licences, that extreme instances of public nuisance and/or persistent public nuisance may constitute disorder and/or crime for the purposes of this objective.

6. Ensure Gambling is conducted in a fair and open way

- 6.1 Generally the Commission would not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence.
- 6.2 In relation to the licensing of tracks (a track is a site where racing or other sporting events take place) the Authority's role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

Criteria:

Whether the premises will operate measures that will ensure that the gambling activity is conducted in a fair and open way.

Considerations:

- Whether the layout, lighting and fitting out of the premises have been designed so as to ensure gambling is conducted in a fair and open way;
- Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way;
- Whether the management and operation of the premises is open and transparent;
- Whether the operators of the premises have been or will be fully cooperative with enforcement agencies; and
- Whether the Commission's Codes of Practice have been complied with.

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

7.1 The Gambling Commission's Guidance states that one of the aims of this objective means preventing children from taking part in gambling (as well as restricting advertising so that gambling products are not aimed at or are, particularly attractive to children).

7.2 The Act and Gambling Commission Guidance does not define the term "vulnerable" but the Commission states that for regulatory purposes it assumes "vulnerable" persons" to include:

- people who gamble more than they want to;
- people who are gambling beyond their means; or
- people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability, or substance misuse relating to alcohol or drugs.

This is the definition the Authority will use in its consideration of applications.

7.3 This Authority will pay particular attention to any codes of practice, which the Gambling Commission issues in relation to specific premises such as casinos. It will consider this licensing objective on a case-by-case basis, and where necessary add conditions to be reasonably consistent with the licensing objectives.

7.4 To protect children and other vulnerable persons from being harmed or exploited by gambling, the Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.

Criteria:

Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.

Considerations:

- Whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to promote this objective to exclude them from the premises or parts of the premises;
- If the premises is an adult only environment, whether the operator has taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas;
- Whether there is provision for self-barring schemes and provision of information leaflets/helpline numbers for organisations such as GamCare;
- Whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling;

- Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling;
- Whether any promotional material associated with the premises could encourage the use of the premises by children or young people; and
- The Authority will also consider the location of the premises in the context of this licensing objective and applicants must have regard to the local area profile (which outlines examples of sensitive areas). If an application for a gambling premises is received for a location within a sensitive area or in close proximity to what are considered to be sensitive areas the Authority will expect applicants to demonstrate that they have sufficient and suitable control measures in place to be reasonably consistent with the licensing objectives.

8. Premises Licences

8.1 Section 150 of the Act permits the issue of premises licences authorising the provision of facilities at the following:

- casino premises;
- bingo premises;
- betting premises, including tracks and premises used by betting intermediaries;
- adult gaming centres; and
- family entertainment centres.

8.2 Premises can be ‘any place’ but the Act prevents more than one premises licence applying to any one place. A single building could be subject to more than one premises licence provided they are for different parts of the building and those parts can be genuinely regarded as being different ‘premises’.

8.3 A particular requirement might be for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of the premises is not compromised and that people are not allowed to ‘drift’ accidentally into a gambling area.

8.4 Where the Authority has concerns about the use of premises for gambling it will seek to address this through licence conditions wherever possible.

8.5 Other than an application for a betting premises licence in respect of a track, the Authority is not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.

8.6 When considering applications for premises licences the Authority will not take into consideration either the expected ‘demand’ for facilities or the likelihood of planning permission being granted.

8.7 The Authority will maintain a register of premises licences issued and will ensure that the register is open for public inspection at all reasonable times. This can be viewed at:

http://licensing.coventry.gov.uk/MVM/Online/EGov/License_Registers/Registers_Criteria.aspx

9. Location

- 9.1 This Authority is aware that demand issues cannot be considered with regard to the location of premises either at a citywide or more local scale. However, it considers that the location of gambling premises can be a major factor on the promotion of the licensing objectives. The Authority will pay particular attention to the suitability of a location for gambling activity in terms of the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 9.2 A local area profile has been drawn up and operators are required to take into account any sensitive locations within close proximity to proposed gambling premises and provide the Authority with details of how they propose to mitigate and monitor any risks. Applications will not be granted in sensitive locations unless the relevant criteria have been met. Examples of sensitive areas and locations are detailed in the local area profile and can be found at: <https://www.coventry.gov.uk/downloads/file/36700/local-area-profile-2022>
- 9.3 Applicants will have to clearly show that they have considered the profile and the potential impact of their proposed business on the licensing objectives and provide information on how they plan to reduce or remove any likely adverse impact on them. The supporting information may contain the following information:
- how the premises will restrict access to children, young people or other vulnerable persons;
 - whether a proof of age scheme is being used;
 - will the appropriate number of security staff be employed at appropriate times;
 - will opening times be set so that the premises are not open during school start and finish times; and
 - what procedures and staff training are in place to identify vulnerable persons such as problem gamblers, those unable to make an informed or balanced decision about gambling due to, for example, misuse of drink or drugs, mental health problems, a learning disability etc.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 9.4 The Authority will consider proposals for new gambling premises that are in close proximity to hostels or other accommodation or centres catering for vulnerable people, including those with mental health issues or learning disabilities, and those with problem gambling, alcohol or drug abuse problems, as very likely to adversely affect the gambling objectives.
- 9.5 It should be noted that the profile does not preclude any application being made and each application will be decided on its own merits, but the onus will be upon the applicant to show how the potential concerns can be overcome.

10. Gambling Activity

- 10.1 The gambling activity of each premises licence type is specified on the premises licence when it is issued. The Authority will take decisions in accordance with the Commission's guidance and codes of practice on gambling activity and will have regard to the advice which it issues from time to time. Applicants are expected to operate premises in line with the Commission's Guidance and conditions on their operators licence. The Council will monitor the operation of premises and report any potential breach of operating licence conditions to the Commission. Applications for new premises licences, or to vary an existing licence, will be expected to be clear that the premises are intended to be used for the gambling activity proposed.

It should be noted that the Act does not permit a premises to be licensed for more than one gambling activity.

11. Provisional Statements

11.1 Developers may wish to apply to this authority for provisional statements before entering a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that they:

- expect to be constructed;
- expect to be altered; or –
- expect to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage
- they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
 - which could not have been raised by objectors at the provisional statement stage;
 - which in the authority's opinion reflect a change in the operator's circumstances; or
 - where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

12. Responsible Authorities

12.1 These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Authority if they are relevant to the licensing

objectives.

12.2 Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. In relation to the Authority's area, these are:

- i. the Authority itself;
- ii. the Gambling Commission;
- iii. the Chief Officer of Police/Chief Constable for the area in which the premises is wholly or partially situated;
- iv. the Fire and Rescue Authority for the same area;
- v. the Local Planning Authority for the same area;
- vi. an authority with functions in relation to pollution of the environment or harm to human health;
- vii. a body designated in writing by the Authority as competent to advise about the protection of children from harm (see paragraphs 11.3 and 11.4 set out below);
- viii. HM Revenue & Customs; and
- ix. any other person prescribed in regulations by the Secretary of State.

Section 211(4) provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities within the meaning of section 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is to be used for licensable activities.

12.3 The Authority is required to set out the principles to be applied in exercising its powers to designate, in writing, a body which is competent to advise about the protection of children from harm. The principles applied in designating such a body are:

- the body must be responsible for covering the whole of the Authority's area; and
- the body should be answerable to democratically elected persons rather than any particular vested interest groups etc.

12.4 The designated body for Coventry City Council is the Safeguarding Children Board. Details of this and all other responsible authorities are available at:
www.coventry.gov.uk/downloads/file/1616/gambling_law_information_leaflet.

13. Interested Parties

13.1 Interested parties can make representations about licence applications or apply for a review of an existing licence based on the principles detailed in section 2 of this policy statement.

An interested party is someone who:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;

- b) has business interests that might be affected by the authorised activities; or
- c) represents persons in either of the two groups above.

- 13.2 Factors that the Authority will apply to determine whether a person is an interested party include (please note this list is not exhaustive):
- 13.3 Interested parties could include trade associations and trade unions, and residents' and tenants' associations. This Authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises or has business interests likely to be affected by the activities being applied for.
- 13.4 Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Other than these persons, this authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 13.5 Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities.
- 13.6 Individuals are encouraged to approach their local Councillor(s) to represent their interests; individuals should however be mindful that where a conflict of interest exists it may be the case that their local Councillor(s) is unable to assist them.
- 13.7 It should be noted that, unlike the Licensing Act, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance.

14 Representations

- 14.1 The Authority is obliged to consider representations from 'responsible authorities' and 'interested parties' and must determine whether or not representations are admissible. A representation is inadmissible if not made by a responsible authority or an interested party.
- 14.2 The only representations likely to be relevant are those that relate to the licensing objectives, or that raise issues under this statement or the Commission's guidance or codes of practice. The Authority must determine the relevance of the representation.
- 14.3 Any concerns that responsible authorities have in relation to their own functions cannot be taken into account if they are not relevant to the application for a premises licence and the licensing objectives.
- 14.4 The Authority may, in certain circumstances, consider a representation to be either frivolous or vexatious. This will generally be a matter of fact given the circumstances of each individual case but before coming to a decision the Authority may consider the following:
- who is making the representation and whether there is a history of making representations that are not relevant;
 - whether it raises a 'relevant' issue or not; or

- whether it raises issues specifically relevant to the premise which is the subject of the application.

15 Conditions of Licence

- 15.1 All Gambling Act premises licences are subject to mandatory and default conditions and these conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. Additional conditions will only be imposed where there is evidence in the circumstances of a particular case that these conditions need to be supplemented. Conditions imposed by the Authority may be general in nature by applying to all licences, or those of a particular type, or they may be specific to a particular licence.
- 15.2 The Authority will not generally impose conditions that limit the use of premises for gambling unless it is deemed to be necessary as a result of the requirement to act in accordance with the Gambling Commission's guidance, any codes of practice issued by the Commission, this Statement of Principles or in a way that is reasonably consistent with the licensing objectives.
- 15.3 Any conditions imposed by the Authority will be proportionate to the circumstances they are intended to address. In particular, the Authority will ensure that any conditions are:
- relevant to the need to make the premises 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; and
 - decided on a case by case basis.
- 15.4 The Authority will not consider imposing conditions:
- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission;
 - relating to gaming machine categories, numbers or method of operation;
 - which specify that membership of a club or other body is required; or
 - in relation to stakes, fees, winnings or prizes.

16 Casinos

- 16.1 The Authority has already considered its position under Section 166 of the Gambling Act 2005 regarding the application for a casino and has not passed a 'no casino' resolution.

17 Betting Machines in Betting Premises

- 17.1 The Authority is aware of its power to restrict the number of betting machines (self-service betting terminals (SSBT's)), their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. (It is important to make the distinction between gaming machines where the licence holder of a betting licence may make available for use up to four gaming machines of categories B, C or D).
- 17.2 In the event that the Authority considers whether to impose such a condition on any particular licence it may, among other things, 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.

18 Bingo

- 18.1 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licence, for that or those excluded areas.
- 18.2 Section 172(7) of the Act provides that the holder of bingo premises licences may make available for use a number of category B gaming machines for use on the premises.
- 18.3 This Authority also notes the Commissions guidance in the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted. It is not permissible for all of the gaming machines to which each of the licenses brings an entitlement to be grouped together within one of the licensed premises.
- 18.4 The playing of bingo specifically in alcohol-licensed premises, clubs and miners welfare institutes is permissible under the exempt gaming provisions without the premises needing to obtain a bingo operating licence. Where the level of bingo played in these premises however reaches a certain threshold, it will no longer be authorised by these rules, and a bingo operating licence will have to be obtained from the Commission.
- 18.5 The holder of a bingo operating licence will be able to provide any type of bingo game including cash and prize bingo.
- 18.6 Commercial bingo halls will require a bingo premises licence from the Authority.
- 18.7 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, the Authority 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;
 - only adults are admitted to the area where the machines are located;
 - access to the area where the machines are located is supervised;
 - the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

19 Adult Gaming Centres

- 19.1 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. The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions may cover issues such as:

- Proof of age scheme
- CCTV
- Supervision of entrances/machine areas

- Location of entrance
- Physical security measures on the premises
- Physical separation of areas
- Self-exclusion schemes
- Notices & signage displayed externally stating access to the premises is restricted to persons 18 years of age and over
- Notice specifying opening hours
- Members of staff appropriately trained
- Reporting of any suspicious activity on the premises
- Display of posters & information leaflets for organisations set up to assist people wishing to seek help and advice regarding gambling related issues such as GamCare

This is not a mandatory, or exhaustive list, and is merely indicative of example measures

20 Tracks

- 20.1 Only one premises licence can be issued for any particular premises at any time unless the premise is a 'track'. A track is a site where races or other sporting events take place.
- 20.2 Track operators are not required to hold an 'operators licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Council are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 20.3 Although there will, primarily be a betting premises licence for the track there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 20.4 When considering whether to exercise its power to restrict the number of betting machines at a track the Council will consider the circumstances of each individual application and, among other things will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.

21 Temporary Use Notices

- 21.1 Temporary Use Notices (TUN) allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a TUN, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 21.2 The Authority can only accept a TUN from a person or company holding a relevant operating licence.
- 21.3 Regulations prescribed by the Secretary of State provide that TUNs can only be used to permit the provision of facilities for equal chance gaming where the gaming is intended to produce a single winner, for example games such as backgammon, cribbage, bingo and poker.
- 21.4 There are a number of statutory limits for TUNs (see Gambling Commission

Guidance, which can be viewed at: www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Part-14-Temporary-use-notices.asp). This includes the definition of "premises" and, "a set of premises". In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises.

- 21.5 The Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission Guidance.

22 Occasional Use Notices

- 22.1 The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail **themselves** of the notice.

23 Gaming Machines

- 23.1 A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of 'chance' imparted by the action of the machine would cause it to be a gaming machine.
- 23.2 The Authority is aware of its power to restrict the number of gaming machines in certain circumstances. In the event that the Authority considers whether to impose such a restriction on any particular permit it may, among other things, take into account the size of the premises and the ability of staff to monitor the use of the machines by children, young persons or by vulnerable persons.
- 23.3 The Authority will be unable to issue premises licences to authorise gaming machines in certain types of premises. These generally will be premises to which children and vulnerable people will have unrestricted access and would include take-away premises, taxi offices, supermarkets etc.

24 Unlicensed Family Entertainment Centre (FEC) Gaming Machine Permits

- 24.1 Where a premise does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the 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.
- 24.2 The Gambling Act 2005 states that a Authority may "prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit" and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25. The Gambling Commission's Guidance also states, "that in their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits and licensing authorities will want to give weight to child protection issues".
- 24.3 Guidance also indicates that an application for a permit may be granted only if the Authority is satisfied that the premises will be used as an unlicensed FEC, and if the Chief Officer of Police has been consulted on the application, licensing authorities may wish to consider asking applications to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is

- permissible in unlicensed FECs;
- That the applicant has no relevant convictions (those that are set out in the Act); and
- That staff are trained to have a full understanding of the maximum stakes and prizes.

24.4 It should be noted that an Authority cannot attach conditions to this type of permit.

24.5 This Authority has adopted a Statement of Principles that is available at: https://www.coventry.gov.uk/downloads/file/27580/statement_of_principles_for_unlicensed_entertainment_centres Potential applicants / other interested persons are advised to read the Statement of Principles before applying to the Authority for a permit.

24.6 With regard to renewals of these permits, an Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

25 (Alcohol) Licensed Premises Gaming Machine Permits

25.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Authority. The Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

25.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

This Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

25.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for the use of gaming machines in their non-alcohol licensed areas. Any such application would need to be applied for and dealt with as an Adult Gaming Centre premises licence.

25.4 It should be noted that the Authority can decide to grant the permit application with a smaller number of machines and/or a different category of machines than that applied

for. Conditions (other than these) cannot be attached.

- 25.5 It should also be noted that the holder of a permit must comply with the Gaming Machines in Alcohol Licensed Premises Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).

26 Prize Gaming Permits

- 26.1 The Gambling Act 2005 states that an Authority may "prepare a statement of principles that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the Authority proposes to consider in determining the suitability of the applicant for a permit".
- 26.2 This Authority has adopted a Statement of Principles that is available at: https://www.coventry.gov.uk/info/23/alcohol_and_entertainment_licensing/428/gambling_licences/3 Potential applicants / other interested persons are advised to read the Statement of Principles before applying to the Authority for a licence or permit.
- 26.3 In making its decision on an application for this permit the Authority does not need to but may have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 26.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but the Authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

27 Club Gaming and Club Machine Permits

- 27.1 Members' Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 27.2 Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.
- 27.3 Authorities may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' or Commercial Club or Miners' Welfare Institute and therefore is not entitled to receive the type of permit for which it has applied;

- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Commission or the Police.

27.4 It should be noted that there is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. The Gambling Commission's Guidance for local authority's states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the Police, and the grounds upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a Club Gaming Permit or Club Machine Permit issued to the applicant in the last ten years has been cancelled.

27.5 There are statutory conditions on Club Gaming Permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

28 Lotteries

28.1 In carrying out its functions in relation to Lotteries, the Authority will have regard to the Act, any guidance issued by the Commission from time to time and any Regulations issued by the Secretary of State.

28.2 The Act makes it illegal to promote lotteries unless they are licensed or within an exempt category. One such exemption relates to registered small society lotteries and the Authority is responsible for registering small society lotteries, which are promoted by non-commercial organisations that are established for:

- charitable purposes;
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- for any other non-commercial purpose other than that of private gain.

29 Exchange of Information

29.1 The principle that the Authority will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the General Data Protection Regulations will not be contravened. The Authority will also have regard to any guidance issued by the Gambling Commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

30 Enforcement

30.1 The Authority will liaise with the Gambling Commission and other enforcing authorities on enforcement issues and will look to carry out joint inspections. The targeting of resources towards high-risk premises and activities that require greater attention will provide a more efficient deployment of the Authority's officers and other officers that

are commonly engaged in enforcing gambling law and inspection of licensed premises. A lighter touch will apply in respect of low risk premises, which are well run.

30.2 The Authority's approach to enforcement will be based on identified risk and will take into account:

- relevant codes of practice including the **Regulators Code**;
- guidance issued by the Gambling Commission;
- the licensing objectives; and
- the principles set out in this statement of gambling policy.

30.3 In general, action will only be taken in accordance with the principles of the Regulatory Compliance Code, Licensing Authority Enforcement Policy and the relevant provisions of the Regulatory Enforcement and Sanctions Act 2008. To this end the key principles of consistency, transparency and proportionality will be maintained.

30.4 The Authority will also be guided by the Gambling Commission's Guidance for local authorities **& the Regulators' Code** 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; and
- Targeted: regulation should be focused on the problem, and minimise side effects

30.5 In accordance with the Gambling Commission Guidance to Licensing Authorities the Council will endeavour to avoid duplication with other regulatory regimes as far as possible.

30.6 The main enforcement and compliance role for this Authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Gambling Commission.

31 The Licensing Process

31.1 The powers of the Council as a Licensing Authority under the Act may be carried out by the Licensing and Regulatory Committee, by a Sub-Committee or, instead, by one or more Council officers acting under delegated authority. The Council has adopted the following scheme of delegation and can be viewed at:

<https://www.coventry.gov.uk/constitution>
<https://edemocracy.coventry.gov.uk/documents/s60244/Part%20%20-%20Scheme%20of%20Delegation%20April%202024.pdf>

31.2 Application forms will be in the format prescribed by regulations. The form will need to contain information that describes the gambling activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the three licensing objectives. Applicants should carry out a risk assessment before they apply for a premises licence or to vary a premises licence. The Authority will expect the local risk assessment (or a copy thereof) to be available at the premises for inspection by any authorised officer.

- 31.3 Applicants are encouraged to fully consult the Police and other responsible authorities well in advance of submitting their applications. Application forms and guidance leaflets will be available at: www.coventry.gov.uk/info/23/alcohol_and_entertainment_licensing/428/gambling_licences/1. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.
- 31.4 The Act requires the Authority to maintain a register of premises licences issued. The register must be available at any reasonable time to the public, who can request copies of the entries. The register will be located at: www.coventry.gov.uk/info/23/alcohol_and_entertainment_licensing/416/alcohol_and_entertainment_licences

Effective date of reviewed policy: **31st January 2025 Valid until 30th January 2028**

Appendix B

Responses to Coventry City Council Statement of Gambling Policy Consultation

9th August 2024 – 20th September 2024

1. Background

- 1.1 The public consultation on the draft Statement of Gambling Policy took place for 6 weeks from 9th August 2024 – 20th September 2024.
- 1.2 The consultation was extensive and included a range of statutory consultees, stakeholders and local communities.
- 1.3 Three responses were received during the consultation period.
- 1.4 All consultees were asked for comments on the draft policy, which have been organised into themes and are presented below.

Respondent	Feedback/Comments/Amendments	Action
Luxury Leisure & Talarius Ltd	<p>Dear Team</p> <p>Gambling Act 2005 - Statement of Principles Consultation</p> <p>Thank you for the opportunity to make comments in relation to the above consultation. On behalf of Luxury Leisure and Talarius Ltd, we make the following points in relation to the consultation draft ('the Draft'):-</p> <ol style="list-style-type: none"> 1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the Act) it is subject to the Regulators' Code. That code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally under the Code, when designing and reviewing policies, the Authority must under other things understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. We cannot see reference to the Code and suggest that the Draft be amended to include a reference to it as outlined. 2. While other types of premises licences and permits are dealt with at paras 15 - 26, we cannot see mention of Adult Gaming Centres and suggest that is included. 3. We cannot see reference to the availability of provisional statements and suggest that it is also included, noting of course that it is an optional process for applicants (not compulsory) when premises have yet to be fully constructed or finished. 	<p>Noted and Policy amended- Included in Paragraph 30.2 and 30.4.</p> <p>Noted and Policy amended – Added Paragraph 19.</p> <p>Noted and Policy amended – added Paragraph 11.</p>

	<p>We hope that you find the above few points helpful and would be happy to talk through any of the points of answer any questions you might have</p>	
<p>Coventry Quakers</p>	<p><u>Statement on Gambling Licensing for Coventry City Council from Coventry Quakers</u> Dear Licensing Team at Coventry City Council, The following is a contribution from Coventry Quakers outlining our spiritual response to, and hopes for action to curb, the harms and risks inherent in gambling. We do not have capacity to respond in a detailed way to all specified sections of the gambling licensing policy but wish to give an overview of our general position and some policy suggestions in light of this. We trust that you will implement local licensing for gambling in ways that aim to minimise the social and individual harms it poses, whilst fulfilling your responsibilities under the Gambling Act 2005, legislation which sadly seemed to usher in more deregulation and make it harder for Local Authorities to refuse new licenses for gambling businesses. We hope you will do everything within your power to prevent the growth of ‘problem-gambling.’ As we see it, gambling can refer, but is not limited to, gaming, betting and lottery and includes such things as raffles, scratchcards and competitions. Quakers’ objection to gambling stems from how it:</p> <ul style="list-style-type: none"> • Confers gain at the expense of another’s loss. • Works against equality and spiritual connectedness to others. • Encourages an unsatisfying stress on material wealth. <p>QAAD (Quaker Action on Alcohol and Drugs) which also considers gambling, submitted written evidence to the Culture, Media and Sport Committee assessing the impact of the Gambling Act 2005 and these three points above were taken from Paragraph Two of the</p>	<p>Noted but no action required for the Policy – Already addressed in paragraph 7 and paragraph 2.2.</p> <p>Matters raised are addressed by Gambling Commissions Licensing Conditions and Codes of Practice which Licensing Authorities must have regard to when</p>

	<p>Introduction (before 1. Foreword and Executive Summary). The submission makes multiple valid points with which Coventry Quakers are in sympathy and recommended actions we agree with and would like to see implemented. https://publications.parliament.uk/pa/cm201213/cmselect/cmcomeds/421/421we15.htm) accessed 13/09/2024</p> <p>Quakers' Advices and Queries No. 39 states, "Consider which of the ways to happiness offered by society are truly fulfilling and which are potentially corrupting and destructive. Be discriminating when choosing means of entertainment and information. <i>Resist the desire to acquire possessions or income through unethical investment, speculation or games of chance.</i>" (italics added for emphasis) https://qfp.quaker.org.uk/passage/1-02/) accessed 13/09/2024</p> <p>Individual Quakers and informal discussions among Friends have highlighted how gambling encourages a fantasy mindset of 'getting something for nothing' (when one hears the odds are more in favour of someone being stung to death by wasps than winning the lottery). It pushes hopes of a lavish, leisurely lifestyle upon often disadvantaged and working-class people -who are simply desperate to escape insecurity, poverty and overwork. It is a misallocation of resources which enriches a minority of profiteers in the gambling industry, in a society in which simultaneously many people's basic needs go unmet, and it could be characterised as a tax on those lacking education in statistics and probability.</p> <p>Considering this, outside of the licensing policy purview we would urge you to go further in exercising any powers at your disposal as a Local Authority to:</p> <ul style="list-style-type: none"> • Prohibit the advertising of gambling locally on billboards, bus-stops or similar, or if it cannot be prohibited entirely within the wording of current laws, be as discerning as possible as to the location of advertising and gambling premises within the city, particularly in areas that are considered deprived using the standard indices of multiple deprivation. • Introduce discussion of gambling as a social issue and the dangers of addiction within the PSHE curriculum for young people in school. • Increase support for those experiencing gambling addiction and their families. 	<p>determining applications and are also conditions of Operating Licences issued by the Gambling Commission.</p>
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	<ul style="list-style-type: none">• Commission local research in Coventry or otherwise access the research of others/disaggregated national research into the prevalence of gambling addiction and problem gambling to have accurate data in this regard, if not already available.• Consider the relative power and wealth of gambling companies responding to this consultation. Individual capital and shareholders who benefit financially from the industry are not likely to be residents of Coventry. We hope you will more readily listen to and amplify the voices and needs of ordinary local residents and communities when weighing responses and assessing how to proceed. <p>Thank you for your time and work on responses to this consultation</p>	
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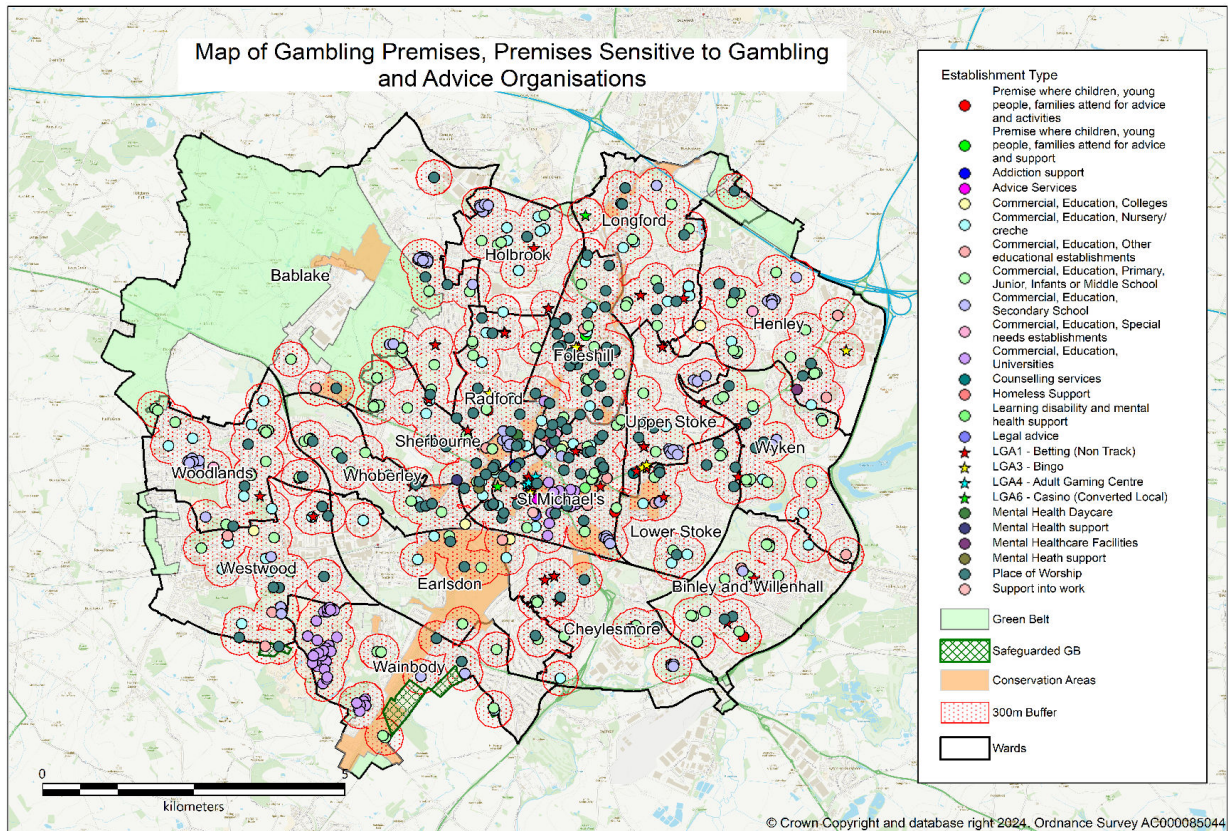
<p>Public Health</p>	<p>Section 7 - We would like to see a reference to gambling harm and harm reduction measures in this part of the policy. We would like to ensure that premises are displaying signposting to support for problem and safer gambling in their premises. The West Midlands Gambling Harms Clinic supports people affected by problem gambling in the Midlands. We can facilitate an introduction with them. Real-time surveillance data of suspected suicides for Coventry and Warwickshire has identified individuals are at greater risk of suicide immediately after losing large sums of money in gambling venues. Would it be possible for staff to be trained in suicide intervention for when a person appears in immediate distress? Free training is available. Additionally, it would be good if venues could have signposting to suicide support for people who have reached crisis point or may be experiencing distress. We would like to see included within the considerations a reference to the number of alcohol licensed premises near to the potential gambling premises as part of the application, to help strengthen the protection of people who may be unable to make informed or balanced decisions due to alcohol use. We would like to see the applicant provide mitigations proportionate to their proximity to these locations. If a premises is serving alcohol, this also needs to be considered.</p> <p>Section 9 – Location If possible, we would like to see 9.3 be mandatory (but not exhaustive) wherever the premises is located. These are important factors that all gambling premises need to consider to keep vulnerable people, and people at risk of problem gambling safe. We would also like to see proximity to alcohol licensed premises included in the considerations, and proportionate mitigations provided by the premises.</p>	<p>Noted but no change to the Policy. Already addressed in Para 2.2.</p> <p>Gambling premises must adhere to social responsibility codes in accordance with their Operators Licences issued by the Gambling Commission. We can work in partnership with Public Health at a local level to raise awareness and provide training.</p> <p>Noted but no change to the Policy Applications are considered on a case-by-case basis. The sensitive premises in the local area will differ according to the location</p>
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		<p>of each individual premises. The requirement for a Local Area Risk Assessment (LARA) is mandatory. Representations can be made within the 28 days if the LARA is not considered to be sufficient. The location of alcohol premises in each area may be too onerous and some Gambling premises can hold their own alcohol licences and the management of these will be subject to Licensing Act 2003 and Licensing Policy requirements.</p>
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LOCAL AREA PROFILE & RISK ASSESSMENTS



The Gambling Commission's social responsibility code within the Licence Conditions and Codes of Practice, require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises and to have policies, procedures and control measures in place to mitigate the risks. This provision came into force on 6th April 2016. Coventry City Council has produced this guidance to assist gambling operators in undertaking and preparing their local (premises) risk assessment.

The plan provides details of the location that the Licensing Authority consider are sensitive premises, and this should be considered by licensees along with relevant matters identified in the Licensing Authority's Statement of Gambling Policy when assessing and making their risk assessments.

The Licensing Authority considers the following as examples of sensitive premises (although this list is not exhaustive):

- Educational facilities in the local area
- Community centres
- Any vulnerable group or venues relating to those vulnerable groups: i.e.
 - Homeless or rough sleeper shelters and care/support facilities
 - Hospitals, mental health or gambling care providers
 - Alcohol or drug support facilities
- Religious Establishments

If an operator intends to apply for a new premises licence or a variation to a premises licence then a local risk assessment must be carried out. The assessment should be based on how the premises are proposed to operate and will need to identify the risk factors associated with the local area in which the premises are located. These factors are risks that relate to the potential impact a gambling premises and the risks its operation may have on the licensing objectives, considerations for operators are also identified in the Licensing Authority Gambling Policy.

Operators are required to review their local risk assessment if significant changes in local circumstances occur. The following lists sets out some examples of what the Licensing Authority considers to be significant changes in local circumstances:

- Any substantial building development or conversion of existing premises in the local area which may increase the number of vulnerable persons in the area;
- Educational facilities increase in the local area. This may occur as a result of the construction of a new school/college or where a significant change is made to an existing establishment;
- Any vulnerable group identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling premises (e.g. additional homeless hostels or gambling or mental health care/support facilities are opened in the local area); and
- The deprivation levels of the area.

When preparing an application to vary the premises licence the operator must undertake a review of the local risk assessment and update it if necessary. Operators submitting a variation application to the Licensing Authority should provide a copy of the reviewed local risk assessment when submitting the application.

An operator will need to consider risks in relation to how the premises will be or is run. Identification of risks associated with these elements will be dependent on the type of premises and the local area. Elements to be considered include:

- How the gambling operation will relate to how the operator conducts its business;
- What gambling products it provides in the premises;
- The facilities to enable gambling within the premises;
- The staffing levels within the premises;
- The level and requirement for staff training;
- Whether loyalty or account cards are used or not;
- The policies and procedures it has in place in relation to regulatory requirements of the Act or to comply with the LCCP;
- The security and crime prevention arrangements it has in place;

- How it advertises locally and on the premises;
- The marketing material within the premises; and
- The display and provision of information, etc.

The design and layout of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. The design of the premises is an important factor when considering local risks. Premises which are located within an area which has a high number of children and young people present throughout the day may identify that the standard external design is not appropriate. Control measures to mitigate the risk of attracting children to gambling or gaining access to restricted premises will need to be considered.

Risks to be considered may include:

- Whether the premises allows a direct line of sight of gaming machines from the cashier counter;
- Whether the premises is sufficiently covered by CCTV to enable the identification of offenders;
- Whether the premises windows are screened or covered to obscure the interior of the premises;
- What age verification policies are in place; and
- Provision of magnetic door locks.

Operators will be expected to identify the local risk factors surrounding the premises, which will differ from location to location. The Licensing Authority will consider the assessment and assess the risks identified and the measures implemented to mitigate those risks when a completed assessment is provided with a new application or with a variation application. Some control measures identified in the assessment may be put forward as conditions to be attached to the licence to address any significant local concerns.

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