

## Appendix A

### Gambling Act 2005 – Periodic Review of South Holland District Council’s Gambling Act Policy (Statement of Principles).

The Gambling Act 2005 applies to casinos, bingo clubs, betting shops, amusement arcades, gaming machines, prize gaming, lotteries and other forms of gambling. Current numbers are:-

Number of Gambling Act Authorisations – Current Figures September 2021	
Betting Premises Licences	8
Bingo Premises Licences	1
Adult Gaming Centre Premises Licences	1
Family Entertainment Centre Premises Licences	0
Alcohol licensed premises providing two or less gaming machines	30
Alcohol licensed premises providing three or more gaming machines	6
Club Gaming Permits	1
Club Machine Permits	2
Prize Gaming Permits	0

This Authority works with the Gambling Commission and licenced gambling premises in South Holland as well as issuing permits in relation to gaming machines and other forms of gambling. The Gambling Commission is responsible for granting operating and personal licences for gambling operators and personnel working in the gambling industry.

Any person or business that wishes to operate a gambling business in South Holland, such as a betting shop or amusement arcade, must first apply for an operating licence and any relevant personal licences from the Gambling Commission. After this they can then apply to the Licensing Authority for a premises licence.

The Authority is required to publish a Statement of Licensing Policy in relation to gambling licensing. The policy is intended to guide decision makers, applicants, objectors and others regarding the decision-making process. It also states how the Authority will work to fulfil the licensing objectives.

South Holland District Council is one of seven districts situated in the County of Lincolnshire. It is situated in the south eastern corner of Lincolnshire and extends over a geographical area of approximately 750 square kilometres or 290 square miles. It is mainly a rural district with the main town being Spalding, however over recent years, South Holland has experienced a growth in population and residential development, creating an expanding and vibrant economy.

The Authority has reviewed the current Gambling Act Policy as required under the Gambling Act 2005, taking into account experience over the previous three years and incorporating the guidance issued by the Gambling Commission to Licensing Authorities.

The Current Gambling Act Policy (Statement of Principles) (January 2019) can be found on the Council website at:

[https://www.sholland.gov.uk/media/5513/Gambling-Statement-of-Principles/pdf/SHDC\\_Gambling\\_Policy\\_2019.pdf?m=637435502246400000](https://www.sholland.gov.uk/media/5513/Gambling-Statement-of-Principles/pdf/SHDC_Gambling_Policy_2019.pdf?m=637435502246400000)

The Authority is not proposing significant changes to the Policy.

The proposed changes are listed below:

**1. 2.3. Number of Gambling Authorisations:**

The current policy document details the number of gambling premises licences and permits that were current in South Holland in June 2018. The revised policy will be updated to show the 2021 figures.

**2. 1. General Principles – (c) Premises ‘Ready for Gambling’**

Additional paragraphs have been added to that section:

Applicants are reminded that when applying for a premises licence they must have the right to occupy the premises. If the applicant does not yet have a right to occupy them, then an application for a provisional statement must be made instead.

Moral objections to gambling are invalid: It is appreciated that as per the Gambling Commission’s Guidance for local authorities “moral objections to gambling are not a valid reason to reject applications for premises licences” and also that unmet demand is not a criterion for a Licensing Authority.

**3. Part C - 1. Unlicensed Family Entertainment Centre Gaming Machine Permits/ 3. Prize Gaming Permits**

The current policy document makes reference to permit applications (Unlicensed Family entertainment centre and prize gaming) made by applicants – but does not specifically indicate what should happen if the applicant is a Company that does not hold an Operating Licence with the Commission. With this in mind it is proposed that the policy document be amended to include a requirement that:

- Where the applicant is a Company then a current Basic DBS Disclosure must be submitted in respect of each director of the company.

**Background Information:**

**Basic DBS Disclosure**

A Basic DBS Disclosure can be obtained at a cost of £25.00 from the GOV.UK website. Most basic checks will be processed by the DBS in 14 days.

**Family Entertainment Centre Gaming Machine Permit**

These amusement arcades are also known as unlicensed FECs and can only provide Category D (low stakes and prizes) gaming machines. They do not require a premises licence and are controlled through a much simpler permit system. Any number of Category D machines can be made available with the permit as these machines are the lowest category and are the only type that can be played by under 18’s.

**Prize Gaming Permit**

Such a permit may only be issued where neither the nature nor the size of a prize played for is determined by reference to:

- a) the number of persons playing, or
- b) the amount paid for or raised by the gaming.

**4. 15. Local Risk Assessments**

This section has been updated to strengthen and clarify the local expectations in relation to risk assessments.

This Authority will expect the local risk assessment to consider as a minimum:

- a) whether the premises is in an area of deprivation;
- b) whether the premises is in an area subject to high levels of crime and/or disorder;
- c) the demographics of the area in relation to vulnerable groups;
- d) the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather;
- e) significant presence of young children, both residents and visitors;
- f) high unemployment area;
- g) nearby homeless hostels;
- h) nearby gambling, alcohol, drug or mental health support facility;
- i) the area has a high number of rough sleepers/homeless people;
- j) the area has a specific ethnic population;
- k) pawn broker/pay day loan businesses in the vicinity;
- l) other gambling premises in the vicinity.

This authority will also expect local risk assessments to include, specifically, any relevant information about:

- a) Self-exclusion details- keeping details of people who have self-excluded
- b) Attempts to gamble by under 18s - keeping details of under-age refusals
- c) Outcome(s) of test purchase results
- d) Anti-Social Behaviour issues on incident logs
- e) Police reports and call outs
- f) Sharing information with nearby agencies e.g. treatment centres
- g) Protections in place when footfall is the highest

#### **5. 16. Local Area Profile**

The statement advising that the Authority is currently working towards producing a Local Area Profile has been changed to "this Authority has not produced a local area profile to date. However, this will remain under review".

#### **6. Appendix 2 - List of Consultees**

This has been expanded to include:

- Relevant Licensing Consultants and Legal Advisers in private practice
- Betting premises licence holders
- Public Health Directorate, Lincolnshire County Council
- Spalding Pubwatch

#### **Submission of Comments Regarding the Policy Consultation**

Please let us have any comments you may wish to make in relation to the proposed amendments to the Gambling Policy or the content of the current policy document. The closing date for submissions in respect of this consultation document is 5 November 2021.

Any responses to the consultation can be emailed to the Licensing Team: [licensing@sholland.gov.uk](mailto:licensing@sholland.gov.uk)

Please mark any emailed response with the title 'Gambling Policy Consultation 2021'.

We would prefer to receive emailed responses to the consultation document, however, as an alternative written response can be sent to: The Licensing Team, South Holland District Council, Priory Road, Spalding, Lincs, PE11 2XE.

All comments regarding this consultation will be considered and will help to formulate the final policy document to be submitted for consideration by the Committee of the Licensing Authority in November 2021. Once the Committee has considered the consultation results (and made any relevant amendments to the proposed policy document) the proposed new policy will be forwarded to a meeting of the full Council for adoption. This will be November 2021.

If you require any further information or advice, please do not hesitate to contact the Licensing Team.

**September 2021**