

# **MEETING OF RENFREWSHIRE LICENSING BOARD**

**MONDAY 15 NOVEMBER 2021 at 10.00AM**

The meeting will be held by MS Teams; Any person who wishes to attend and view the meeting may request in advance a link to join the meeting from [licensing.cs@renfrewshire.gov.uk](mailto:licensing.cs@renfrewshire.gov.uk)

## **AGENDA**

Councillors Andy Steel, Bill Brown, Jane Strang, Jennifer Adam-McGregor, Jim Paterson, John Hood, John McIntyre, Kevin Montgomery, Marie McGurk and Michelle Campbell

Convener – Cllr Andy Steel

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. LICENSING (SCOTLAND) ACT 2005**

Pages 1-2	Application for Major Variation of a Premises Licence to be considered
Page 3	Application for New Grant of a Premises Licence to be considered
Page 4	Application for Provisional Premises Licence to be considered
Pages 5-9	Applications for Minor Variation – DPM – delegated for noting
Page 10	Applications for Minor Variation – delegated for noting
Page 11	Applications for Transfer – delegated for noting
Page 12-14	Applications for Personal Licence – delegated for noting
Pages 15-16	Applications for Personal Licence Renewal – delegated for noting

#### **4. ADMINISTRATIVE ITEMS**

- (a) Report by Clerk to the Licensing Board – Timetable of Licensing Board Meetings 2022**
- (b) Report by Clerk to the Licensing Board - The Gambling Act 2005: Review of Licensing Board's Statement of Principles**
- (c) Licensing Board Recordings and Format of Board Meetings**
- (d) Minute of previous meeting on 20 September 2021 to be agreed**

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting 15 November 2021 at 10:00am****Licensing (Scotland) Act 2005****Variation (Major)(s) - Cite**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	ALDI 2 PRINTERS PLACE PAISLEY PA2 7RX	ALDI STORES LIMITED	23 July 2021	
2	LA RAMBLA 9 RENFREW ROAD PAISLEY PA3 4AF	RANBIR SINGH C/O BRIAN MCMAHON B MCMAHON CONSULTANCY LIMITED 108 HAGGS ROAD GLASGOW G41 4AT	30 June 2021	
3	SAINBURY'S LOCAL UNIT 1 RETAIL DEVELOPMENT CRAIGTON DRIVE DARGAVEL VILLAGE BISHOPTON	SAINSBURY'S SL LIMITED	13 July 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting 15 November 2021 at 10:00am****Licensing (Scotland) Act 2005****Variation (Major)(s) - Cite**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
4	SAINSBURY SUPERMARKET UNIT J, RETAIL PARK BRAEHEAD RENFREW G51 4BT	SAINSBURY'S SL LIMITED	13 July 2021	
5	SHOP 1 STODDARD SQUARE ELDESLIE PA5 9AS	SURJIT SINGH	14 July 2021	
6	STUDENTS ASSOCIATION OF THE UNIVERSITY OF THE WEST OF SCOTLAND (SAUWS) THE STUDENTS UNION STORIE STREET PAISLEY	THE STUDENTS ASSOCIATION OF THE UNIVERSITY OF THE WEST OF SCOTLAND (SAUWS) 2018	18 August 2021	
7	THE PROJECTIONIST, HUNGRY HORSE HUNGRY HORSE UNIT 20 XSCAPE KINGS INCH ROAD RENFREW	GREENE KING BREWING & RETAILING LIMITED C/O BELHAVEN PUBS THE BELHAVEN GROUP ATRIUM HOUSE 6 BACK WALK	17 September 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting 15 November 2021 at 10:00am****Licensing (Scotland) Act 2005****Provisional - Cite**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	158 PAISLEY ROAD RENFREW PA4 8XU	AVTAR SINGH	11 June 2021	
2	BEL CIBO 48A GLASGOW ROAD PAISLEY PA1 3PW	BELLA CIBO LIMITED C/O - NONE	30 June 2021	
3	BROADWAY NEWS 11 THORN BRAE JOHNSTONE PA5 8HF	MARYAM ISLAM C/O TLT SOLICITORS 80 HANOVER STREET EDINBURGH EH2 1EL	2 September 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting 15 November 2021 at 10:00am**

**Licensing (Scotland) Act 2005**

**New Grant(s) - Cite**

<b>Premises</b>		<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	THE REFINED DRINKS COMPANY UNIT 5 142 ABERCORN STREET PAISLEY PA3 4DF	THE REFINED DRINKS CO LTD C/O JANET HOOD CONSULTING KIRKTON OF BALFOUR EDZELL BRECHIN ANGUS DD9 7XU	12 September 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Variation (Minor)(s) - DPM - Delegated for noting**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	ALDI 1A BRIDGEWATER SHOPPING CENTRE BRIDGEWATER PLACE ERSKINE PA8 7AA	ALDI STORES LIMITED	16 September 2021	
2	B&M STORE 9 BRIDGE STREET LINWOOD PAISLEY PA3 3DB	EV RETAIL LIMITED	12 August 2021	
3	BOWFIELD HOTEL & COUNTRY CLUB BOWFIELD ROAD HOWWOOD PA9 1DZ	MANORVIEW HOTELS LTD	6 August 2021	
4	DIAGEO SCOTLAND LIMITED 500 RENFREW ROAD GLASGOW G51 4SA	DIAGEO SCOTLAND LIMITED C/O MORTON FRASER QUARTERMILE TWO 2 LISTER SQUARE EDINBURGH EH3 9GL	3 September 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Variation (Minor)(s) - DPM - Delegated for noting**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
5	FIVE GUYS UNIT C5 BRAEHEAD SHOPPING CENTRE KINGS INCH ROAD RENFREW G51 4BN	FIVE GUYS JV LIMITED	9 August 2021	
6	FIVE GUYS UNIT C5 BRAEHEAD SHOPPING CENTRE KINGS INCH ROAD RENFREW G51 4BN	FIVE GUYS JV LIMITED	9 August 2021	
7	FULBAR STORES 24 SPEY AVENUE FOXBAR PAISLEY PA2 0EG	IVANHOE SUPERSTORE LIMITED	26 July 2021	

**RENFREWSHIRE LICENSING BOARD****Meeting on 15 November 2021 at 10am****Variation (Minor)(s) - DPM - Delegated for noting****Licensing (Scotland) Act 2005**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
8	GREENGATES INDIAN RESTAURANT 65 FERRY ROAD RENFREW PA4 8SH	B & T LEASE LIMITED	20 August 2021	
9	HERITAGE BAR 23 BRIDGE STREET LINWOOD PA3 3DL	HAWTHORN LEISURE SCOTCO LIMITED	31 August 2021	
10	HOME BARGAINS UNIT 2 PATONS MILL 93 HIGH STREET JOHNSTONE PA5 8SN	T.J. MORRIS (SCOT) LIMITED	18 August 2021	
11	J & B SCOTLAND PLANT BLYTHSWOOD ESTATE INCHINNAN ROAD RENFREW PA4 9EB	DIAGEO SCOTLAND LIMITED	31 August 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Variation (Minor)(s) - DPM - Delegated for noting**

<b>Premises</b>		<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
12	LORD OF THE ISLES UNIT 21 XSCAPE BRAEHEAD KINGS INCH ROAD RENFREW	J D WETHERSPOON (SCOT) LIMITED	20 September 2021	
13	MORRISONS FALSIDE ROAD PAISLEY PA2 6JE	WM MORRISON SUPERMARKETS PLC	4 August 2021	
14	NISA 7 MOSSVALE LANE PAISLEY PA3 2LT	THE TRINITY PARTNERSHIP	6 September 2021	
15	SHOP 176 PAISLEY ROAD RENFREW PA4 8DS	RUPINDER KAUR	13 July 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Variation (Minor)(s) - DPM - Delegated for noting**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
16	THE CLUB 38-40 NEW SNEDDON STREET PAISLEY PA3 2AZ	PAISLEY UNDERGROUND LIMITED	10 August 2021	
17	THE HORSESHOE BAR 53 CANAL STREET PAISLEY PA1 2HQ	LANSON LEISURE LTD	21 October 2021	
18	TRAVELODGE KINGS INCH ROAD GLASGOW G51	TRAVELODGE LIMITED	20 August 2021	
19	VIENNA'S 20 NEW STREET PAISLEY PA1 1YA	TGC 2 LIMITED	10 August 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Variation (Minor)(s) - Delegated for noting**

	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	ELDERSLIE SERVICE STATION MAIN STREET ELDERSLIE PA5 9EN	MOTOR FUEL LIMITED	20 September 2021	
2	MARKS AND SPENCER 49 BRAEHEAD SHOPPING CENTRE KINGS INCH ROAD GLASGOW G51 4BP	MARKS AND SPENCER PLC	2 August 2021	
3	MORRISONS FALSIDE ROAD PAISLEY PA2 6JE	WM MORRISON SUPERMARKETS PLC	10 August 2021	
4	MORRISONS 30 NAPIER STREET JOHNSTONE PA5 8SF	WM MORRISON SUPERMARKETS PLC	9 August 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Transfer(s) - Delegated for noting**

<b>Premises</b>		<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	KEYSTORE 245 LOCHFIELD ROAD DYKEBAR PAISLEY PA2 7JD	SYLAARO LTD	16 September 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Personal Licence(s) - Delegated for noting**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
1	WILLIAM MCWILLIAM STOTT	9 June 2021	
2	RYAN SWEENEY	10 June 2021	
3	ROSS ARTHUR BELL	10 June 2021	
4	GAYLE HARTE	10 June 2021	
5	SHAUNNA KIRK	11 June 2021	
6	CAROL ANN CLINTON	15 June 2021	
7	ROXANNE RENOUF-MILLER	15 June 2021	
8	NATALIE BARROWMAN	21 June 2021	
9	TANINDER KAUR RAI	6 July 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Personal Licence(s) - Delegated for noting**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
1	HEATHER MCKENZIE	2 July 2021	
2	DAVID JOHN MCDOWALL	6 July 2021	
3	AMY MCNAIR	7 July 2021	
4	GURPREET SINGH RAI	14 July 2021	
5	RICHARD HUNTER INGLIS	16 July 2021	
6	JEFF CHIN-KIONG SUNG	14 July 2021	
7	DYLAN HARRIES	27 July 2021	
8	JAGPAL SINGH KOONER	27 July 2021	
9	HAROON MUZAMMAL	27 July 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Personal Licence(s) - Delegated for noting**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
10	ERIC THOMSON	9 August 2021	
11	ZHONG ZHOU	11 August 2021	
12	JOSEPH GERARD BISLAND	12 August 2021	
13	JONATHAN AIRD MCLUCKIE	13 August 2021	
14	GEMMA GALLAGHER	13 August 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am**

**Licensing (Scotland) Act 2005**

**Personal Licence(s) Renewal - Delegated for noting**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
1	HAZEL CRAIG	28 June 2021	
2	ELIZABETH LAMY	21 July 2021	

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**RENFREWSHIRE LICENSING BOARD**

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**Meeting on 15 November 2021 at 10am****Licensing (Scotland) Act 2005****Personal Licence(s) Renewal - Delegated for noting**

<b>Applicant</b>		<b>Date Received</b>	<b>Comments</b>
1	ANN LUNEY	28 July 2021	
2	ROSS WILSON	29 July 2021	
3	DEBORAH HART	13 August 2021	

**RENFREWSHIRE LICENSING BOARD**

**Meeting 15 November 2021 at 10:00am held remotely via MS TEAMS**

- 1. Report by Clerk to the Licensing Board - Timetable of Licensing Board Meetings 2022**
- 2. Report by Clerk to the Licensing Board - The Gambling Act 2005: Review of Licensing Board's Statement of Principles**

**To: Renfrewshire Licensing Board**

**On: 15 November 2021**

**Report by Clerk to the Licensing Board**

**Timetable of Licensing Board Meetings 2022**

## **1. Introduction**

1.1 In 2014, the Licensing Board changed its practice in relation to scheduling its future meetings. Until then, the practice of the Board had been to agree the dates of its next meetings, or delegate authority to the Clerk to agree further dates, at the conclusion of a meeting. In 2014, however, the Board began to schedule meetings for the year ahead.

1.2 To assist members' diaries, a proposed timetable, shown at Paragraph 2.1 of this report, has now been drawn up for the period from January 2022 to April 2022. Provisional dates following the local government election in May are also shown at Paragraph 2.1 for the period from May 2022 –December 2022.

## **2. Proposed Timetable**

2.1 It is proposed that the meetings of the Board in 2022 be held on the following dates:-

Period January 2022 – April 2022

Friday 4 February 2022

Thursday 24 March 2022

Period May 2022 – December 2022 (provisional dates only)

Monday 20 June 2022

Monday 5 September 2022

Monday 21 November 2022

It is proposed that these meetings would begin at 10am.

2.2 The proposed dates would allow the Board to meet regularly to consider licence applications it requires to determine under the Licensing (Scotland) Act 2005. They also allow for the local government election in May and the Council's recess periods in April, June to August and October. The new Licensing Board, which will be elected in May 2022 at the Council's first meeting after the local government election, will require to consider any festive hours policy it considers appropriate at the September meeting.

-2-

2.3 In order to comply with the requirements of Regulations made under the above Act, the Board may require to agree additional meetings from time to time. In particular, additional meetings of the Board may be required to hold premises licence review hearings, which should take place within six weeks of an application for review being made and in order to progress the development of a Statement of Licensing Policy by the new Board.

### **3. Recommendations**

3.1 It is requested that the Board agree the timetable of meetings for the period January 2022 – April 2022 and note the provisional dates for the period May 2022 to December 2022 as detailed in Paragraph 2.1 of this report.

A handwritten signature in black ink, appearing to read 'K. Graham', with a stylized flourish at the end.

Kenneth Graham  
Clerk to the Licensing Board

**To: Renfrewshire Licensing Board**

**On: 15 November 2021**

## **Report by Clerk to the Licensing Board**

### **The Gambling Act 2005: Review of Licensing Board's Statement of Principles**

#### **1. Summary**

- 1.1 This report advises the Board on the consultation undertaken in respect of Renfrewshire Licensing Board's Statement of Principles under the Gambling Act 2005 ("the Act") and seeks approval of the Statement of Principles for 2022-2025 attached as Annex 1.

#### **2. Recommendation**

- 2.1 It is recommended that the Board approve the terms of the Statement of Principles attached as Annex 1 and agree to adopt the Statement with effect from 31 January, 2022.

#### **3. Background**

- 3.1 In terms of Section 349 of the Act, the Board is required to publish a Statement of Principles ("the Statement") that they propose to apply in exercise of their functions under the Act for a three year period. The Board's last Statement (for 2019-2022) was approved in 2018 and now falls to be reviewed in terms of the Act.
- 3.2 At its meeting on 20th September 2021, the Board agreed the terms of a draft Statement for consultation, the terms of the draft Statement having been updated from the Statement for 2019-2022. The Board also authorised the Clerk, at that meeting, to consult various bodies and persons. The Board instructed officers, following that consultation, to submit a further report to the Board with a final version of the Statement for consideration and approval. The proposed final Statement is attached at Annex 1 to this report. The list of persons and bodies consulted is set out at Appendix 1 to that proposed Statement.
- 3.3 In response to the consultation, four responses were received, from the parties detailed at Paragraphs 3.3.1 to 3.3.4. These responses are attached as Annex 2 and are summarised in the following paragraphs:-
- 3.3.1 Charleston Tenants and Residents Association- The Tenants and Residents Association state that they have no concerns in relation to betting shops in their

area, noting two have closed. They have not suggested any changes to the proposed Statement.

- 3.3.2 Police Scotland- Police Scotland state that they fully support the terms of the Statement as consulted upon. They provide general comments in relation to the dangers and harm resulting from gambling. They also set out local policing initiatives in relation to gambling, including a proactive inspection regime and details of a pilot project within the Renfrewshire and Inverclyde Policing Division which will be used to form a national gambling strategy to assist police officers and staff when encountering individuals who are vulnerable to gambling related harm.

- 3.3.3 Renfrewshire Health and Social Care Partnership- Renfrewshire Health and Social Care Partnership (“the Partnership”) request that particular attention be given to the licensing objective of protecting children and other vulnerable adults from being harmed or exploited by gambling. They highlight various sections of the Statement of which they are fully supportive, as relevant to this licensing objective.

The Partnership suggest a possible strengthening of the Statement at Paragraph 13.22 as to what may constitute “vulnerable” persons, beyond what is set out in the statutory guidance issued by the Gambling Commission. While the Board could seek to provide further information in the Statement in this regard, the Statement currently makes clear that this licensing objective will be considered on a case by case basis. While the Partnership’s response suggests that a demographic profile might be included within the Appendices, the suggested breakdown of maps has not been provided as part of the response.

The response does provide updated details of mental health outpatient services, learning disability services and addiction services. Appendix 4 of the Statement at Annex 1 has been updated to include this updated information.

- 3.3.4 Goschalks LLP- This response is submitted on behalf the Betting and Gaming Council, who represent members of the regulated betting and gaming industry. The response contains background information and a number of suggested changes to the Statement.

It would appear that not all the suggested changes relate to the Renfrewshire Licensing Board’s proposed Statement, given the content (and numbering) provided by Goschalks does not in a number of instances correlate with the content of it, and also given references to the Licensing Act 2003 which does not apply in Scotland. Some changes have however been incorporated into the Statement, having regard to the comments in the response from Goschalks LLP.

- 3.4 If the Board approve the recommendation, the Board is required to publish a Notice of its intention to publish a Statement or revision in accordance with the Gambling Act 2005 (Licensing Authority Policy Statement) (Scotland) Regulations 2006, four weeks prior to the date the revised statement will come into effect. Further, the Board will require to publish the revised Statement on the authority's website and make the Statement available to members of the public for at least four weeks prior to the date when the revised Statement will come into effect (31 January 2022).

#### **4. Equality Impact**

The Recommendation contained within this report has been assessed in relation to its impact on equalities and human rights and the parties listed in Appendix 1 to the draft Statement of Principles at Annex 1 have been consulted on the terms of the proposed policy. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendation contained in the report, as no policy is currently proposed which would prevent gambling facilities being made available in any specific location.



Kenneth Graham  
Clerk to the Licensing Board

## ANNEX 1

# **Renfrewshire Licensing Board**

## **Statement of Principles under the Gambling Act 2005 Section 349**

**31<sup>st</sup> January 2022**

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## **RENFREWSHIRE LICENSING BOARD**

### **GAMBLING ACT 2005**

#### **STATEMENT OF PRINCIPLES**

#### **1. Introduction**

- 1.1 The Gambling Act 2005 (“the Act”), which came into full force and effect on 1 September, 2007, created a new system of licensing and regulation for all commercial gambling in Great Britain, other than the National Lottery and spread betting. Section 349 of the Act required all licensing authorities to prepare and publish a Statement of Principles to be applied in exercising their functions under the Act.

The Act provided that a Statement of Principles shall apply for a period of three years and may be reviewed and revised during that period if appropriate.

Renfrewshire Licensing Board (“the Board”) approved its first Statement of Principles on 17th January, 2007 to cover the three-year period from 31st January 2007. In January 2010, 2013, 2016 and 2019, further Statements of Principles were published for the three year periods to 31st January 2013, 2016, 2019 and 2022.

As required in terms of Section 349 of the Act, the Board has consulted on and reviewed its Statement of Principles. A list of those consulted is attached at Appendix 1. The following is the Board’s Statement of Principles which it proposes to apply in exercising its functions under the Act during the three year period beginning on 31 January, 2022. This Statement of Principles will be kept under review and revised, if appropriate, during the three year period.

- 1.2 In preparing this Statement of Principles account has been taken of the statutory guidance issued by the Gambling Commission. The current edition of the guidance was published on 1 April 2021 (last updated on 13 May this year) The current Guidance, which lists the changes made since the previous edition, can be found at <https://www.gamblingcommission.gov.uk/print/guidance-to-licensing-authorities>

1.3 In exercising its functions under the Act, the Board will have regard to the statutory licensing objectives set out in Section 1 of the Act, 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 being conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.4 In accordance with Section 153 of the Act, the Board, in making decisions concerning premises licences, aims to permit the use of premises for gambling in so far as they think it is:

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

1.5 Nothing in the Statement will override the right of any person to make an application under the Act or to have the application considered on its individual merits, undermine the right of any person to make representations on an application or to seek a review of a licence where there is a legal power to do so.

1.6 This Statement is intended to be a general Statement of Principles and is not to be regarded as a comprehensive guide to the application of the Act by the Board. Applicants and others should always have regard not only to this Statement of Principles but also to the Act, any regulations made under the Act and any Guidance or Codes of Practice issued by the Gambling Commission. Guidance and Codes of Practice issued by the Gambling Commission may be accessed on the Commission's web site.  
<http://www.gamblingcommission.gov.uk/>

1.7 In producing this Statement of Principles, the Board has had regard to the licensing objectives of the Act, the Guidance issued by the Gambling Commission and any responses from those consulted on this Statement of Principles.

1.8 In making decisions under the Act, the Board will have regard to this Statement of Principles but every application will be considered on its own merits. The aim of the Licensing Board in this Statement is to promote the licensing objectives and in particular to address the impact of licensed premises in terms of crime and disorder arising from gambling and ensure that suitable controls are placed

on gambling appropriate to the location and internal layout of gambling licensed premises to address any concerns relevant to the licensing objectives. The Licensing Board is committed to partnership with all stakeholders with a view to the promotion of these aims. The Board recognises the impact that unregulated gambling may have on its community and local plans for growth and regeneration of the economy and, in delivering the gambling regime will, with regard to the principles set out in this Statement, seek to support its local economy and protect children and vulnerable people.

- 1.9 The Act provides that unmet demand is not a criterion of which the Board may take account when considering an application and the Guidance issued by the Gambling Commission states that moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. The Board will therefore not have regard to demand or moral objections when exercising its functions under the Act.
- 1.10 The Board are committed to avoiding duplication with other legislation and regulatory regimes as far as possible and the legal requirements of such other legislation (e.g. Health and Safety legislation) have not been repeated in this Statement of Principles.

## **2. Renfrewshire Licensing Board**

- 2.1 Renfrewshire Licensing Board, which is referred to in this Statement of Principles as "the Board", is the licensing authority for Renfrewshire Council. Renfrewshire is situated to the West of Glasgow on the south bank of the River Clyde and covers nearly 101 square miles. Renfrewshire's population is estimated at approximately 179,390, making it the tenth largest Council area in Scotland in terms of population.
- 2.2 Further information in relation to the proportions of dependent children in households throughout Renfrewshire, and information in relation to the location of schools, premises used by children and young people and premises where support is offered to vulnerable people, such as those with addiction problems, including registered care homes, is provided at Section 13.24 and Appendices 3 and 4 to this Statement. This information is provided to give further information as to the local area profile of Renfrewshire in terms of addiction services, educational establishments and other premises frequented by children and vulnerable people.

### **3. Consultation on the Statement of Principles**

- 3.1 The Act requires the following parties to be consulted prior to publication of this Statement of Principles:
- the Chief Constable
  - one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the Board's area; and
  - one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 3.2 The parties consulted in relation to the Statement of Principles are listed in Appendix 1.
- 3.3 The Board's practice is to have regard to and give appropriate weight to the views of those whom it had consulted. In determining what weight to give to particular representations, the Board's practice is to take account of the following factors:
- who is making the representations (what is their expertise or interest);
  - relevance of the factors to the licensing objectives;
  - how many other people have expressed the same or similar views;
  - how far the representations relate to matters which the Board should be including in its Statements of Principles.
- 3.4 In considering the views of consultees, the Board's practice is also to consider whether those views should be taken into account and the extent to which the Board are able to deal with the issues raised. For example, the views may relate to a matter which is dealt with under other legislation such as planning.
- 3.5 The Board's officers carried out preliminary enquiries in August 2021 in order to prepare a draft Statement of Principles for approval by the Licensing Board for the purposes of consultation. The Board, following upon approval of that draft on 20<sup>th</sup> September 2021, consulted on a draft Statement of Principles between 21<sup>st</sup> September and 20<sup>th</sup> October, both 2021. In response to the consultation, responses were received from Charleston Tenants and Residents Association, Police Scotland, Renfrewshire Health & Social Care Partnership and Gosschalks LLP.

### **4. Summary of Matters dealt with in Review**

- 4.1 A number of matters have been updated in this Statement, including the introductory description of Renfrewshire and links, as required. The

Appendices have been updated. Appendix 2, which specifies the different categories of gaming machine, has been updated to reflect current stakes and prizes and continues to include a link to the Gambling Commission's website, given that the limits to stakes and prizes may change over the lifetime of the Board's Statement. Some sections of the Statement have been reworded having regard to consultation responses, including at Paragraphs 13.19, 13.28 and 15.2. Other minor changes have been made to the Statement as required.

- 4.2 Appendix 4 has, in particular, been updated to reflect current local gambling related risks and harms. A link has been included to allow licence holders, applicants and other parties to search on the Care Inspectorate's website for a range of care services for vulnerable adults. Similarly, updated information in relation to community-based youth spaces has been provided. The information about addiction services within this Appendix has also been updated, following consultation. These changes will inform applicants and those making representations to applications about what evidence may assist the Licensing Board in considering the licensing of premises or proposed premises.

## **5. Licensing Authority Functions**

- 5.1 This Board will make decisions upon applications or notifications made for:

- premises licences;
- temporary use notices;
- occasional use notices;
- permits as required under the Act; and
- registrations as required under the Act.

- 5.2 This Statement of Principles relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, namely:

- casinos;
- bingo premises;
- betting premises;
- tracks;
- adult gaming centres;
- licensed family entertainment centres;
- unlicensed family entertainment centres;
- club gaming permits; prize gaming and prize gaming permits;
- occasional use notices;
- temporary use notices; and
- registration of small society lotteries.

- 5.3 The Board will not be involved in licensing remote gambling. Regulation will fall to the Gambling Commission through operator licences.

## **6. Child Protection**

- 6.1 In terms of Section 157 of the Act and Regulations under the Act, the Board is required to designate in writing a body which is competent to advise the Board about the protection of children from harm.
- 6.2 The Board designates Renfrewshire Child Protection Committee. This is an inter-agency body representing the statutory, private and voluntary sectors with a wide knowledge and experience of child protection matters: it has the specialist knowledge and expertise to advise the Board about the protection of children from harm.

## **7. Responsible Authorities**

- 7.1 Responsible authorities are public bodies that must be notified of applications and which are entitled to make representations to the Board in relation to premises licences and applications for premises licences.
- 7.2 The responsible authorities in the Board's area are:
1. the Gambling Commission.
  2. the Chief Constable, Police Scotland.
  3. the Chief Fire Officer, Scottish Fire and Rescue Service.
  4. Chief Executive's Service (Economy and Development), Renfrewshire Council.
  5. Director of Communities and Housing Services.
  6. Renfrewshire Child Protection Committee (see paragraph 6.2 above).
  7. Her Majesty's Commissioner of Customs and Excise.
  8. any other person prescribed in regulations by the Secretary of State or Scottish Ministers.

## **8. Interested Parties**

- 8.1 Interested parties can make representations about licence applications or apply for a review of an existing licence. A person is an interested party if that person, in the opinion of the Board:
- lives sufficiently close to the premises to be likely to be affected by the authorised activities;
  - has business interests that might be affected by the authorised activities; or
  - represents persons in either of the above two groups.
- 8.2 In determining whether a person is an interested party, the Board will consider each case on its own merits.
- 8.3 In determining whether a person is a “person living close to the premises”, the Board may take account of the following factors:
- size of the premises;
  - the nature of the premises;
  - the distance of the premises from the location of the party making the representation, the topography and the routes likely to be taken;
  - the potential impact of the premises; and
  - the circumstances of the person.
- 8.4 In determining whether a party is a person with business interests that could be affected, factors that may be taken into account include:
- the size of the premises; and
  - the proximity of the premises to any premises of the party making representations.
- 8.5 In deciding whether a person represents a party in either category described in 8.1 above, the Board will make decisions on a case by case basis; in appropriate cases, the Board may require written evidence such as a letter confirming that the person does indeed represent the party. The Board will not request from democratically elected persons, such as Councillors, MPs and MSPs for the constituency or ward likely to be affected, specific evidence that they have been asked to represent an interested party. The Board will similarly consider responses from community councils or from community groups representing vulnerable people living near the premises or proposed premises.

## **9. Compliance and Enforcement**

- 9.1 The Board has powers in terms of Part 15 of the Act to inspect premises, to monitor compliance with the provisions of the Act and, in respect of licence conditions, to investigate suspected offences.

Under the Legislative and Regulatory Reform Act 2006, any person exercising a specified regulatory function has a legal duty to have regard to the statutory principles of good regulation in the exercise of the function. These principles are detailed in 9.2 below. The Board will also have regard to the requirements of the Regulators' Code published by the Department for Business, Innovation and Skills (now the Department for Business, Energy and Industrial Strategy).

- 9.2 The Board will seek to ensure that its approach to compliance and enforcement is:

- 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 will be applied fairly and equally to all parties;
- 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.

- 9.3 The Board will seek to ensure that any inspection programme is risk based. Premises will be subject to a scheme of routine inspection, the frequency of which will be determined by the risks imposed; those premises considered to pose the greatest risk will be subject to more frequent inspections than those presenting a lower risk.

- 9.4 When assessing risk, consideration will be given to:-

- the nature of the gambling activities carried out on the premises;
- the location of the premises in relation to schools and other premises frequented by children and vulnerable persons, such as the premises detailed at Appendix 4;
- the procedures put in place by the management of individual premises to meet the licensing objectives.

- 9.5 The Board, to monitor compliance with its functions under the Act, will work actively with the Gambling Commission's Compliance Officer and other partner agencies to enforce the licensing legislation. The Responsible Authorities shall also monitor the Renfrewshire area for any unlicensed premises or gambling activity and ensure, where this is identified, it is reported to the Gambling Commission or other appropriate agency.

- 9.6 In accordance with the principle of transparency, copies of any enforcement and compliance protocols adopted by the Board will be made available.
- 9.7 The Board recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to provide the authority with a single named point of contact and contact details, who should be a senior individual, and whom the Board will contact first should any compliance queries or issues arise.

## **10. Exchange of Information**

- 10.1 In exercising its functions under the Act, the Board will exchange relevant information with other regulatory bodies. The Board will act in accordance with the provisions of the Act, data protection and freedom of information legislation, the Licensing Board's Privacy Policy and the Guidance and Codes of Practice issued by the Gambling Commission.

## **11. Equality and Diversity**

- 11.1 Renfrewshire Licensing Board is committed to promoting equal opportunities, valuing diversity and tackling social exclusion. The Board will aim to provide opportunities that meet the diverse needs of different people and groups of people by ensuring that services and employment opportunities are accessible to all. Everyone will be treated fairly and with respect. Diversity needs will be understood and valued. The Board will aim to eradicate all forms of discrimination.

## **12. Local Risk Assessment**

- 12.1 The Gambling Commission's Licence Conditions and Codes of Practice (LCCP), the most recent version of which came into effect on 31 October 2020, formalise the need for operators to consider local risks. Local risk assessments apply to all non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision came into force on 6 April 2016.

- 12.2 Licensees are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.
- 12.3 Licensees must review (and update as necessary) their local risk assessments:
- a) to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
  - b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  - c) when applying for a variation of a premises licence; and
  - d) in any case, undertake a local risk assessment when applying for a new premises licence.
- 12.4 The Social Responsibility Code provision is supplemented by an Ordinary Code provision that requires licensees to share a copy of their own risk assessment which will set out the measures the licensee has in place to address specific concerns. "Ordinary Codes" are not mandatory but operators are expected to follow them unless they can put alternative arrangements in place that are equally effective. This practice should reduce the occasions on which a premises licence review and the imposition of licence conditions is required. The Board expect applicants for a premises licence, or for variation of a premises licence, to lodge their risk assessment with the Board, as licensing authority, along with their application for grant or variation. The Board's officers may also request a copy of a local risk assessment at any time. It is expected that local risk assessments will be kept at individual licensed premises to which they relate and premises managers should be familiar with the individual risk assessments, which should be reviewed and monitored as required.
- 12.5 The licensing authority have an expectation that all local risk assessments will take into account the vicinity of licensed premises to non-gambling premises such as schools, community-based youth spaces, gambling or addiction support or treatment locations and care services where children and vulnerable people are likely to be present. Information about the proportions of dependant children in households in areas throughout Renfrewshire and locations where vulnerable people are likely to be present is provided at Section 13.24 and Appendices 3 and 4 to this Statement to assist licence holders and applicants and those seeking to make representations to the Licensing Board.

The Board expects local risk assessments to set out how people with gambling dependencies are protected within licensed premises, particularly where the premises are located near to facilities for children and vulnerable people.

The Board also encourages within risk assessments (i) proposals between operators for a self-exclusion network for declared 'problem gamblers', particularly in areas where there is a concentration of gambling premises (ii) information on training programmes for staff to ensure that they are able to identify children and other vulnerable people and the action the operator will take to ensure they are not able to enter the premises; (iii) information as to how the operator ensures an adequate number of staff and managers are on the premises at key points throughout the day; (iv) information as to whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling, and (v) consideration as to whether any promotional material associated with the premises could encourage the use of the premises by children or young people who are not legally allowed to use the premises.

### **13. Premises Licence General Principles**

#### **13.1 In accordance with Section 150 of the Act, Premises licences can authorise the provision of facilities on:**

- a) casino premises
- b) bingo premises
- c) betting premises, including tracks and premises used by betting intermediaries
- d) adult gaming centre premises (for category B3, B4, C and D machines), gaming machine categories are defined in the Categories of Gaming Machine Regulations 2007 as amended. The definitions as at the date of publication of this Statement are included as Appendix 2.
- e) family entertainment centre premises (for category C and D machines) (note that, separate to this category, the Licensing Board may issue a family entertainment centre gaming machine permit, which authorises the use of category D machines only.)

#### **13.2 By distinguishing between types the Act makes it clear that the primary gambling activity of the premises should be that described. Thus, in a bingo premises, the primary activity should be bingo, with gaming machines allowed within the terms of the legislation as an ancillary offer on the premises. This principle also applies to existing casino licences and betting premises licences (referred to in the Commission's Guidance as off-course betting).**

Subject to the gaming machine entitlements which various types of licence bring with them (and except in the case of tracks), the Act does not permit premises to be licensed for more than one of the above activities.

- 13.3 Premises licences will be subject to the restrictions set out in the Act and regulations as well as to specific mandatory and default conditions which are detailed in regulations issued under the Act.
- 13.4 The Board may exclude default conditions and also attach other conditions, where it believes it is appropriate.
- 13.5 In making decisions about premises licences, the Board will aim to permit the use of premises for gambling insofar as it is
- in accordance with any relevant code of practice issued by the Gambling Commission;
  - in accordance with any relevant guidance issued by the Gambling Commission;
  - reasonably consistent with the licensing objectives; and
  - in accordance with this Statement of Licensing Principles.
- 13.6 Definition of “Premises” - In the Act “premises” is defined as including “any place”. The Act prevents more than one premises licence applying to any place. However a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can reasonably be regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, the Gambling Commission states in its current Guidance that licensing authorities should pay particular attention if there are any issues about sub-divisions of a single building or plot and will ensure that mandatory conditions relating to access between the premises are observed.
- 13.7 The Gambling Commission states in its current Guidance to Licensing Authorities that: “In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as separate premises will depend on the circumstances.” The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter of discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises.

13.8 The Board takes note of the Gambling Commission's Guidance to Licensing Authorities which states that licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, the Board should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area. The plan of the premises should clearly denote entrances and exits. The Board notes that in terms of a mandatory condition of Bingo and Family Entertainment Centre licence under-18s should not have access to areas where category B and C gaming machines are located and that further mandatory conditions of licences require the area to be:

- separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for that purpose
- supervised at all times to ensure that under-18s do not enter the area, and supervised by either:
  - one or more persons whose responsibilities include ensuring that under-18s do not enter the areas
  - CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas
- arranged in a way that ensures that all parts of the area can be observed.

A notice must also be displayed in a prominent place at the entrance to the area stating that no person under the age of 18 is permitted to enter the area.

13.9 The Guidance also gives a list of factors which the Board should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

The Board will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

13.10 Applicants can apply for a premises licence in respect of premises which have still to be constructed or altered and the Board will determine such applications on their merit.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, the Board will

determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that the Board is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found in Chapter 7 of the Gambling Commission's current Guidance.

13.11 In determining premises licences the Board may not have regard to the expected demand for the facilities which the premises is proposed to provide.

13.12 In accordance with the Gambling Commission's Guidance the Board will pay particular attention to the protection of children and vulnerable persons from harm or exploitation by gambling, as well as to issues of crime and disorder.

13.13 The Board has not adopted any specific policy in relation to areas where gambling premises should not be located. However, where representations are received in relation to an application for a premises licence, the application will be considered at a meeting of the Licensing Board. The Act places a duty on the Licensing Board to aim to permit the use of premises for gambling in so far as the Board thinks the application is in accordance with:

- this Policy Statement
- the Commission's Guidance
- the Codes of Practice, and
- where the application is reasonably consistent with the licensing objectives.

As these are the criteria against which an application is to be assessed, representations which address these issues are more likely to be accepted and given weight.

13.14 All representations must be in writing and must be received by the Board within the time limits set by the relevant regulations (normally 28 days from the date the application was received). For a representation to be relevant it should:

- Be positively tied or linked to particular premises, and
- Relate to the licensing objectives (set out at Paragraph 1.3 of this Statement), or

- Raise issues under this policy, the Gambling Commission's Guidance or Codes of Practice.

13.15 Representations relating to an application should indicate why an application is not "reasonably consistent" with the licensing objectives, or not in accordance with this Policy, the Commission's Guidance or the relevant Codes of Practice- or why the local risk assessments are not considered suitable and sufficient, or why the application should only be granted subject to certain conditions. It is in the interests of those making representations that they include as much detail and evidence as possible at the time the representation is made. Further information is provided at Paragraphs 13.19 and 13.23-13.24 of this Statement in relation to the content of representations relative to the licensing objectives. Similarly, applicants (and licence holders) should be prepared to explain to the Board how they intend to address or mitigate any risks identified in representations.

**Objective 1: Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**

13.16 The Gambling Commission will take a leading role in preventing gambling from being a source of crime. Its Guidance envisages that attention is paid to the proposed location of gambling premises in terms of this licensing objective.

13.17 The Board recognises the Gambling Commission's distinction between disorder and nuisance, disorder meaning activity, which is more serious and disruptive than mere nuisance. The Board will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, to assess a disturbance.

13.18 In considering licence applications, the Board will particularly take into account the following:-

- the design and layout of the premises;
- the training given to staff and crime prevention measures appropriate to those premises;
- physical security features installed in the premises, which may include matters such as position of cash registers or the standard of CCTV installed in the premises;
- where premises are subject to age restrictions, the procedures in place to conduct age verification checks; and
- the likelihood of any violence, public order or policing problem if the licence is granted.

- 13.19 The Board will, in relation to this Licensing Objective, give due weight to any representations received in respect of an application from Police Scotland (including evidence of gambling as a source of crime or disorder, being associated with crime or disorder or used to support crime), and the other relevant authorities when making decisions in this regard. The Board may consider whether specific controls, such as a requirement for the provision of door supervisors, need to be applied in order to prevent premises being a source of crime or used to support crime, causing adverse consequences for the localities in which premises are located, in order to ensure reasonable consistency with this Licensing Objective. Applicants would be expected to demonstrate how they will address and mitigate any risks identified in relation to this Licensing Objective.

## **Objective 2: Ensuring that gambling is conducted in a fair and open way**

- 13.20 The Gambling Commission has stated that it would generally not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will relate either to the management of the business, therefore subject to an operating licence, or to an individual and therefore subject to a personal licence. The Board recognises that both of these matters are the responsibility of the Gambling Commission.

## **Objective 3: Protecting children and other vulnerable persons from being harmed or exploited by gambling**

- 13.21 The Board considers that this objective, insofar as relating to children, includes preventing children from taking part in gambling unlawfully (as well as advertising likely to be attractive to children not being displayed at a time when children are likely to be near the premises). The Board will consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective as it relates to children. The Board will consult the Renfrewshire Child Protection Committee on any application where it considers there may be concerns over access for children or vulnerable persons. The Board is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.
- 13.22 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who

may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. The Board will consider this licensing objective on a case by case basis.

In doing so, the Board will give due weight to representations which highlight risks to this licensing objective.

- 13.23 The Board will judge the merits of each individual application before reaching a decision on it, including whether to impose conditions to protect children or vulnerable persons. Any controls which might be required may also depend on the type of premises being considered and, in particular, whether and to what extent children are allowed in those premises. Such conditions may require, particularly in relation to children: supervision of entrances; segregation of gambling areas from areas frequented by children; restrictions on advertising where children and/or vulnerable persons may be near premises, and supervision of gaming machines in non-adult gambling specific premises.

In respect of “vulnerable persons”, the Board will also have particular regard to representations relating to the internal layout of premises, as well as any concerns in relation to the location of applicant premises.

- 13.24 Representations should address why any conditions should be imposed to ensure the gambling activity on premises is “reasonably consistent” with the licensing objectives, with supporting evidence of any gambling related risks or harms relating to the premises or the area of the premises. For the assistance of those making representations, Appendices 3 and 4 contain details of schools and locations offering support to vulnerable people within Renfrewshire and maps of areas in Renfrewshire with a higher proportion of dependent children. Those making representations may consider referring to these Appendices in their representations, if they consider that premises in these areas require additional controls and applicants (and licence holders) should be prepared to demonstrate how they will address any identified concerns or mitigate the risks within the terms of their local risk assessments and in any submissions they may wish to make at any hearing before the Licensing Board.

### **Conditions on Premises Licences**

- 13.25 Any conditions attached to licences will be proportionate and will be: -
- 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; and
  - Reasonable in all other aspects

- 13.26 Decisions on individual conditions will be made on a case-by-case basis. The control measures, which the Board may consider imposing, include door supervisors and appropriate signage for adult only areas. Licence applicants will be invited to offer their own suggestions as to ways in which the licensing objectives can be effectively met (and require to share their local risk assessments with the licensing authority on an application for grant or variation of a premises licence, or upon a request by this licensing authority).
- 13.27 The Board may consider imposing specific conditions for buildings which are subject to multiple premises licences. Such conditions may include the supervision of entrances, segregation of gambling and non-gambling areas frequented by children, the supervision of gaming machines and the display of notices regarding age restriction.
- 13.28 The licensing authority will seek to avoid any duplication with other statutory/regulatory regimes where possible, including the statutory planning regime. The Board will also have regard to the Gambling Commission's guidance that it is extremely unlikely that they will need to impose additional conditions in relation to matters already dealt with by the mandatory conditions.

### **Door Supervisors**

- 13.29 The Board will consider whether there is a need for door supervisors in terms of the licensing objectives relating to children and vulnerable persons and the prevention of crime.

## **14. Adult Gaming Centres**

- 14.1 The Board will have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to demonstrate that there will be sufficient measures to ensure that persons under 18 years of age do not have access to the premises.
- 14.2 Sufficient measures that will be imposed as appropriate licensing conditions may include proof of age schemes, CCTV, door supervisors, supervision of entrances/machine areas, physical separation of areas, location of entry notices/signage and specific opening hours.

- 14.3 The measures detailed in 14.2 above are not exhaustive and are not intended to exclude other conditions in appropriate cases.

## **15. Family Entertainment Centres**

- 15.1 The Board will have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to demonstrate that there will be sufficient measures to ensure that persons under 18 years of age do not have access to the adult only gaming machine areas.
- 15.2 Licence applicants will be invited as part of their application to offer their own suggestions upon measures to proactively mitigate risks to the licensing objectives. Sufficient measures that will be imposed as appropriate include CCTV, supervision of entrances/machine areas, physical separation of areas, location of entry notices/signage, specific opening hours, and measures/training for staff on how to deal with suspected school children on the premises.
- 15.3 The measures detailed in 15.2 above are not exhaustive and are not intended to exclude other conditions in appropriate cases.
- 15.4 In accordance with the Gambling Commission's Guidance, the Board will ensure that it is sufficiently aware of any conditions that apply to operating licences, for instance those covering the way in which the area containing the category C or higher machines, should be delineated.

## **16. Casinos**

The Board has not passed a "no casino" resolution under Section 166 of the Act.

## **17. Bingo Premises**

- 17.1 This licensing authority notes that the Gambling Commission's Guidance states that 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 bingo 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 licences for that or those excluded areas.
- 17.2 In the unusual circumstance where an existing bingo premises covered by one premises licence applies to vary the licence and acquire additional bingo premises licences (so that the area that was the subject of a single licence will become divided between a number of separate licensed premises), it is not permissible for all of the gaming machines to which each of the licences brings an entitlement to be grouped together within one of the licensed premises.
- 17.3 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. Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises in order to prevent underage gambling. Where concerns are raised, the Board will consider attaching additional conditions to achieve the policy objectives set out at Chapter 18 of the Commission's current Guidance and to ensure the risk to the licensing objectives is minimised.

## **18. Betting Premises**

- 18.1 The Act contains a single class of licence for betting premises. Different types of premises will require licensing, including betting offices on tracks that have a separate premises licence from the track licence. It is not permissible for the operator to offer gaming machines on a premises which is licensed for betting but not to offer sufficient facilities for betting.
- 18.2 Section 181 contains an express power for licensing authorities to restrict the number of self-service betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino).
- 18.3 When considering whether to impose conditions to restrict the betting machines in particular premises, the Board will consider the ability of staff to monitor the use of machines by children and young people or by vulnerable persons.

## **19. Tracks**

- 19.1 The Act contains rules which apply to applicants for a premises licence in relation to a track. The applicant need not hold an operating licence because the betting which is provided upon the track will be provided by other operators, who come on-course. Since those people will require the necessary operating licences, the Act allows the track operator to obtain a premises licence without also having to hold an operating licence. This track premises licence then authorises anyone upon the premises with the appropriate operating licence to offer betting facilities.
- 19.2 Tracks are different from other premises in that there may be more than one premises licence in effect, each covering a specified area of the track. In accordance with the Gambling Commission's Guidance, the Board will especially consider the impact of the third licensing objective in this area.
- 19.3 There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling, the need to ensure entrances to each type of premises are distinct and that children are excluded from gambling or betting areas where they are not permitted to enter.
- 19.4 Children and young persons will be permitted to enter track areas where facilities for betting are provided on days when events take place, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided. A track premises licence does not automatically allow gaming machines to be provided, but gaming machines may be permitted where a pool betting operating licence is also held by the track owner. Premises licence applicants will have to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.
- 19.5 Appropriate licence conditions may include proof of age schemes, CCTV, door supervisors, supervision of entrances/machine areas, physical separation of areas, location of entry notices/signage, specific opening hours and the location of gaming machines.
- 19.6 This list is not exhaustive and does not intend to exclude other conditions in appropriate cases.

### **Condition on Rules being displayed**

- 19.7 In accordance with the Gambling Commission's Guidance, the Board will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public.

## **20. Travelling Fairs**

- 20.1 The Board will consider whether the application falls within the statutory definition of a travelling fair.
- 20.2 Where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the Board will decide whether the statutory requirement, that the facilities for gambling amount to no more than an ancillary amusement at the fair, is met.
- 20.3 The 27-day statutory maximum for the land being used for a fair per calendar year shall apply to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land.

## **21. Provisional Statements**

- 21.1 Section 204 of the Act provides that a person may make an application to the licensing authority for a provisional Statement in respect of premises that he or she expects to be constructed, expects to be altered or expects to acquire a right to occupy. In accordance with the current Guidance issued by the Commission, a premises licence to use premises for gambling should only be issued in relation to premises that the Board can be satisfied are going to be ready to be used for gambling in the reasonable near future, consistent with the scale of building or alteration required before the premises are brought into use. The Board will consider, in relation to premises not yet ready for use for gambling, whether a provisional statement should be applied for, rather than a premises licence.
- 21.2 In terms of representations about premises licence applications following the grant of a provisional statement, no further representations from relevant authorities or interested parties will be taken into account unless they concern

matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

- 21.3 The Board 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 at the provisional licence stage; or
  - which, in the Board's opinion, reflects a change in the operator's circumstances.
- 21.4 The Gambling Commission's Guidance states that licensing authorities must not have regard to whether or not a proposal by an applicant is likely to be permitted in accordance with planning or building law.

## **22. Reviews**

- 22.1 A premises licence may be reviewed by the Board of its own accord for any appropriate reason or following the receipt of an application for a review by an interested party or responsible authority. It is for the Board to decide whether the review should be carried out.
- 22.2 Section 200 of the Act provides that licensing authorities may initiate a review in relation to a particular class of premises licence or in relation to particular premises.
- 22.3 An application for a review may be rejected if the Board is of the view that the grounds on which the review is sought:-
- are not relevant to the principles that must be applied by the licensing authority in accordance with Section 153;
  - are frivolous or vexatious;
  - will certainly not cause the authority to revoke or suspend the licence or exclude, remove or amend a condition attached to the licence, or add a condition to the licence;
  - are substantially the same as the grounds specified in an earlier application in respect of the same premises or are substantially the same as representations made in relation to the application for the premises licence.

- 22.4 In determining whether to exercise the power to reject an application for review, the Board will take into account the length of time that has elapsed since the making of the earlier application or since the making of the representation.

### **23. Unlicensed Family Entertainment Centre Gaming Machine Permits**

- 23.1 Where the operator of a family entertainment centre (FEC) does not hold a premises licence but wishes to provide gaming machines, he or she may apply to the licensing authority for this permit. The applicant must demonstrate that the premises will be wholly or mainly used for making gaming machines available for use.
- 23.2 Unlicensed FECs will be able to offer only category D machines in reliance of a gaming machine permit. Any number of category D machines can be made available with such a permit. Permits cannot be issued in respect of vessels or vehicles.
- 23.3 The Board can grant or refuse a licence but cannot attach conditions to this type of permit.
- 23.4 The Board will expect the applicant to demonstrate that there are policies and procedures in place to protect children from harm. Harm is not limited to harm from gambling, but includes wider child protection considerations.

### **24. Prize Gaming Permits**

- 24.1 The Act states that a licensing authority may prepare a statement of principles that they propose to apply in exercising their functions in considering applications for permits which in particular specifies matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit.
- 24.2 The applicant should set out the types of gaming that he or she is intending to offer and should be able to demonstrate an understanding of the limits to stakes and prizes that are set out in regulations and should demonstrate that the gaming offered is within the law. In making a decision on the application for this permit the Board will have regard to any Gambling Commission Guidance.

## **25. Temporary Use Notices**

- 25.1 Where a gambling operator does not hold a premises licence but wishes to use the premises temporarily for providing facilities for gambling he or she may apply for a temporary use notice which may only be granted if the applicant holds a relevant operating licence.
- 25.2 The legislation and the Gambling Commission's Guidance define premises as including "any place" and refer to a "set of premises". The Board will consider amongst other things, the ownership/occupation and the control of the premises when determining any particular case.
- 25.3 A set of premises may not be the subject of a temporary use notification for more than 21 days in a period of 12 months. In consideration of temporary use notice applications, the Board will apply any regulations made under the provisions of the Act.

## **26. Occasional Use Notices**

- 26.1 Where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice, without the need for a full premises licence.
- 26.2 The Board will ensure that the statutory limit of eight days in a calendar year is not exceeded and will consider the definition of a "track" in determining whether the applicant is permitted to avail him/herself of this notice.

## **27. Small Society Lotteries**

- 27.1 A non-commercial society that runs a lottery where the income is below certain specified thresholds can register with the Licensing Board.

- 27.2 The financial limits that apply to these societies at the time of preparation of this Statement are that the proceeds from one individual lottery cannot exceed £20,000 and in a calendar year the total proceeds do not exceed £250,000. If these limits are likely to be breached, then the Society requires to apply to the Gambling Commission for a Lottery Operating Licence. Societies cannot hold both these permissions at the same time.

As the limits stated above have been the subject of recent consultation, any person seeking to register a small society lottery should check the up to date limits on the Gambling Commission's website, at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or Renfrewshire Council's Licensing Standards Officers at [enforcement.licensing.cs@renfrewshire.gov.uk](mailto:enforcement.licensing.cs@renfrewshire.gov.uk), who will be able to provide further information.

- 27.3 Registration requires the Society to name a person responsible for the promotion of the lottery and to submit lottery returns within three months of the date of the (last) lottery draw. Should that person no longer be responsible for promoting the lottery, then the Society is required to notify the licensing authority and name a new promoter as soon as possible.

## **28. Declaration**

- 28.1 The Board declares that, in producing its policy statement, it has had regard to the Licensing Objectives set out at Paragraph 1.3, the Guidance issued by the Gambling Commission and the responses received from those consulted in the preparation of the Statement.

## APPENDIX 1

### LIST OF CONSULTEES

1. All Renfrewshire Licensing Board Members
2. All Renfrewshire Council Elected Members
3. Renfrewshire Council Chief Executive
4. All Renfrewshire Council Directors
5. All Gambling Premises Licence Holders within Renfrewshire
6. The Gambling Commission
7. Chief Constable, Police Scotland
8. The Chief Fire Officer, Scottish Fire and Rescue
9. HM Revenue and Customs National Registration Unit
10. Church of Scotland, 121 George Street, Edinburgh
11. Diocese of Paisley, Diocesan Office, Cathedral Precinct, Inle Street, Paisley
12. Betting and Gaming Council, 1<sup>st</sup> Floor, 90 Chancery Lane, London, WC2A 1EU
13. All Renfrewshire Community Councils
14. Renfrewshire Child Protection Committee
15. General Secretary, Scottish Trades Union Congress, 333 Woodlands Road, Glasgow, G3 6NG
16. Renfrewshire Chamber of Commerce, Bute Court, St. Andrew's Drive, Paisley, PA3 2SW
17. Scottish Enterprise
18. Gamcare, 1st Floor, 91-94 Saffron Hill, London, EC1N 8QP
19. Gamblers Anonymous Scotland, St Columbkilles Halls, 2 Kirkwood Street, Rutherglen, Glasgow, G73 2SL
20. Renfrewshire Family Group Conference Service, Women & Children First
21. Paisley YMCA, 39 High Street, Paisley, PA1 2AF
22. Young Persons' Representatives, c/o Fiona Taylor
23. Youth Commission
24. All Local Partnerships
25. All Tenants' and Residents' Associations
26. Federation of Local Associations in Renfrewshire
27. Renfrewshire Community Planning Partnership, c/o Carol MacDonald
28. Renfrewshire Citizens' Advice Bureau
29. Greater Glasgow and Clyde NHS Board
30. Renfrewshire Community Safety Hub
31. Renfrewshire Alcohol and Drug Partnership, Renfrewshire House, Cotton Street, Paisley
32. DEAR Group (Diversity and Equality Alliance Renfrewshire), c/o Sofija Kraft
33. Disability Resource Centre
34. Engage Renfrewshire
35. LGBT+ Renfrewshire
36. Members of the Scottish Youth Parliament (per Fiona Taylor)
37. PACHEDU

- 38. Renfrewshire Access Panel
- 39. Renfrewshire Effort to Empower Minorities (REEM)
- 40. Renfrewshire Interfaith Group
- 41. Family PL Renfrewshire
- 42. Renfrewshire Youth Voice (per Fiona Taylor)
- 43. Reaching Older Adults in Renfrewshire
- 44. Soroptimist Paisley
- 45. West of Scotland Regional Equality Council (WSREC)
- 46. Women's Aid
- 47. YouFirst Advocacy

## APPENDIX 2

**CURRENT GAMING MACHINE CATEGORIES AND ENTITLEMENTS**

<b>Category of machine</b>	<b>Maximum stake (from April 2019)</b>	<b>Maximum prize (from Jan 2014)</b>
A	Unlimited – No category A gaming machines are currently permitted	Unlimited – No category A gaming machines are currently permitted
B1	£5	£10,000 <sup>±</sup>
B2	£2	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize	30p	£8
D – non-money prize (crane grab machines only)	£1	£50
D – money prize	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machines only)	20p	£20 (of which no more than £10 may be a money prize)

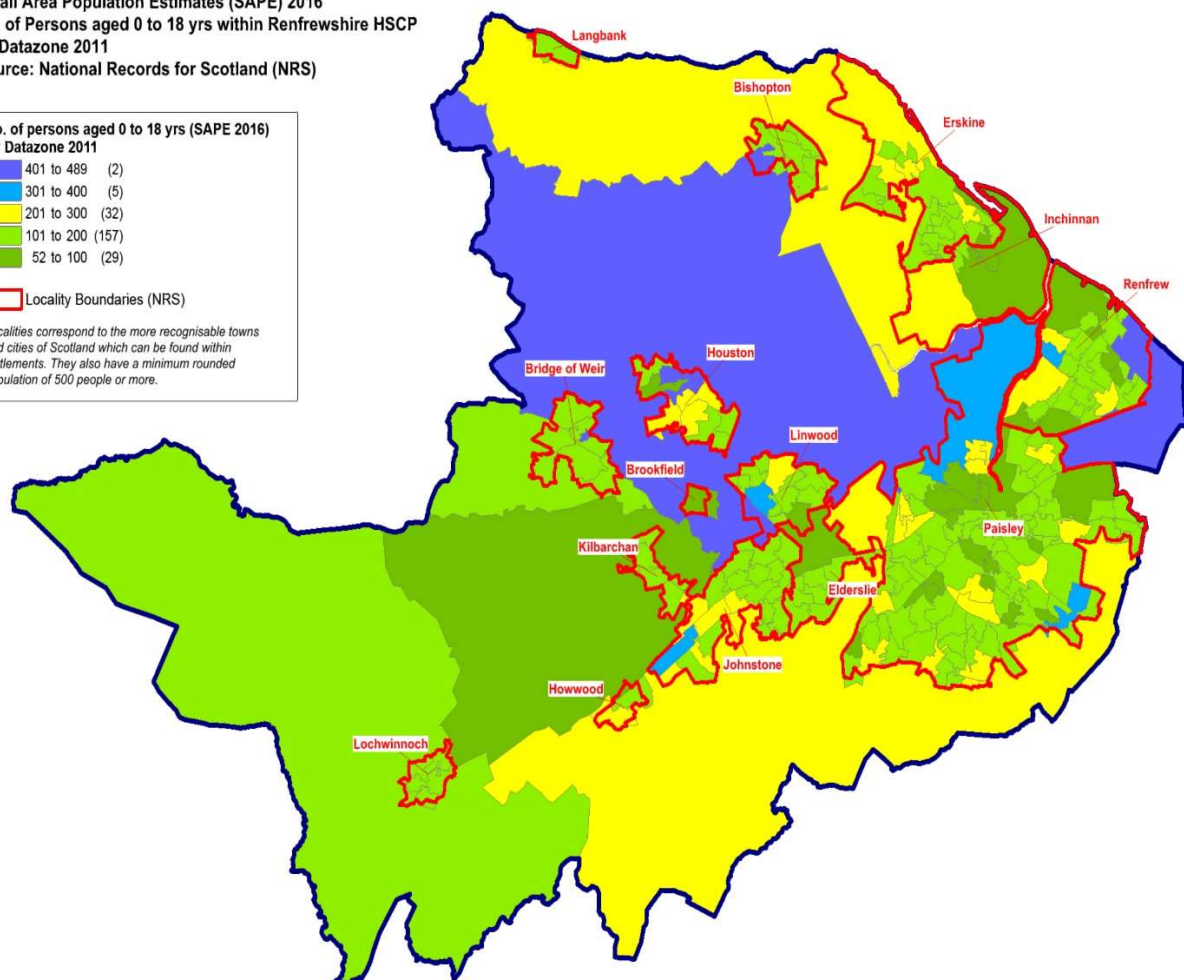
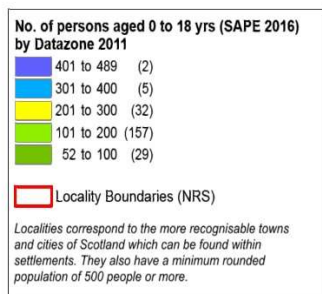
**Note- As these limits may change from time to time, operators or other parties should refer to the Gambling Commission's website for updates to the above information.**

## APPENDIX 3

## LOCATIONS OF HOUSEHOLDS WITH DEPENDENT CHILDREN

Map 1

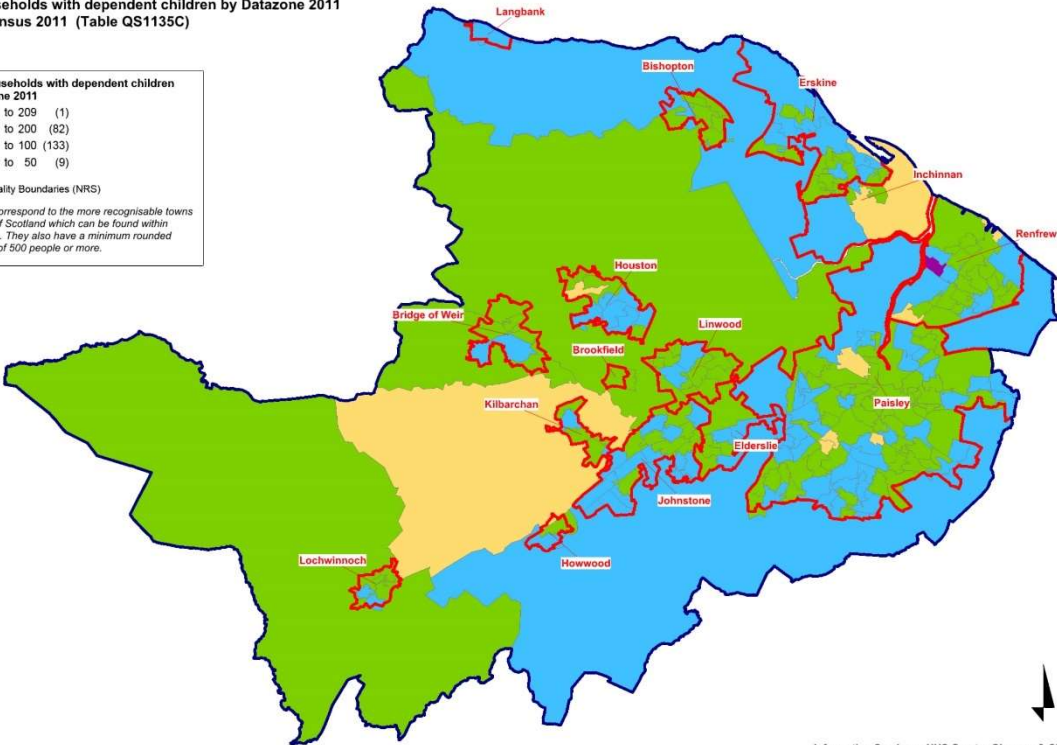
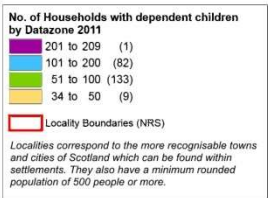
Small Area Population Estimates (SAPE) 2016  
 No. of Persons aged 0 to 18 yrs within Renfrewshire HSCP  
 by Datazone 2011  
 Source: National Records for Scotland (NRS)



Information Services - NHS Greater Glasgow & Clyde  
 Digital Boundaries: Crown Copyright. All rights reserved. Licence No: 100049670. 2018

Map 2

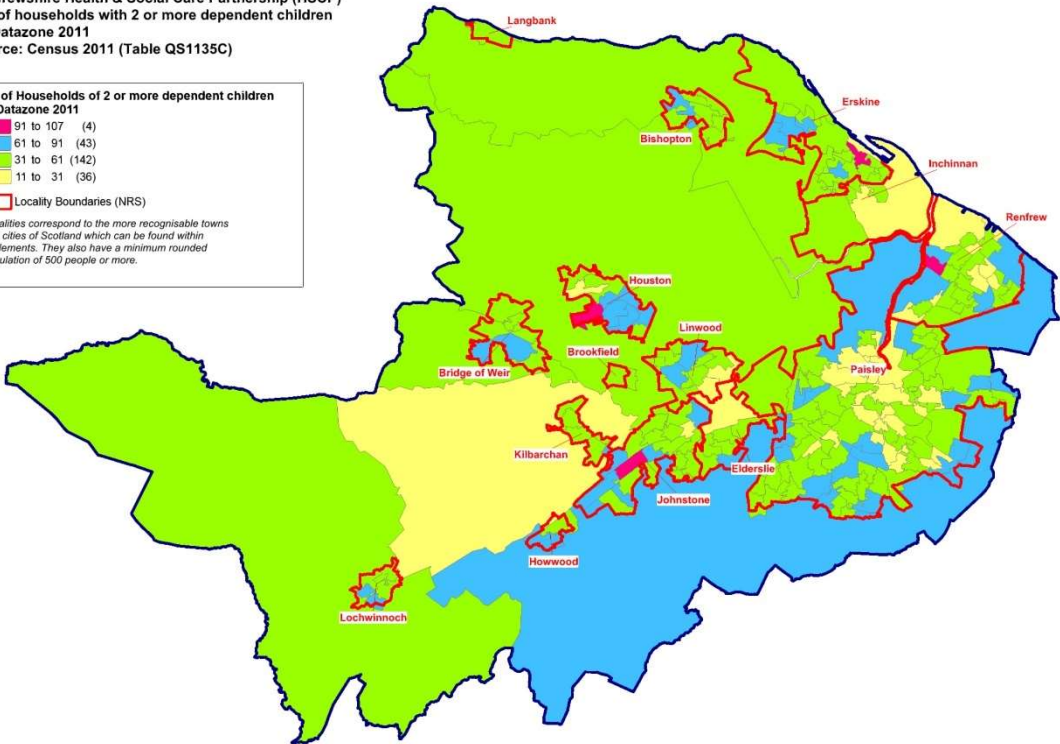
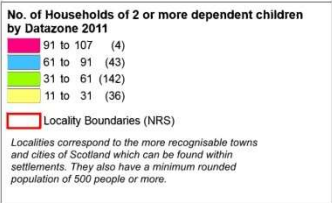
NHS GREATER GLASGOW & CLYDE  
Renfrewshire Health & Social Care Partnership (HSCP)  
No. of households with dependent children by Datazone 2011  
Source: Census 2011 (Table QS1135C)



Information Services - NHS Greater Glasgow & Clyde  
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Map 3

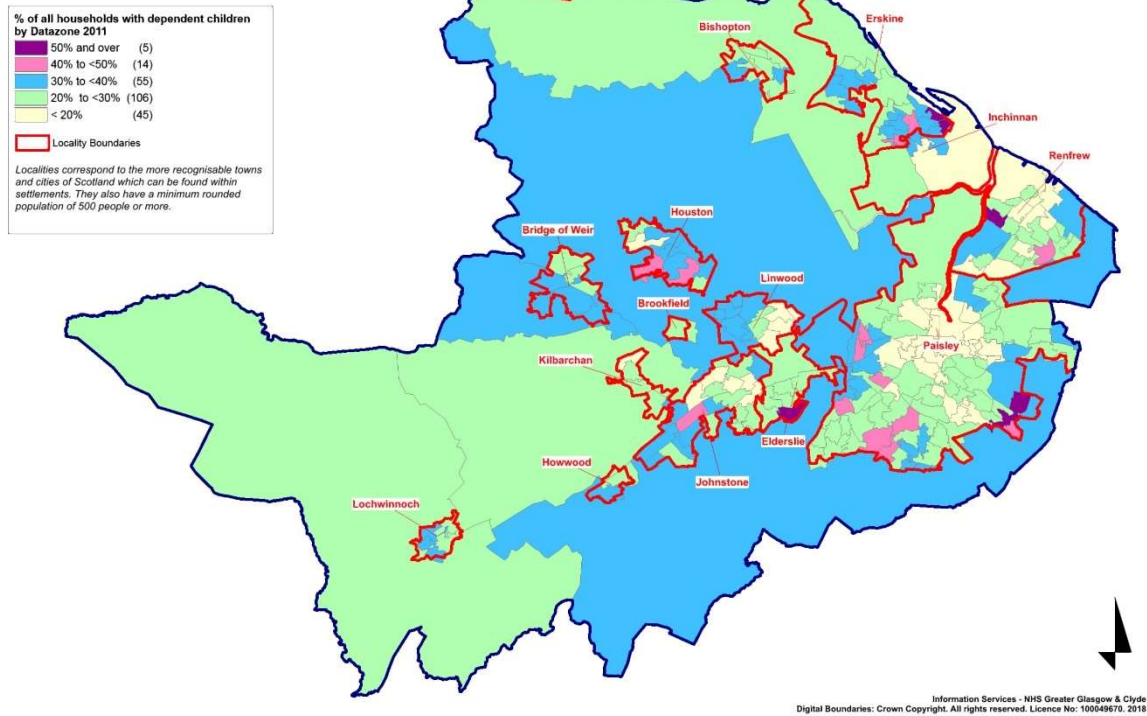
Renfrewshire Health & Social Care Partnership (HSCP)  
No. of households with 2 or more dependent children by Datazone 2011  
Source: Census 2011 (Table QS1135C)



Information Services - NHS Greater Glasgow & Clyde  
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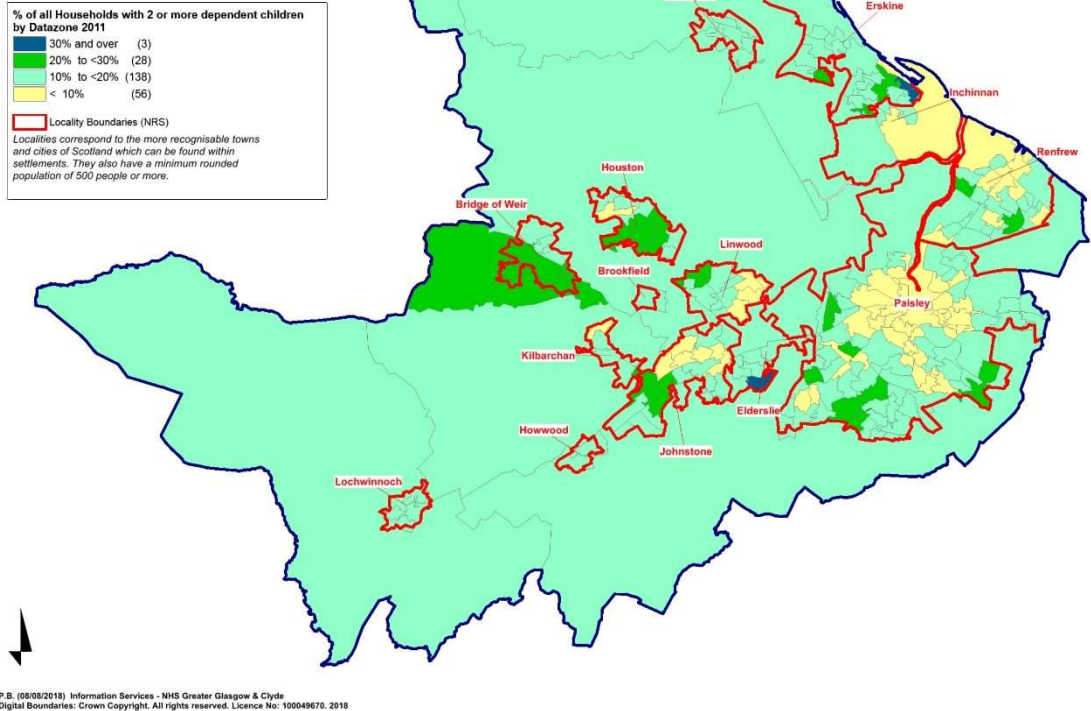
Map 4

Renfrewshire Health & Social Care Partnership (HSCP)  
% of all households with dependent children by Datazone 2011  
Source: Census 2011 (Table QS1135C)



Map 5

Renfrewshire Health & Social Care Partnership (HSCP)  
% of all households with 2 or more dependent children by Datazone 2011  
Source: Census 2011 (Table QS1135C)



## APPENDIX 4

### LOCATIONS OF SCHOOLS, CENTRES FOR CHILDREN AND YOUTH ACTIVITIES, REGISTERED CARE SERVICES, VOLUNTARY AGENCIES, ETC

Lists of primary and secondary schools located within the Renfrewshire Council area are available via the link below:

<http://www.renfrewshire.gov.uk/schools>

People with a gambling addiction can undertake treatment at the RCA Trust at premises at 8 Ince Street, Paisley, PA1 1HP

Counselling is provided by Gamblers Anonymous in the Erskine Bridge Hotel, Renfrewshire, PA8 6AN, and Ralston Community Centre, Allanton Avenue, Paisley, PA1 3BL.

A list of Alcoholics Anonymous meetings is available on the PDF below:



AA Meetings.pdf

Details of registered care homes for children/older adults and vulnerable adults can be obtained at the following link: [www.careinspectorate.com](http://www.careinspectorate.com)

**Renfrewshire HSCP provide mental health outpatient services within the following venues:**

Charleston Centre, Neilston Road, Paisley PA2 6LY.

Dykebar Hospital, Grahamston Road, Paisley, PA2 7DE

Mile End Mill, 12 Seedhill Road, Paisley PA1 1JS

Royal Alexandria Hospital. Corsebar Road, Paisley, PA2 9PN.

**Renfrewshire Learning Disability Services provide services within the following venues:**

Anchor Centre (Anchor Service and Flexicare) - 51-55 Stock St, Paisley PA2 6NG

Milldale Day Opportunities - On-X Leisure Centre, Brediland Rd, Linwood PA3 3RA

Mirin Day Opportunities - Lagoon Leisure Centre, 11 Christie St, Paisley PA1 1NB

Paton's Resource Centre (Community Networks) - Cartside Avenue, Johnstone, Renfrewshire, PA5 8RN

Spinners Gate Resource Centre (Gateway ISS and Autism Connections) - Maxwellton Road, Paisley, PA1 2RH

Weavers Linn Respite, 65 Glenburn Rd, Paisley PA2 8TJ

**Renfrewshire HSCP provide addiction services within the following venues:**

Back Sneddon Centre, 20 Back Sneddon Street, Paisley, PA3 2DJ

CIRCLE, 81 Glasgow Rd, Paisley, PA1 3PE

New Sneddon Street Clinic, 8 New Sneddon Street, Paisley, PA3 2AD

Torley Unit Centre, Dykebar Hospital, Grahamston Road, Paisley, PA2 7DE

## DETAILS OF COMMUNITY-BASED YOUTH SERVICES

Renfrewshire Council's Adult and Family Learning Service deliver Adult Literacies and Family Learning Programmes to vulnerable children, adults and families in the following communities:

- West Johnstone Learning Centre (part of the West Johnstone Joint Campus)
- Foxlea Learning Centre (Foxbar)
- Moorpark Learning Centre (part of the Moorpark Joint Campus Renfrew)
- Glenburn Learning Centre
- (Bargarran Learning Centre (Part of Bargarran Community Centre)

Renfrewshire Council's Youth Services currently support the following community-based youth work activities and projects to vulnerable and young people who experience barriers to participation. These groups are offered at the following community youth spaces and venues:

- Foxbar Youth Drop In: Duke of Edinburgh Open  
Group and Youth Groups
- Gozone (part of Glenburn Learning Centre): Youth group
- Bargarran Youth Space (Bargarran CC): Erskine Youth Council and  
Youth groups
- Youth Services Office in West Primary School: Renfrewshire Youth Voice,  
LGBTQI Champions, ArtBOSS (art producers), Evolve (personal and social  
development programme) , the LGBTQI Champions, the Safe Space Group,  
Scottish Youth Parliament
- Mary Russell School: Youth Club

**Note:** Due to the impact of Covid-19 and various lockdown and restrictions, Youth Services have recently been delivered online, and outdoors, with more recent face-to-face indoor. New programmes may be agreed and published following the introduction of this Statement of Principles.

ANNEX 2

**Consultation Responses**

- (i) Charleston Tenants and Residents Association
- (ii) Police Scotland
- (iii) Renfrewshire Health and Social Care Partnership
- (iv) Gosschalks LLP

**From:** licensing.cs (CSAlias10)  
**Sent:** 22 September 2021 11:53  
**To:** Douglas Campbell  
**Subject:** FW: Renfrewshire Licensing Board- Consultation on Statement of Gambling Principles

FYI

Regards  
Aileen

**Aileen Easdon | Licensing Team Leader/Paralegal**

Renfrewshire Council | 1st Floor North Wing | Renfrewshire House | Cotton Street | Paisley | PA1 1TT  phone 0300 300 0300  external email  
[aileen.easdon@renfrewshire.gov.uk](mailto:aileen.easdon@renfrewshire.gov.uk)

---

**From:** Euan Gray <[euan.gray@renfrewshire.gov.uk](mailto:euan.gray@renfrewshire.gov.uk)>  
**Sent:** 21 September 2021 15:59  
**To:** licensing.cs (CSAlias10) <[licensing.cs@renfrewshire.gov.uk](mailto:licensing.cs@renfrewshire.gov.uk)>  
**Subject:** FW: Renfrewshire Licensing Board- Consultation on Statement of Gambling Principles

Please see response below.

Thanks,

Euan

---

**From:** Charleston TA [REDACTED]  
**Sent:** 21 September 2021 15:51  
**To:** Euan Gray <[euan.gray@renfrewshire.gov.uk](mailto:euan.gray@renfrewshire.gov.uk)>  
**Subject:** RE: Renfrewshire Licensing Board- Consultation on Statement of Gambling Principles

Good afternoon

Have no concerns regarding Betting shops in the area, in fact two have closed so no over provision either.

Regards

Dorothy Finlay  
Chair of Charleston Tenants and Residents Association

---

**From:** [Euan Gray](#)  
**Sent:** 21 September 2021 14:58  
**Subject:** Renfrewshire Licensing Board- Consultation on Statement of Gambling Principles

**FAO RENFREWSHIRE LOCAL PARTNERSHIP MEMBERS - SENT ON BEHALF OF DOUGLAS CAMPBELL, ASSISTANT MANAGING SOLICITOR (LICENSING)**

Dear Consultee,

**Renfrewshire Licensing Board- Consultation on Statement of Gambling Principles**

Renfrewshire Licensing Board require, every three years, to prepare a policy statement (a "Statement") under the terms of the Gambling Act 2005 setting out how they will exercise their gambling related functions under that Act.

The next Statement, for the period 31<sup>st</sup> January 2022 to 30<sup>th</sup> January 2025, will come into force on 31<sup>st</sup> January 2022.

The Licensing Board at their meeting on 20<sup>th</sup> September 2021 agreed a draft Statement for the purposes of consultation and are as a result now consulting on the terms of this. The terms of this draft policy are attached. The Board agreed at their meeting to consult with you in relation to the terms of the policy and now seek any comments you may wish to submit in this regard.

The draft Statement has been updated from the Licensing Board's current published policy, insofar as possible in advance of the consultation. The changes which have been updated at this stage are summarised at Section 4 of the attached draft Statement.

**Please note that any response must be received on or before 20<sup>th</sup> October 2021. The consultation closes on that date. Responses may be emailed to [licensing.cs@renfrewshire.gov.uk](mailto:licensing.cs@renfrewshire.gov.uk) or sent postally to: Ken Graham, Clerk to the Licensing Board, Corporate Governance, Renfrewshire House, Cotton Street, Paisley.**

The Board will consider any responses received following upon the consultation, to enable them to decide the final terms of their new policy. Please note that it is intended to publish any responses received from consultees when the matter is next reported to the Licensing Board.

Regards,

Douglas Campbell  
Assistant Managing Solicitor (Licensing)  
Legal and Democratic Services  
Renfrewshire Council  
Renfrewshire House

Cotton Street  
Paisley  
PA1 1TT

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Telephone: 0141-618-7172  
[douglas.campbell@renfrewshire.gov.uk](mailto:douglas.campbell@renfrewshire.gov.uk)

Regards,

Euan Gray  
Senior Committee Services Officer  
Committee Services  
Renfrewshire Council

[REDACTED]  
[REDACTED]

Renfrewshire Council Website -<http://www.renfrewshire.gov.uk>

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07/10/2021

Your Ref:

Our Ref: GAM/SOP/IR

Douglas Campbell  
Assistant Managing Solicitor  
(Licensing) Corporate  
Governance Finance and  
Resources 1st Floor,  
Renfrewshire Council  
South Wing Renfrewshire House  
Cotton Street  
Paisley  
PA1 1TT



Renfrewshire and Inverclyde Division  
Headquarters  
Mill Street  
Paisley  
PA1 1JU

Dear Sir,

**GAMBLING ACT 2005 SECTION 349  
RENFREWSHIRE LICENSING BOARD STATEMENT OF PRINCIPLES**

I refer to notification received of Renfrewshire Licensing Boards Statement of Principles in regards to Gambling, which will run for the period 31<sup>st</sup> January 2022 to 30<sup>th</sup> January 2025. On reviewing the content, I fully support the Boards Policy and can confirm that Police Scotland are proactive in recognising the dangers and harm resulting from gambling.

The manifestations of Gambling Related Harm can have an adverse impact on the health and wellbeing of individuals, families, communities and society in general, be it through the loss of employment, bankruptcy or debt, the breakdown of relationships resulting in violence or other forms of domestic abuse, the increase in thefts or others forms of criminality to fund addiction, or the deterioration in physical and mental health of those affected.

Following the identification of Gambling Related Harm being present in a number of incidents dealt with by Police in recent years, Renfrewshire and Inverclyde Policing Division has been chosen to lead a Gambling Related Harm vulnerable person pilot. This will include surveys, awareness training, supporting material, guidance, screening and partnership working. The work undertaken by our division will be used to form a national Police Scotland Gambling Related Harm strategy which will assist police officers and staff when encountering vulnerable individuals who suffer from Gambling Related Harm.

In addition, our Divisional Policing Licensing Department have obtained from the local authority, an up-to-date list of premises in the Renfrewshire area whose function is to provide a venue for the direct or indirect purpose of gambling. Those premises will be regularly inspected to ensure compliance with the statutory licensing

objectives set, especially with regards to the protection of children and other vulnerable persons from harm. Should any identified premise fail to adhere to the statutory licensing objectives set, be it under the Gambling Act 2005 or Licensing (Scotland) Act 2005, management and staff of premises will be dealt with accordingly and premise and personal licence reviews will be submitted where warranted.

I hope the above gives reassurance to the Board of the support which will be provided by Police Scotland in assisting partners to tackle the harm attributed to gambling in the local authority area.

Yours faithfully

A handwritten signature in black ink, appearing to be 'DD' or similar initials, followed by a period.

David Duncan  
Chief Superintendent  
Divisional Commander

To whom it may concern:

**Re: Renfrewshire Draft Gambling Statement of Principles 2022 – 2025.**

Thank you for the opportunity to comment on the Renfrewshire Draft Gambling Statement of Principles 2022 – 2025. Please find a response which is provided on behalf of Renfrewshire Health and Social Care Partnership (HSCP).

Renfrewshire HSCP are supportive of all licensing objectives of Section 1 of the Gambling Act 2005 however consider particular attention should be paid to the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. Consequently Renfrewshire HSCP are fully supportive of the following from the draft statement:

1. Section 9.4 - *When assessing risk, consideration will be given to the location of the premises in relation to schools and other premises frequented by children and vulnerable persons, such as the premises detailed at Appendix 4 of the statement.*
2. Section 12.5 - *The licensing authority have an expectation that all local risk assessments will take into account the vicinity of licensed premises to non-gambling premises such as schools, community-based youth spaces, gambling or addiction support or treatment locations and care services where children and vulnerable people are likely to be present.*

*The Board expects local risk assessments to set out how people with gambling dependencies are protected within licensed premises, particularly where the premises are located near to facilities for children and vulnerable people.*

*(iv) information as to whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling, and (v) consideration as to whether any promotional material associated with the premises could encourage the use of the premises by children or young people who are not legally allowed to use the premises*

3. Section 13.22 - *As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.*

Renfrewshire HSCP also believe that the statement could be strengthened to have a stronger emphasis on protecting children and other vulnerable persons from being harmed or exploited by gambling with the following:

1. Renfrewshire HSCP believe the statement should note that an association between gambling and sociodeprivation was identified in the *Scottish Public Health Network Gambling Related Harm: A review of the scope for population health intervention published in 2014*.<sup>1</sup>

Also the Scottish Health Survey 2017<sup>2</sup> found there was a *significant difference in problem gambling prevalence between those living in the most deprived areas (1.5%) and those living in the least deprived areas (0.5%)*.

Taking this into account Renfrewshire HSCP believe a demographic profile of Renfrewshire could be included in the statement. This could be a breakdown of the Scottish Index of Multiple Deprivation 2020 map.

It may also be useful to note that Renfrewshire Local Child Poverty Action Report 20/21<sup>3</sup> notes that Renfrewshire has a higher proportion of SIMD datazones within the 20% most deprived (quintile) than the national average at 24.8% (56 of 225 datazones). This equates 42,856 of people in Renfrewshire living in areas classed as 20% most deprived.

2. Section 13.24 - Renfrewshire HSCP ask the board consider including SIMD data as well as current appendices 3 & 4 when asking applicants to demonstrate additional controls to mitigate any additional risk, particularly within most deprived areas (lowest 20% or quintile).

I have also attached included an updated list of Renfrewshire HSCP venues providing support services within the Learning Disabilities, Mental Health and Addictions fields in Appendix 1 of this letter.

Yours Faithfully

- 
1. Scottish Public Health Network (2014) Gambling Related Harm: A review of the scope for population health intervention, Allison Thorpe Charis Miller, Knowledge Services, NHS Health Scotland available at [http://www.scotphn.scot.nhs.uk/wpcontent/uploads/2015/09/2014\\_06\\_30\\_ScotPHN\\_GamblingRelated\\_Harm\\_FINAL1.pdf](http://www.scotphn.scot.nhs.uk/wpcontent/uploads/2015/09/2014_06_30_ScotPHN_GamblingRelated_Harm_FINAL1.pdf)
  2. Renfrewshire Council (2021) Local Child Poverty Action Report, [https://www.renfrewshire.gov.uk/media/13702/Local-Child-Poverty-Action-Report-20-21/pdf/LCPAR\\_20-21\\_Final\\_joint.pdf?m=1629204145337](https://www.renfrewshire.gov.uk/media/13702/Local-Child-Poverty-Action-Report-20-21/pdf/LCPAR_20-21_Final_joint.pdf?m=1629204145337)
  3. National Statistics for Scotland (2017) Scottish Health Survey 2017 edition, volume 1, main report <https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2018/09/scottish-health-survey-2017-volume-1-main-report/documents/scottish-health-survey-2017-main-report/scottish-health-survey-2017-main-report/govscot%3Adocument/00540654.pdf>

## **Appendix 1 Renfrewshire HSCP Venues**

Renfrewshire HSCP provide mental health outpatient services within the following venues:

- Charleston Centre, Neilston Road, Paisley PA2 6LY.
- Dykebar Hospital, Grahamston Road, Paisley, PA2 7DE
- Mile End Mill, 12 Seedhill Road, Paisley PA1 1JS
- Royal Alexandria Hospital. Corsebar Road, Paisley, PA2 9PN.

Renfrewshire Learning Disability Services provide services within the following venues:

- Anchor Centre (Anchor Service and Flexicare) - 51-55 Stock St, Paisley PA2 6NG
- Milldale Day Opportunities - On-X Leisure Centre, Brediland Rd, Linwood PA3 3RA
- Mirin Day Opportunities - Lagoon Leisure Centre, 11 Christie St, Paisley PA1 1NB
- Paton's Resource Centre (Community Networks) - Cartside Avenue, Johnstone, Renfrewshire, PA5 8RN
- Spinners Gate Resource Centre (Gateway ISS and Autism Connections) - Maxwellton Road, Paisley, PA1 2RH
- Weavers Linn Respite, 65 Glenburn Rd, Paisley PA2 8TJ

Renfrewshire HSCP provide addiction services within the following venues:

- Back Sneddon Centre, 20 Back Sneddon Street, Paisley, PA3 2DJ
- CIRCLE, 81 Glasgow Rd, Paisley, PA1 3PE
- New Sneddon Street Clinic, 8 New Sneddon Street, Paisley, PA3 2AD
- Torley Unit Centre, Dykebar Hospital, Grahamston Road, Paisley, PA2 7DE

BY EMAIL ONLY  
LICENSING SECTION  
RENFREWSHIRE COUNCIL

Please ask for: Richard Taylor  
Direct Tel: [REDACTED]  
Email: [REDACTED]  
Our ref: RJT / MJM / 123267.00001  
#GS4111968  
Your ref:  
Date: 11 October 2021

Dear Sirs,

## **Re: Gambling Act 2005 Policy Statement Consultation**

We act for the Betting and Gaming Council (BGC) and are instructed to respond on behalf of the BGC to your consultation on the review of your Gambling Act 2005 Statement of Principles.

### **The Betting and Gaming Council**

The Betting and Gaming Council (BGC) was created in 2019 as the new standards body for the UK's regulated betting and gaming industry. This includes betting shops, online betting and gaming businesses, bingo and casinos. Its mission is to champion industry standards in betting and gaming to ensure an enjoyable, fair and safe betting and gaming experience for all of its members' customers.

The BGC has four principal objectives. These are to –

- **create a culture of safer gambling throughout the betting and gaming sector, with particular focus on young people and those who are vulnerable**
- **ensure future changes to the regulatory regime are considered, proportionate and balanced**
- **become respected as valuable, responsible and engaged members of the communities in which its members operate**
- **safeguard and empower the customer as the key to a thriving UK betting and gaming industry**

Before we comment on your draft policy document, it is important that the backdrop against which the comments are made is established.

### **Betting and Gaming in the UK**

Betting and gaming is an incredibly important part of the UK leisure and hospitality industry, employing over 70,000 people, including 50,000 in betting, 13,000 in casinos and 10,000 people directly employed online. The betting and gaming industry contributes £8.7 billion Gross Value

Added to the UK economy & contributes £3.2 billion to HM Treasury. In addition, casinos contribute over £120 million to the tourism economy each year.

Betting and gaming is widely enjoyed in the UK. Around 30 million people participate in some sort of gambling, whether that is on the National Lottery, placing a bet in betting shops, playing in casinos or at bingo. The overwhelming majority of these people do so safely without reporting any problems.

Any consideration of gambling licensing at the local level should also be considered within the wider context.

- the overall number of betting shops is in decline. The latest Gambling Commission industry statistics show that the number of betting offices (as of March 2020) was 7681. This is reducing every year and has fallen from a figure of 9137 in March 2014. These figures do not take into account the COVID 19 period which betting offices saw a further 374 betting offices close.
- planning law changes introduced in April 2015 have increased the ability of licensing authorities to review applications for new premises, as all new betting shops must now apply for planning permission.
- In April 2019 a maximum stake of £2 was applied to the operation of fixed odds betting terminals
- successive prevalence surveys and health surveys tells us that problem gambling rates in the UK are stable and possibly falling.

### **Problem Gambling**

Problem gambling rates are static or possibly falling. The reported rate of 'problem gambling' (according to either the DSM-IV or the PGSI) was 0.8% of the adult population in 2015, in 2016 it was 0.7% and in 2018 it was 0.5% of the adult population.

This is termed statistically stable and it is encouraging that we might finally be seeing a reduction in problem gambling due to the raft of measures that have been put in place recently both by the industry, the Gambling Commission and the UK governments – from a ban on credit cards, restrictions to VIP accounts, new age and identity verification measures and voluntary restrictions on advertising. These rates have remained broadly the same since the introduction of the Gambling Act 2005.

Whilst one problem gambler is one too many, both there is no evidence that problem gambling has increased in recent years.

During the Covid-19 period of lockdown, both the Gambling Commission and government in Westminster have acknowledged that problem gambling levels have not increased.

In June 2020, the BGC's five largest members committed to increasing the amount they spend on research, education and treatment (RET) services from 0.1 per cent to 0.25 per cent of their annual revenue in 2020, 0.5 per cent in 2021, 0.75 per cent in 2022 and 1 per cent in 2023. The five operators

confirmed they will provide £100 million to GambleAware charity to improve treatment services for problem gamblers.

Rates of 'problem gambling' in the UK are low by international standards – compared to France (1.3%), Germany (1.2%), Sweden (2.2%) and Italy (1.27%).

The BGC supported the creation of the new NHS gambling treatment clinics who have promised 22 clinics, 3 of which are open now. We are pleased that the NHS have committed to work to increase the number of clinics in the UK in addition to existing serviced delivered by Gordon Moody Association and GamCare's 120 treatment centres located throughout the UK.

The BGC welcomes the Gambling Commission's National Strategy was a way of accelerating progress on responsible gambling and tackling problem gambling. Our members are fully committed to meeting this challenge and are working tirelessly to deliver new responsible gambling initiatives including technology that tackles problem gambling and supporting a statutory levy and increased funding for problem gambling clinics.

Underage participating by those aged 11-16 in any gambling activity has declined from 22% to 11% over the past decade; here, 'gambling activity' mainly relates to personal betting (e.g. playing cards with friends) and legal play of lotteries (e.g. participating with consent of parents / guardians). BGC members have a zero tolerance to those under the age of 18 attempting to use their products.

### **Working in partnership with local authorities**

The BGC is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and the opportunity to respond to this consultation is welcomed.

### **Differentiation between Licensing (Scotland) Act 2005 and Gambling Act 2005 applications**

When considering applications for premises licences, it is important that a clear distinction is made between the regimes, processes and procedures established by Gambling Act 2005 and its regulations and those that are usually more familiar to licensing boards – the regimes, processes and procedures relating to Licensing (Scotland) Act 2005.

Many licensing boards have standard local conditions which are imposed upon premises licences authorising alcohol sales.

It should continue to be the case that additional conditions in Gambling Act 2005 premises licence applications are only imposed in exceptional circumstances where there are clear reasons for doing so. There are already mandatory and default conditions attached to any premises licence which will ensure operation that is consistent with the licensing objectives. In the vast majority of cases, these will not need to be supplemented by additional conditions.

The LCCP require that premises operate an age verification policy. The industry operates a policy called "Think 21". This policy is successful in preventing under-age gambling. Independent test

purchasing carried out by operators and submitted to the Gambling Commission, shows that ID challenge rates are consistently around 85%.

When reviewing draft statements of principles in the past, we have seen statements of principles requiring the operation of Challenge 25. Unless there is clear evidence of a need to deviate from the industry standard then conditions requiring an alternative age verification policy should not be imposed.

The BGC is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statement as to the need for evidence. If additional licence conditions are more commonly applied this would increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities

### **Considerations specific to the draft Statement of Licensing Policy 2022 – Gambling Act 2005**

On behalf of the BGC we welcome the acknowledgment of the contribution of the gambling sector to the economic development of the Borough contained in the foreword to the draft policy and the statement in paragraph 1.7 that the starting point in determining applications will be to grant the application without additional conditions.

There are a number of references throughout the draft policy to promoting or the promotion of the licensing objectives. These references (paragraphs 1.4, 1.7, 2.5, 4.1 and 4.4) should be amended to reflect the requirements of Gambling Act 2005. The Act requires applications to be “reasonably consistent” with the licensing objectives. There is no duty on any person other than the Gambling Commission to promote the licensing objectives and to avoid confusion with the requirements of Licensing Act 2003, these references to promotion of the licensing objectives should be removed.

Paragraph 1.7 contains a statement that *“All applicants for Premises Licences will be required to set out how they will promote the licensing objectives, as specified in section 1.4, and what measures they intend to employ to ensure compliance with them.”* This paragraph then goes on to refer to the applicant’s risk assessment. This paragraph should be redrafted in order that it is clear that the policies, procedures and measures proposed by the applicant to ensure consistency with the licensing objectives are to be contained within that risk assessment rather than within the application. Otherwise, there is a suggestion that like Licensing Act 2003 applications, an applicant is being invited to “suggest” conditions for imposition on the licence.

Paragraph 4.3 explains the licensing authority’s approach to the imposition of conditions on premises licences. This section would be assisted by a reiteration of the statement referred to above in paragraph 1.7 that the starting point in determining applications will be to grant the application without additional conditions and further that the mandatory and default conditions that attach to all premises licences are intended to be sufficient to ensure operation that is reasonably consistent with the licensing objectives. This section should also state that additional conditions will only be considered where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that is not adequately addressed by the policies, procedures and mitigation measures contained within the applicant’s risk assessment.

Paragraph 4.9 refers to the Licensing Authority's power to limit the number of betting machines an operator wishes to offer. This section would be assisted if it was redrafted to make a clear distinction between betting machines (where the Licensing Authority has the power to limit numbers) and gaming machines (where it does not.) The holder of a betting premises licence may make available for use up to four gaming machines of categories B, C or D.

Paragraphs 9.1 and 9.2 contain lists of matters that the licensing authority recommends are considered by operators when conducting risk assessments. These lists should be redrafted to delete matters that are not relevant to any assessment of risk to the licensing objectives.

SR Code Provisions 10.1.1 and 10.2.2 provide for *"relevant matters identified in the licensing authority's statement of licensing policy"* to be taken into account. The examples of matters that the licensing authority recommends be considered needs therefore only to reflect matters that are relevant to the licensing objectives.

It is impossible to see how issues such as *"known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities etc"* could pose a risk to the licensing objectives. Similarly, *"Areas that are prone to issues of youths participating in anti-social behaviour, including such activities as graffiti tagging, underage drinking etc."* and the reference to *"matters of faith"* should both be removed.

Finally, the references to, *"Gaming trends such as increased levels of gambling activity which, for example, correspond with pay days or benefits payments"* in paragraphs 9.1 and 9.2 should be removed as these can only be relevant to an assessment of risk to the licensing objectives if the authority's view is that anyone in receipt of benefits or indeed paid employment is deemed vulnerable or likely to commit crime as a result of gambling.

#### **Considerations specific to the draft Statement of Principles Gambling Act 2005 – 31<sup>st</sup> January 2022**

On behalf of the BGC we welcome the light touch approach to the statement of principles and therefore have very few comments to make.

Paragraph 13.13 states that, *"The Board has not adopted a specific policy in relation to areas where gambling premises should not be located."* This sentence should be deleted as it suggests that the Board could adopt such a policy. Any such policy is likely to be unlawful and is certainly contrary to the s153 "aim to permit" principle which is repeated throughout the draft statement of principles.

Paragraphs 13.25 to 13.27 explain the Board's approach to the imposition of conditions on premises licences. This section would be assisted by the inclusion of an acknowledgement that the mandatory and default conditions that attach to all premises licences are designed to be, and usually are sufficient to ensure operation that is reasonably consistent with the licensing objectives. This section of the draft statement of principles should also state that additional conditions will only be considered where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that is not adequately addressed by the policies, procedures and mitigation measures contained within the applicant's risk assessment.

Paragraphs 18.2 and 18.3 refer to the Board's power to restrict the number of betting machines in betting premises. This section should be redrafted to make a clear distinction between betting

machines (where the Licensing Authority has the power to limit numbers) and gaming machines (where it does not.) The holder of a betting premises licence may make available for use up to four gaming machines of categories B, C or D.

### **Conclusion**

On behalf of the BGC, we thank you for the opportunity to comment on your draft statement of principles and hope that these comments above are useful. The BGC will work with you to ensure that its members' operation of its premises will operate in accordance with the licensing objectives.

Yours faithfully,



**GOSSCHALKS LLP**