

Renfrewshire Licensing Board

Statement of Principles under the Gambling Act 2005 Section 349

Renfrewshire Licensing Board : 9 December 2015

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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 and 2013, further Statements of Principles were published for the three year periods to 31st January 2013 and 2016

As required in terms of Section 349 of the Act, the Board have 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, 2016. 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 5th edition of the guidance was published in September 2015, and can be found at

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>

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 174,230, 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, is provided at Section 13.24 and Appendices 3 and 4 to this Statement.

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 undertook a preliminary consultation procedure in June and July 2015 and thereafter consulted on a draft Statement of Principles in October and November 2015. In response to the preliminary consultation procedure undertaken, responses were received from NHS Greater Glasgow and Clyde, Police Scotland, Councillor Eileen McCartin and Coral Retail. In response to the further consultation in October and November 2015, responses were received from Paisley East and Whitehaugh Community Council, NHS Greater Glasgow and Clyde, Coral Retail and the Association of British Bookmakers.

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 Appendix specifying the different categories of gaming machine has been updated to show recent amendments to stakes and maximum prize limits relating to gaming machines. A new section has also been added in relation to Small Society Lotteries, in respect of which officers regularly receive enquiries.
- 4.2 During the preliminary consultation prior to the formulation of this Statement of Principles, views were sought in order to assess local gambling related risks and harms. Information has as a result been added to this Statement for 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 Council.
 2. the Gambling Commission.
 3. the Chief Constable, Police Scotland.
 4. the Chief Fire Officer, Scottish Fire and Rescue Service.
 5. Director of Development and Housing, Renfrewshire Council.
 6. Director of Community Resources, Renfrewshire Council.
 7. Renfrewshire Child Protection Committee (see paragraph 6.2 above).
 8. Her Majesty's Commissioner of Customs and Excise.
 9. 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.

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.

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;

- 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, the data protection and freedom of information legislation 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), which were revised and published in February 2015 (updated April 2015), 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 comes 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 new Social Responsibility 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.
- 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, gambling or addiction support or treatment locations 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.

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.
- 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, tracking 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 licence under-18s should not have access to areas where category B and C gaming machines are located and that default 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 in accordance 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 promote 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 the 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 has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are particularly attractive to children). The Board will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. 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 locations offering support to vulnerable people within Renfrewshire and maps of areas in Renfrewshire with a higher proportion of dependant 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.

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 will require to share their local risk assessments with the licensing authority from April 2016).

13.27 The Board may consider imposing specific measures for buildings which are subject to multiple premises licences. Such measures 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.

Dccf 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 promote 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 This authority also notes the terms of the Guidance regarding 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.

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 size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of 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 an 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.
- 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
- 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 Gambling Commission's Guidance defines premises as including "any place". 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 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.
- 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.

- 27.4 Further information on the registration procedure may be obtained from the Licensing Standards Officer.

28. ~~.....Declarat]cn~~

- 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 members of Renfrewshire Licensing Board
- 2 All Renfrewshire Council Elected Members
- 3 Renfrewshire Council Chief Executive
- 4 All Renfrewshire Council Directors
- 5 All Premises Licence Holders within Renfrewshire
- 6 The Gambling Commission
- 7 The Chief Constable, Police Scotland
- 8 The Chief Fire Officer, Scottish Fire and Rescue
- 9 HM Revenue & Customs National Registration Unit
- 10 Church of Scotland, 121 George Street, Edinburgh, EH2 4YN
- 11 Diocese of Paisley, Diocesan Office, Cathedral Precinct, Incle Street, Paisley
- 12 The Chairman, British Casino Association, 38 Grosvenor Gardens, London.
- 13 Engage Renfrewshire
- 14 Association of British Bookmakers Limited, Ground Floor, Warwick House, 25 Buckingham Palace Road, London, SW1W OPP
- 15 All Community Councils within Renfrewshire
- 16 Renfrewshire Child Protection Committee
- 17 General Secretary, Scottish Trades Union Congress, 333 Woodlands Road, Glasgow, G3 6NG
- 18 Renfrewshire Chamber of Commerce
- 19 Scottish Enterprise
- 20 Gamcare, 2nd Floor, 7-11 St. John's Hill, London, SW11 1TR
- 21 Gamblers Anonymous Scotland, St Columbkilles Halls, 2 Kirkwood Street, Rutherglen, Glasgow, G73 2SL
- 22 Renfrewshire Family Group Conference Service, Women & Children First, Milend, 30 Seedhill Road, Paisley, PA1 1SA
- 23 Paisley YMCA
- 24 Young Persons' Representatives, c/o A Ewen
- 25 Youth Commission
- 26 YouFirst Advocacy
- 27 All Local Area Committees
- 28 All Tenants' Associations
- 29 Federation of Local Associations in Renfrewshire
- 30 Renfrewshire Community Planning Leadership Board, C/O Carol MacDonald
- 31 Renfrewshire Citizens Advice Bureau, 45 George Street, Paisley, PA1 2JY
- 32 Greater Glasgow and Clyde NHS Board, NHS Greater Glasgow and Clyde Corporate HQ, JB Russell House, Gartnavel Royal Hospital Campus, 1055 Great Western Road, Glasgow, G12 OXY
- 33 Carolanne Robertson/ Thomas Stirling, Community Resources, Renfrewshire Council

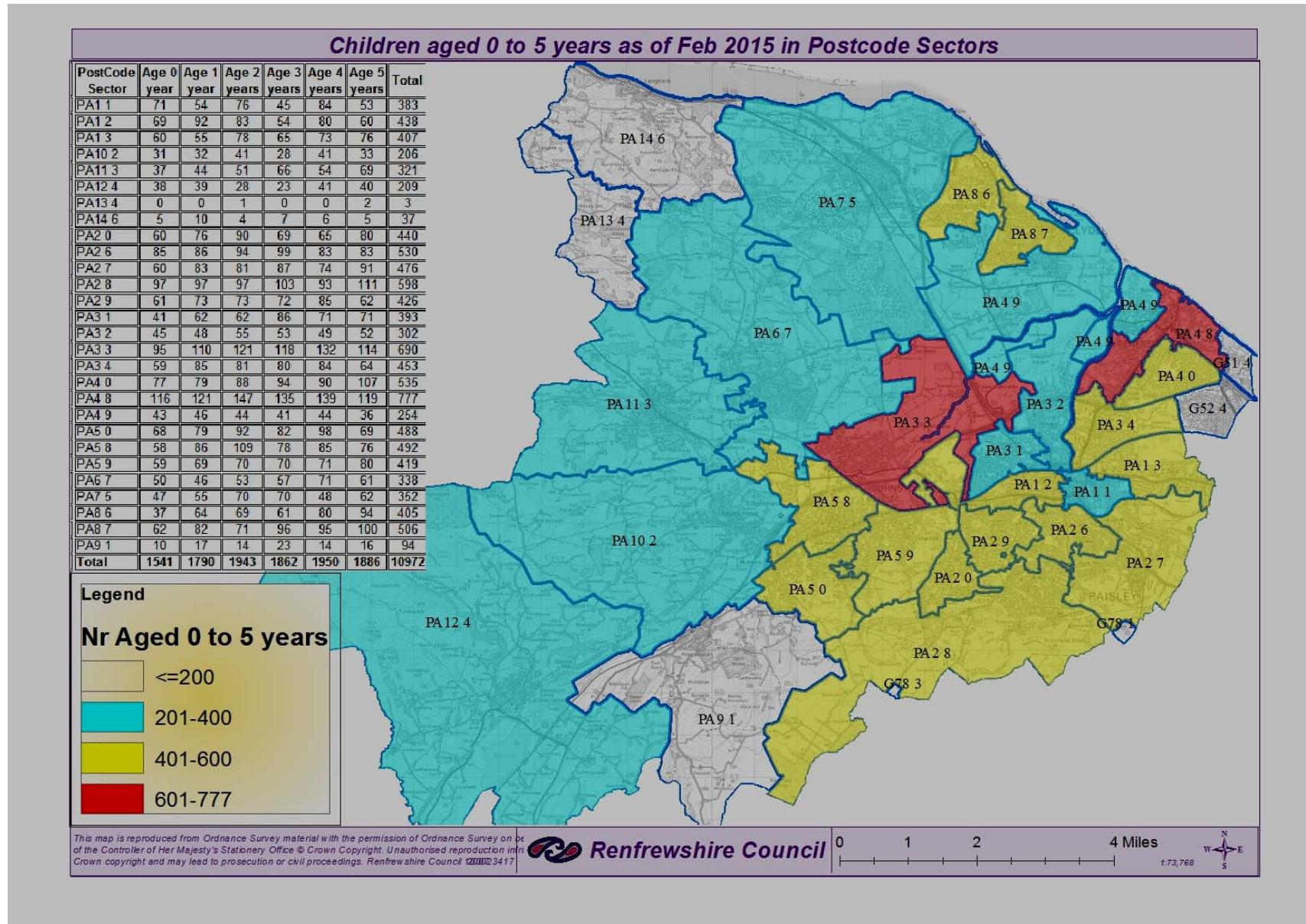
- 34 National Casino Industry Forum, Carlyle House, 235-237 Vauxhall Place, Bridge Road, Victoria, London, SW1V 1EJ
- 35 Renfrewshire Alcohol and Drug Partnership, Dykebar Hospital, Old Medical Admin Building, Grahamston Road, Paisley, PA2 7DE
- 36 Renfrewshire Access Panel
- 37 Renfrewshire Polish Association
- 38 You first Advocacy
- 39 Soroptimist International-Paisley
- 40 West of Scotland Race Equality Council
- 41 Disability Resource Centre
- 42 Capability Scotland
- 43 Paisley – YMCA
- 44 Gender Based Violence
- 45 Association of African Communities in Renfrewshire
- 46 RAMH, 41 Blackstoun Road, Paisley, PA3 1LU
- 47 Quarriers, Quarriers Village, Bridge of Weir, PA11 3SX
- 48 I Am Me
- 49 Enable, INSPIRE House, 3 Renshaw Place, Eurocentral, Lanarkshire, ML1 4UF
- 50 Renfrewshire Learning Disabilities Service

APPENDIX 2

GAMING MACHINE CATEGORIES AND ENTITLEMENTS AS AT 15 JANUARY 2014

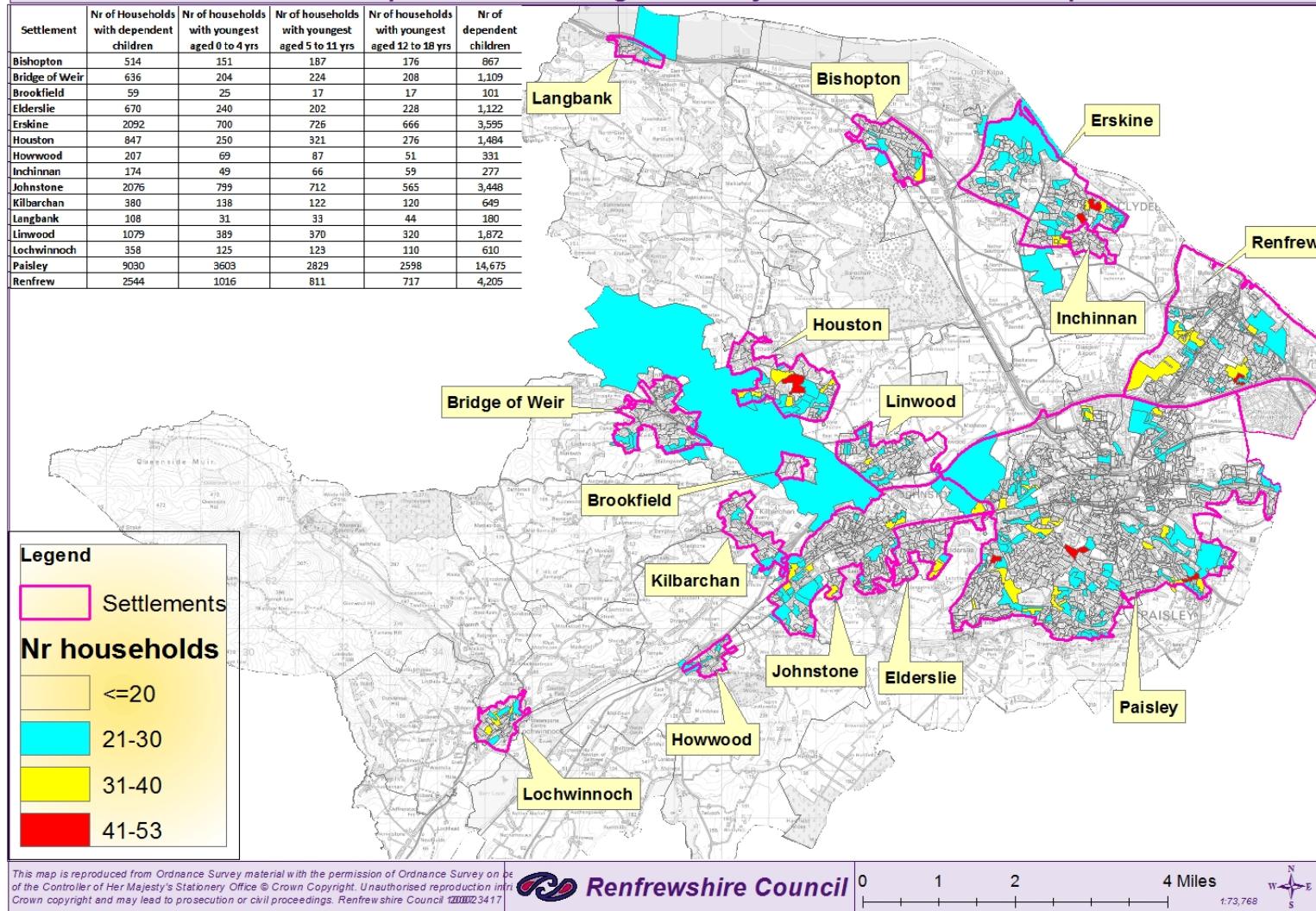
Category of Machine	Maximum stake (from July 2011)	Maximum prize (from July 2011)
A	Unlimited – no category A gaming machines are currently permitted	Unlimited
B1	£5	£10,000 (with optin of max £20,000 linked progressive jackpot on premises basis only)
B2	£100	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – money prize (other than a coin pusher or penny falls machine)	10p	£5
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	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)	20p	£20 (of which no more than £10 may be a money prize)

LOCATIONS OF HOUSEHOLDS WITH DEPENDANT CHILDREN

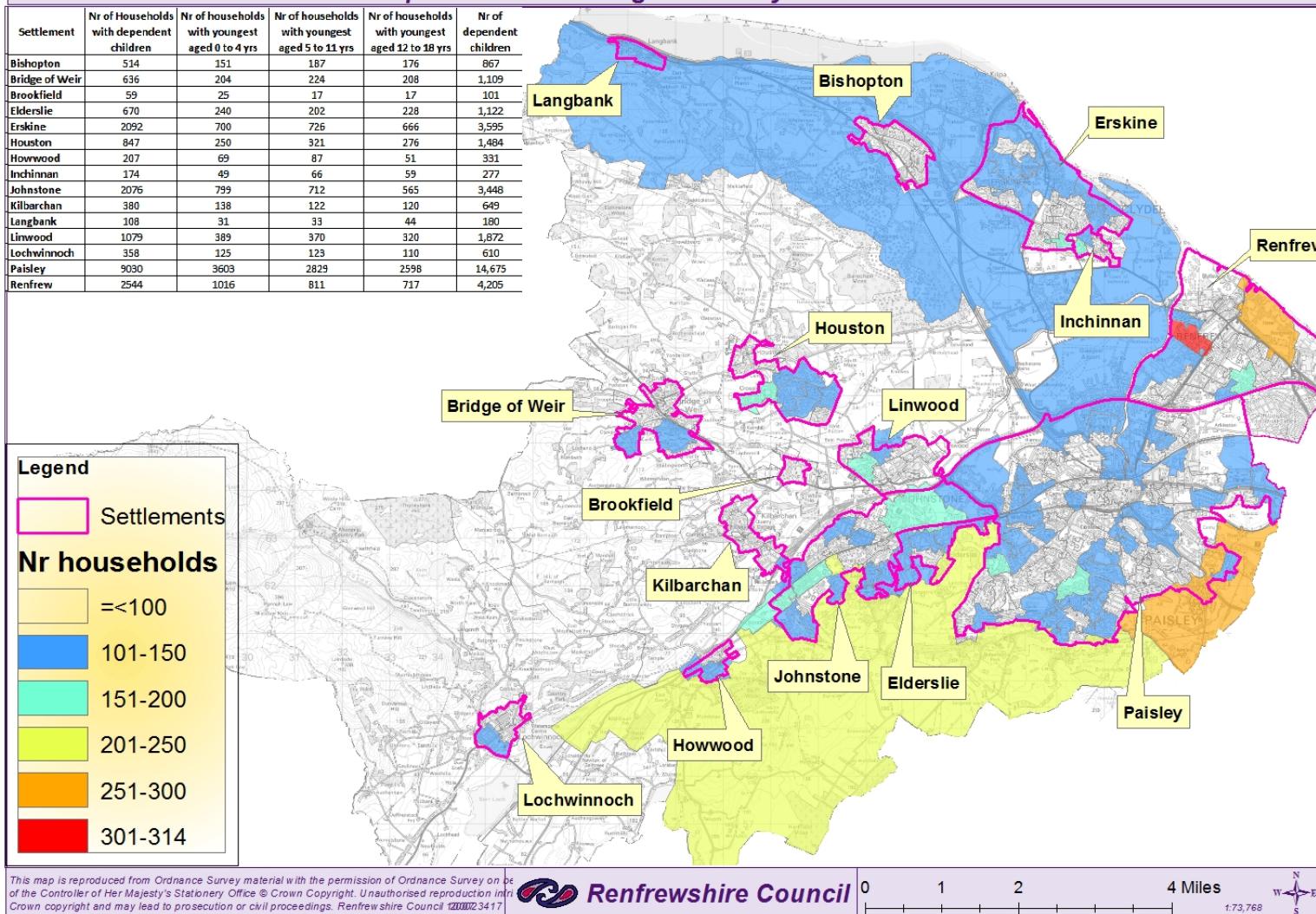


Households with dependent children aged 0 to 18 years: 2011 Census in Output Areas

Settlement	Nr of Households with dependent children	Nr of households with youngest aged 0 to 4 yrs	Nr of households with youngest aged 5 to 11 yrs	Nr of households with youngest aged 12 to 18 yrs	Nr of dependent children
Bishopton	514	151	187	176	867
Bridge of Weir	636	204	224	208	1,109
Brookfield	59	25	17	17	101
Elderslie	670	240	202	228	1,122
Erskine	2092	700	726	666	3,595
Houston	847	250	321	276	1,484
Howwood	207	69	87	51	391
Inchinnan	174	49	66	59	277
Johnstone	2076	799	712	565	3,448
Kilbarchan	380	138	122	120	649
Langbank	108	31	33	44	180
Linwood	1079	389	370	320	1,872
Lochwinnoch	358	125	123	110	610
Paisley	9030	3603	2829	2598	14,675
Renfrew	2544	1016	811	717	4,205

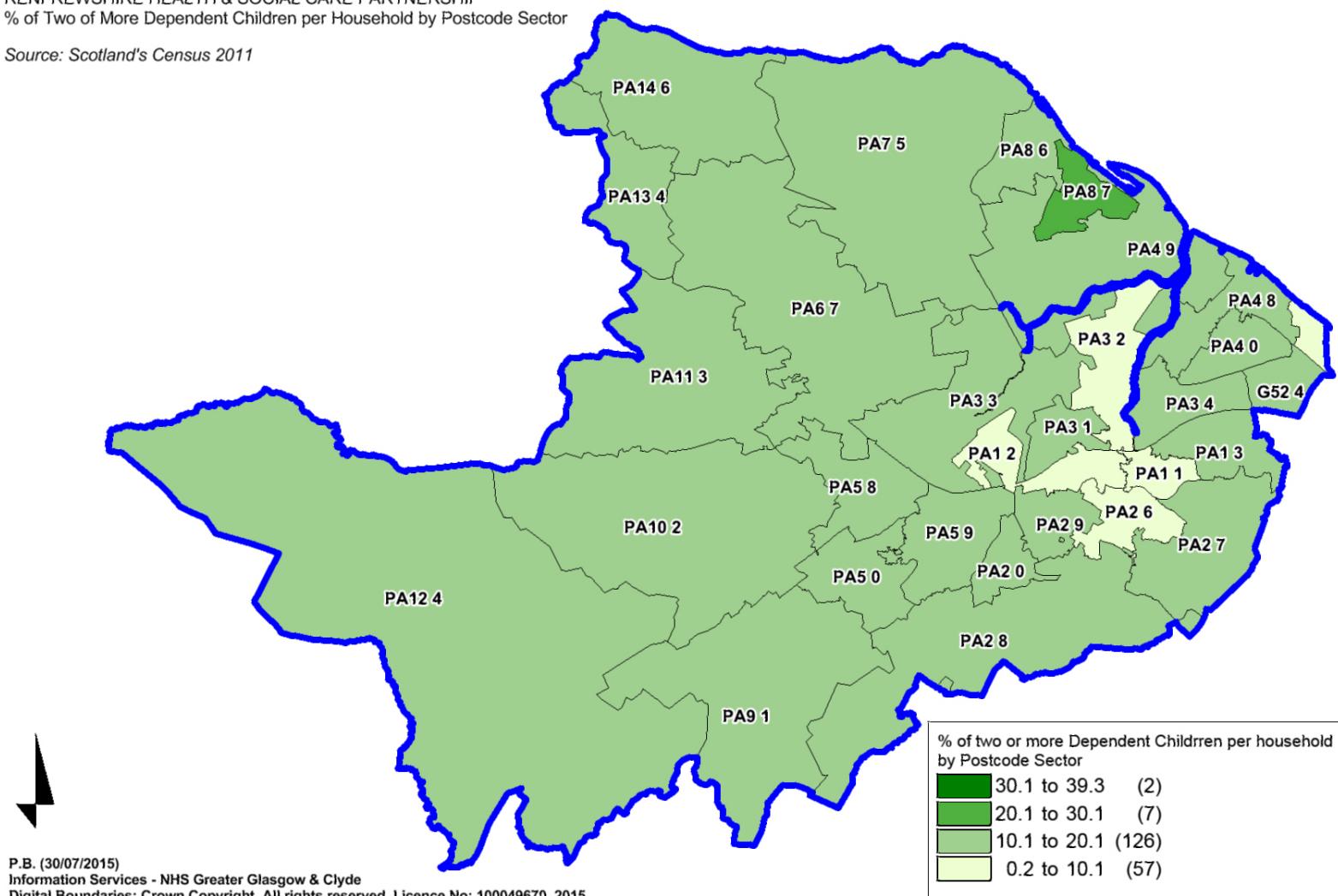


Households with dependent children aged 0 to 18 years: 2011 Census in Datazones



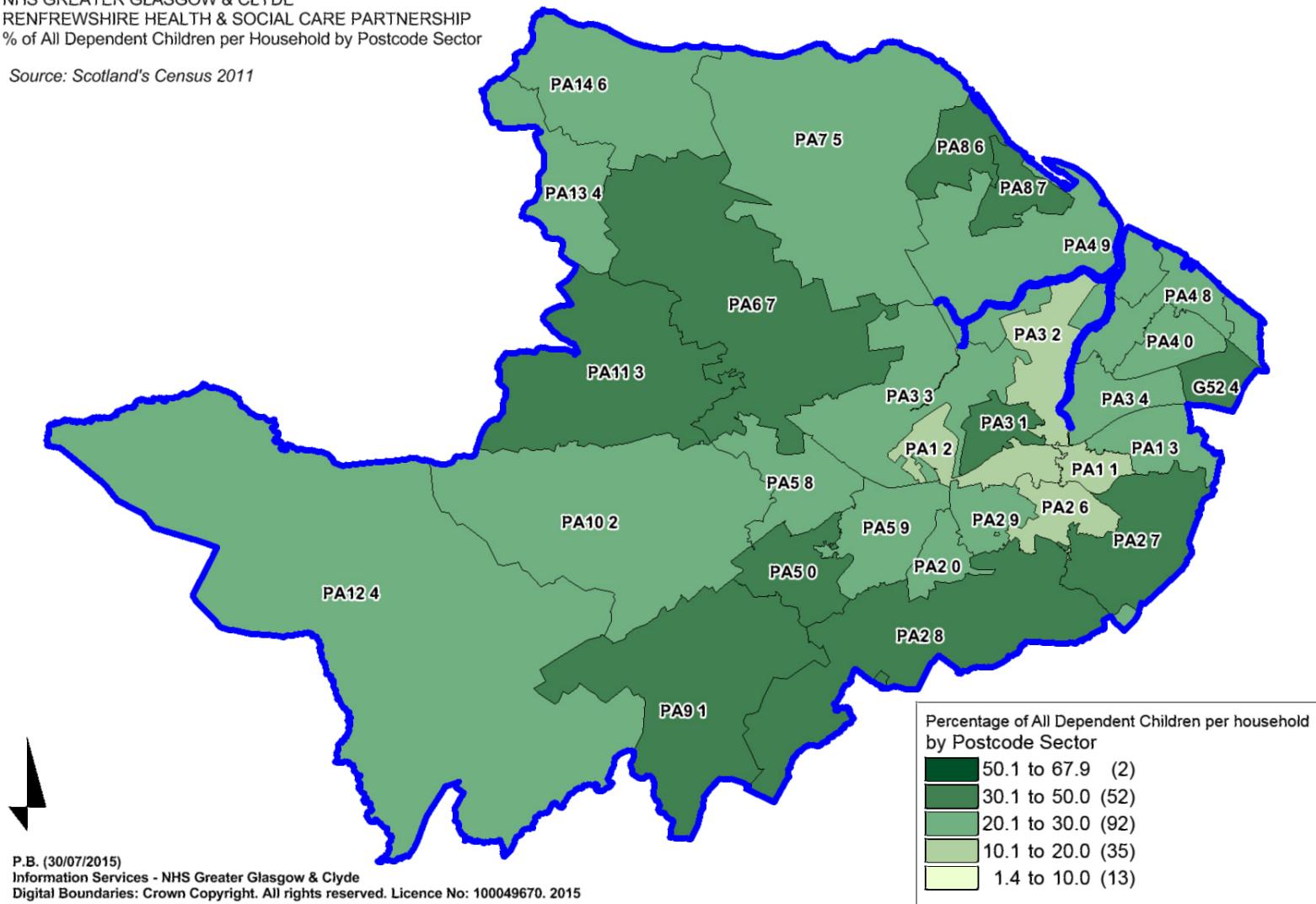
NHS GREATER GLASGOW & CLYDE
RENFREWSHIRE HEALTH & SOCIAL CARE PARTNERSHIP
% of Two or More Dependent Children per Household by Postcode Sector

Source: Scotland's Census 2011



NHS GREATER GLASGOW & CLYDE
RENFREWSHIRE HEALTH & SOCIAL CARE PARTNERSHIP
% of All Dependent Children per Household by Postcode Sector

Source: Scotland's Census 2011



P.B. (30/07/2015)
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APPENDIX 4

LOCATIONS OF SCHOOLS, CENTRES FOR CHILDREN AND YOUTH ACTIVITIES, VOLUNTARY AGENCIES, ETC

The following link provides a list of the schools located within the Renfrewshire Council area.

<http://www.renfrewshire.gov.uk/webcontent/home/Services/Education+and+learning/Schools/>

Centres for adults with learning disability are based at Spinners' Gate and Maxwelltown Road and Anchor Street at Stock Street, as well as the Mental Health Outpatients Service at the Royal Alexandra Hospital.

People with a gambling addiction can undertake treatment at the RCA Trust at premises at 8 Incle 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.

People undergoing alcohol and drug addiction treatment seek support at-

The Renfrewshire Integrated Alcohol and Drug Problems Clinic, 20 Back Sneddon Street, Paisley, PA3 2DJ and

Dykebar Hospital, Paisley, PA2 7DE.

The following locations are used for a range of children's and youth' activities:-

ACTIVITY	WHEN	TIME	WHERE
Beechwood Friday Night Club (11-16 year olds)	Every Friday	6.30-8pm	Beechwood Community Centre
Ferguslie Library Activity Group (P6+)	Every Wednesday	3-4.30pm	Ferguslie Library, Tannahill Centre, Ferguslie Park
Project Z Drama, Film and Graphic Novel Group (12-25 year olds)	Every Tuesday	4-8pm	Ferguslie Library, Tannahill Centre, Ferguslie Park
Ferguslie S1+ After-school Group (secondary pupils)	Every Thursday	4-5.45pm	Ferguslie Library, Tannahill Centre, Ferguslie Park
Glenburn GoZone Project Night (12-25 year olds)	Every Tuesday	6.30-8pm	Glenburn GoZone, Glenburn Community Centre
Glenburn GoZone After-school Club (12-25)	Every Wednesday	3.30-5pm	Glenburn GoZone, Glenburn Community Centre
Glenburn GoZone Drop-In (12-25 year olds)	Every Thursday	6.30-8pm	Glenburn GoZone, Glenburn Community Centre
Foxbar Junior Youth Club	Every Tuesday	6.30-8pm	Foxbar Youth Learning Centre
Foxbar Senior Youth Group	Every Thursday	6.30-8.30pm	Foxbar Youth Learning Centre
Renfrewshire Young Carers Duke of Edinburgh's Award Group (closed group)	Every Wednesday	4.30-6pm	Renfrewshire Carers Centre, Paisley
Renfrewshire Youth Voice (12-25 years old)	Every second Wednesday	6.00-8.00pm	Youth Services, West Primary School, Paisley
Renfrewshire LGBT Youth Group (14-25) In partnership with LGBT Youth Scotland	Every second Wednesday (opposite Wednesday to RYV group above)	6.30-8.30pm	Youth Services, West Primary School, Paisley

ACTIVITY	WHEN	TIME	WHERE
Community Art Club (8-12 year olds)	Every Tuesday	4.45-6.15pm	Arkleston/Newmains Community Centre, Renfrew
Community Theatre Group (8-12 year olds)	Every Thursday	5-7pm	Renfrew High School, Drama Studio

Renfrew activities are funded by The Big Lottery

JOHNSTONE AND LINWOOD

West Johnstone Youth Club (11+)	Every Wednesday	7-8.30pm	St David's/Cochrane Castle Primary School, Johnstone
West Johnstone Youth Council (11+)	Every Thursday	7.00-8.30pm	St David's/Cochrane Castle Primary School, Johnstone
Junior Youth Leadership Training (S5+S6 ages)	Every Wednesday	3-5pm	St David's Primary School, Johnstone
Linwood Area of Dance, Drama and Song (L.A.D.D.S) (12-15 years old)	Every Tuesday	7-9pm	Linwood High School

ERSKINE AND BISHOPTON

Bishopton Youth Club (P7-S3 ages)	Every Wednesday	7-9pm	Bishopton Primary School
Bargarran Junior Youth Club (P7-S2 ages)	Every Tuesday	6.30-8.30pm	Bargarran Youth Learning Centre
Bargarran GO Mountain Bike Training Course	Every Wednesday	3.30-5pm	Bargarran Youth Learning Centre
Bargarran Senior Youth Club (S3+ ages)	Every Thursday	6.30-8.30pm	Bargarran Youth Learning Centre
Erskine Youth Council	Every Sunday	6-8pm	Bargarran Youth Learning Centre

Locations for the Support of People with Alcohol and Drug Problems
Alcoholics Anonymous Meeting Places

Wallneuk Church BB Halls,
North Croft Street,
PA3 4AD

Paisley Abbey,
PA1 1JG

St Mirrin's Cathedral Hall,
Incle Street,
PA1 1HR

Royal Alexandra Hospital Lecture Theatre,
2, Corsebar Road,
PA2 9PN

Tweedie Hall,
Ardlamont Square,
PA3 3DA

Elderslie Scout Group Hall,
101, Main Road,
PA5 9AZ

Ralston Community Centre,
Allanton Avenue,
PA1 3BL

Elderslie Village Hall,
Stoddart Square,
PA5 9AS

St James Church,
Inchinnan Road.
PA4 8NG

High Parish Church Hall,
Quarry Street,
Johnstone.
PA5 8DZ

St Thomas Church Hall,
70, Main Street,
Neilston.
G78 3NJ

Freeland Church,
Main Street,
Bridge of Weir.
PA11 3AE

The High Parish Church,
Church Street,
Lochwinnoch.
PA12 4HE

Drug Addiction Support
Barnardo's
Paisley Threads,
4, Lochfield Road,
PA2 7RG