

# Public Document Pack

## NOTICE OF COUNCIL MEETING - 14 APRIL 2016

Dear Councillor,

A meeting of Cambridge City Council will be held in the Council Chamber - Guildhall on Thursday, 14 April 2016 at 6.00 pm and I hereby summon you to attend.

Dated 6 April 2016

Yours faithfully

A handwritten signature in black ink, appearing to read 'AP Jackson', with a large, stylized initial 'A'.

Chief Executive

### **Agenda**

- 1 To approve as a correct record the minutes of the meeting held on 25 February 2016**  
*(Pages 9 - 36)*
- 2 Mayors Announcements**
- 3 Public Questions Time - see at the foot of the agenda for details of the scheme**
- 4 To consider the recommendations of Committees for Adoption**
  - 4a 21/03/16 Licensing Committee: Gambling Act 2005 Statement of Policy - Revisions**  
*(Pages 37 - 160)*

**4b 22/03/16 Employment (Senior Officer) Committee: Legal Shared Service Restructuring**

*(Pages 161 - 164)*

**4c 22/03/16 Employment (Senior Officer) Committee: Future Management Restructuring**

*(Pages 165 - 170)*

**5 To deal with Oral Questions**

**6 To consider the following Notices of Motion, notice of which has been given by:**

**6a Councillor Robertson: New National Minimum Wage**

The motion:

This Council welcomes the new national minimum wage of £7.20 per hour but recognises that it is nonsense to call it a living wage. The real cost of living was analysed last year independently of the government by Loughborough University for the Living Wage Foundation and an hourly rate of at least £8.25 was set for areas outside London.

Workers in Cambridge already have to face much higher costs of living than almost any area outside London, particularly with regard to housing costs and especially those renting from private landlords, and buying a home in the city is beyond the reach of most people who work here.

In Cambridge, there are 72 employers committed to paying all their workers this real living wage. Many of them are accredited and are also requiring companies contracting with them to supply goods and services, to pay their workers at least the £8.25. The City Council is one of these accredited Living Wage employers.

The £7.20 minimum wage is also only payable to workers aged over 25 whereas living wage employers pay the £8.25 to all workers aged 18 or more. Those employers recognise the value to them of paying their workers a wage they can live on, not the poverty wage of £5.30

per hour which is the new minimum wage for 18 to 20 year olds or the £6.70 per hour for 21 to 24 year olds.

This Council is committed to continue its efforts to persuade all employers in Cambridge to recognise and pay their workers at least the Living Wage currently assessed as £8.25 per hour and due for review each year in October.

The Council also asks the Chief Executive to write to George Osborne and the city's two MPs sharing our views on the failure of the new national minimum wage to match the local cost of living faced by local Cambridge workers.

## **6b Councillor Bick: Rough Sleeping in the City**

The motion:

Council notes with concern the big spike in rough sleeping in the city over the past 2 months on top of an already worsened annual picture, together with the particularly unhelpful backcloth of government welfare and NHS policies. It nevertheless regards Cambridge as an affluent and humane city whose people would expect its local services to do whatever is practicable and in their power to respond and mitigate the situation. It therefore calls for an urgent examination of further measures that could be taken or instigated by the city council or shared with partner agencies to alleviate the problem.

## **6c Councillor C Smart: The Anglia Water Site**

The motion:

Council recognises the established ambition to secure a physical relocation of the Anglia Water plant at Cambridge Northern Fringe East. Relocation would enable the full potential of that area to be realised through its redevelopment as a new quarter of the city, including much needed housing.

It notes with disappointment that the Executive Councillor for Planning Policy and Transport has rejected the recommendation of officers, going against the views of both the Joint Strategic Transport

and Planning Group and South Cambridgeshire District Council. His decision ruled out any further investigation of the relocation of Anglian Water as well as planning the area so that the Anglian Water site can be incorporated at a future date.

Considering it to be essential to the city that this Council works ambitiously, for the long term and engages partner organisations in so doing, Council calls on the Executive Councillor to reconsider his decision.

#### **6d Councillor Ashton: Lloyds Bank**

The motion:

This Council notes the proposed closure of the Cherry Hinton Village branch of Lloyds Bank.

This Council notes that the Branch serves not only Cherry Hinton residents but also residents from surrounding areas, many of whom are frail and elderly.

This Council notes that Lloyds have conducted no consultation with local councillors, residents and customers.

This Council expresses its disappointment with the regrettable way that this decision has been taken, and calls upon Lloyds to listen to local residents, councillors and the MP.

This Council recognises that all its residents need to have easy access to banks to enable them to carry out their financial transactions, and that not all have access to internet banking, especially the old and vulnerable. This Council believes that Lloyd's decision will have a significant detrimental effect upon local residents and the environment.

This Council notes that the MP for Cambridge is already in the process of contacting Lloyds to express his disappointment and call upon them to reconsider.

This Council therefore calls upon Lloyds to reconsider their decision, and requests that the Chief Executive and Leader of the Council write to Lloyds urging them to conduct a full consultation and to keep the Cherry Hinton Village Branch open.

## **7      Written Questions**

No discussion will take place on this item. Members will be asked to note the written questions and answers document as circulated around the Chamber.

# Information for the Public

## Location

The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

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Most meetings have an opportunity for members of the public to ask questions or make statements.

To ask a question or make a statement please notify the Committee Manager (details listed on the front of the agenda) prior to the deadline.

- For questions and/or statements regarding items on the published agenda, the deadline is the start of the meeting.
- For questions and/or statements regarding items NOT on the published agenda, the deadline is 10 a.m. the day before the meeting.

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**COUNCIL**

25 February 2016

6.00 - 11.25 pm

**Present:** Councillors Abbott, Ashton, Austin, Avery, Baigent, Benstead, Bick, Bird, Blencowe, Cantrill, Dryden, Gawthroe, Gehring, Gillespie, Hart, Herbert, Hipkin, Holland, Holt, Johnson, Meftah, Moore, O'Connell, O'Reilly, Owers, Perry, Pippas, Pitt, Price, Ratcliffe, Reid, Roberts, Robertson, Sanders, Sarris, Sinnott, C. Smart, M. Smart, Todd-Jones and Tunnacliffe

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**16/1/CNL To approve as a correct record the minutes of the meeting held on 22 October & 30 November 2015**

The minutes of the 22 October and 30 November 2015 were confirmed as a correct record and signed by the Mayor.

**16/2/CNL Mayor's Announcements**

**APOLOGIES**

Apologies were received from Councillor McPherson and Saunders  
Councillor Holland had given apologies for lateness

**CHEVYN SERMON**

The Mayor thanked those members of the Council who attended the annual Chevyn Sermon at Our Lady and the English Martyrs at the end of January.

**CAMBRIDGE-HEIDELBERG EASTER FESTIVAL**

The Mayor informed Councillors that this year's civic reception for the Cambridge-Heidelberg Easter Festival had been cancelled due to a conflict with dates between colleagues in Heidelberg. The next reception to be held in Cambridge would take place in 2018, as this was a biennial event.

**SPECIAL COUNCIL MEETING**

Councillors were reminded that a special council meeting would take place on Wednesday 23 March to consider the Local Plan.

## SUE EDWARDS AWARDED AN HONORARY DEGREE

The Mayor announced that Sue Edwards, former Civic & Twinning Officer, would be awarded an Honorary Degree from the University of Cambridge on 23 April 2016, in recognition of her time and dedication serving the City.

Name	Item	Reason
Councillor Avery	16/4/CNLb	Personal: Rents a City Council Garage

### 16/3/CNL Public Questions Time

Members of the public asked a number of questions, as set out below.

1. Mr Alistair Boyles raised the following points:
  - i. The 2003 Design and Development Brief for Cambridge stated that the single greatest obstacle to community cohesion and development of the Mitcham's Corner area was the overwhelming effect of traffic and the gyratory traffic system.
  - ii. In the New Local Plan, Policy 21, the City recognises Mitcham's Corner as an Opportunity Area and sets out the objective to reduce the effect of traffic in the area and ultimately to remove the gyratory system in favour of a simpler intersection. This policy has overwhelming support from the residents and traders in the Mitcham's Corner catchment area and City and County Councillors.
  - iii. Asked what measures were the City Council and the City Deal Authority taking to ensure that City Deal proposals for Milton Road would further this objective to reduce the effects of traffic and the gyratory road system that have blighted this part of Cambridge for decades.

The Executive Councillor for Planning Policy and Transport responded:

- i. The Local Plan Design and Development Brief Process covered Mitcham's Corner and its gyratory system with a view to shape future development.
- ii. A constructive consultation exercise had been held relatively recently.
- iii. Currently the City Council and County Council were working on the Mitcham's Corner Area Master Plan.
- iv. As part of developing a Master Plan for Mitcham's Corner, the City Council did have a policy that sought to "remove or revise" the existing gyratory for Mitcham's Corner.

This was draft Policy 21 of the Cambridge Local Plan 2014: Draft Submission, known as the "Mitcham's Corner Opportunity Area", which required the preparation of a Master Plan to guide future change for Mitcham's Corner.

- v. There was a City Deal project affecting the north of Milton Road, this was not dependent on changes made to Mitcham's Corner.
- vi. If changes to the gyratory at Mitcham's Corner could help deliver better public transport and improve the reliability and speed of journeys by public transport to meet some of the objectives of City Deal, then the City Council hoped that the changes to Mitcham's Corner could be delivered as part of City Deal.
- vi. Until the City Deal and City Council plans progressed, it could not be confirmed if the City Deal could fund the removal of the Mitcham's Corner gyratory system. This would be expensive to implement, so other sources of funding may be required to assist this.

2. Mr Simon Baugh raised the following points:

- i. The City Council should encourage the City Deal to remove the Mitcham's Corner gyratory system.
- ii. If the City Deal cannot undertake this work, what other sources of funding could be sought to undertake this work?

The Executive Councillor for Planning Policy and Transport responded:

- i. Residents of in and around Mitcham's Corner were consulted to set the design brief to develop the area in-line with their wishes.
- ii. Some funding for development work would come from the area through planning obligation requirements. Other sources of funding would also be required such as the City Deal and national funding.
- iii. The developing Mitcham's Corner Master Plan would set out proposals. Infrastructure was integral to developing the area.

The Leader responded:

- i. The whole of Milton Road and Mitcham's Corner public realm was being reviewed.
- ii. Undertook to meet with Mitcham's Corner Residents Association in future.

Mr Baugh raised the following supplementary point:

- i. Developers of 1 Milton Road were keen for their s106 funding to be used specifically in the Mitcham's Corner area, not syphoned into a general fund. Would it be possible for this funding to be ring fenced for Mitcham's Corner?

The Executive Councillor for Planning Policy and Transport responded that developments were obliged to pay funding into funds that the City Council deemed appropriate such as transport. Funding would be allocated to the local area or transport corridor where appropriate.

3. Mrs Penny Heath raised the following points:

- i. People understood the economic benefits of tourism but there was a call for addressing the adverse effects of mass tourism and would question if the City was getting the balance right.
- ii. In the Corporate Plan there was a statement: "working with the organisations Cambridge Live, Cambridge Bid and 'Visit Cambridge and Beyond' to develop and deliver a programme of outdoor public events and activities and to maximise economic benefits from visits and tourism". Should this sentence make it clearer that any programme of events should benefit the residents, as well as tourism?
- iii. Queried if there needed to be another line in the Corporate Plan to indicate how the City Council would protect the City from the exploitation of tourism?
- iv. The word 'maximise' was a strong term and there needed to be some counterbalance. This line could be interpreted that this was carte blanche for the City Council or these unaccountable companies to set up kiosks selling hot dogs for visitors in every street corner and run yet uglier tourist buses around our historic streets.
- v. It is hard to see what the governance structure is for these unaccountable companies from the website. Enquired which department they were within Council and if accountable to the elected Council.
- vi. Would like to suggest the following amendment to the Corporate Plan:  
*"Work with Cambridge Live, Cambridge BID and Visit Cambridge & Beyond to develop and deliver a programme of outdoor public events and activities, that were primarily of benefit to residents and create no adverse effects to the City's valuable green, natural and historic assets and to gain from the economic benefits from visits and tourisms"*

The Executive Councillor for City Centre and Public Places responded with the following:

- i. Cambridge Live was an arm's length management organisation for the City Council to manage tourism.
- ii. Visit Cambridge & Beyond had been newly launched in January 2016.
- iii. The Executive Councillor for City Centre and Public Places portfolio included tourism, the city centre, public parks and open spaces. This helped to support joined up and balanced strategic planning, policy development and service delivery across these inter-related public service areas.
- iv. As portfolio holder for these areas, the Executive Councillor also represented the Council on the Boards of Cambridge BID and recently launched DMO - Visit Cambridge and Beyond, so there was an opportunity to influence these organisations.
- v. The City Council recognised there were benefits and burdens from tourism which could be shared amongst the City Council, Visit Cambridge & Beyond and Cambridge Live.
- vi. The Corporate Plan set out strategic level details, so it would be difficult to incorporate Ms Heath's points as they may be more appropriate in an operational plan.
- vii. Would take the comments back on the website to the relevant individuals.
- viii. Undertook to liaise with Ms Heath outside of the meeting to try and address her points.

Mrs Heath made the following supplementary points:

- i. It was important to measure the positive and negative impacts of tourism.
- ii. Members of the public should be invited on to the board of Visit Cambridge & Beyond.

The Executive Councillor for City Centre and Public Places thanked Mrs Heath for her comment.

4. Mr Sergeant raised the following point:

- i. Asked if there was any substance to the article in the West Chesterton Liberal Democrat magazine reporting that rubbish was piling up in the area.

The Executive Councillor for Environment and Waste responded with the following:

- i. He had seen the article concerned but there were two different (West Chesterton) issues which appeared to have been confused:
  - Some rubbish bins were not emptied prior to a change in the collection schedule.
  - Some recycling bins had overflowed.
- ii. 99.9% of bins were emptied according to key performance indicators under Labour administration.
- iii. There had only been four complaints about bins not being emptied last year and eight the year before
- iv. People were being encouraged to report litter in areas so that Officers could quickly remove it.
- v. The Executive Councillor had forwarded the article in the West Chesterton Liberal Democrat magazine to Officers for comment. Officers confirmed there had been no complaints received regarding litter in children's' play areas either in West Chesterton or the City in general.
- vi. Officers regularly checked play areas on average once a day for litter and safety issues, these checks was logged. Area Committee Environmental (data) Reports also monitored litter.
- viii. Labour had implemented a number of measures to improve the public realm such as:
  - Devolved decisions to area committees such as the placement of litter bins to reduce the amount of litter on ground.
  - Fixed penalty notices for littering and dog fouling.

Mr Sergeant made the following supplementary point:

- i. Would the Executive Councillor would seek a formal retraction of the details referenced from the West Chesterton Liberal Democrat magazine.

The Executive Councillor for Environment and Waste responded with the following:

- i. The same picture and residents quotes regarding litter were used in various wards and attributed to problems in each.
- ii. Took issue with accuracy of the Liberal Democrat campaign material.

## **16/4/CNL To consider the recommendations of the Executive for Adoption**

**16/4/CNLa** Annual Treasury Management Strategy Statement Report 2016/17 to 2018/19 (Executive Councillor for Finance and Resources)

**Resolved unanimously** to approve:

- i. The Annual Borrowing Statement at paragraph 4, the Council's Minimum Revenue Provision (MRP) Policy at paragraph 5 and the Council's Annual Investment Strategy as contained within paragraphs 8 & 9.
- ii. An amendment to the counterparty list to include Enhanced Cash Funds. A limit of £5m is recommended and has been updated within Appendix A as follows:

Name	Recommended Limit (£)
Enhanced Cash Funds (Standard & Poor's: AAA/S1, Fitch: AAA/V1)	5m (in each fund)

- iii. Changes to the estimated Prudential & Treasury Indicators for 2015/16 to 2018/19 inclusive as set out in Appendix C.
- iv. That the following counterparty limits are required to come into effect on 1 April 2016 until further notice:-
  - Reduce HSBC's counterparty limit by £5m to £20m; and
  - Increase Barclays Bank plc counterparty limit by £5m to £25m.

**16/4/CNLb** 2016/17 Housing Revenue Account (HRA) Budget Setting Report (Executive Councillor for Housing)

**Resolved (27 Votes to 0)** to approve:

### **Treasury Management**

- i. Request that, in 2016/17, officers review the existing approach to treasury management, which required 25% of the value of the housing debt to be set-aside by the point at which the loan portfolio matures, recognising the financial constraints that have been placed upon the HRA as a result of recent change in national housing policy. A separate report will be brought back to Housing Scrutiny Committee in 2016/17 following this review.

## Housing Capital

- ii. Approval of capital bids, shown in Appendix D (2) of the HRA Budget Setting Report, to include meeting the capital cost of re-locating staff to a single area housing office, with the cost to be funded from existing repairs and renewals funds for the service.
- iii. Approval of amendment to the Decent Homes Programme investment, recognising the ability to make savings of £810,000 in 2015/16 in respect of boiler replacements, roof structure works, communal areas investment, garage refurbishment, asbestos removal and fire safety works, as detailed in Section 5 and Appendix E (2) of the HRA Budget Setting Report.
- iv. Approval of the need to re-profile resource of £570,000 from 2015/16 into 2016/17 in respect of roof covering works and bathroom replacements, and £102,000 from 2015/16 into later years of the programme in respect of remedial works due to sulphate, as detailed in Section 5 and Appendix E (2) of the HRA Budget Setting Report.
- v. Approval of the latest budget, spend profile and funding mix for each of the schemes in the new build programme, as detailed in Section 5 and Appendix H of the HRA Budget Setting Report, recognising the most up to date information available as each scheme progresses through the design, planning, build contract and completion process.
- vi. Recognition of the need to incorporate into the Housing Capital Investment Plan, grants awarded by the Homes and Communities Agency in respect of Aylesborough Close, Water Lane, Ditchburn Place and Clay Farm.
- vii. Approval to earmark the required level of additional funding for new build investment between 2016/17 and 2017/18 to ensure that commitments can be met in respect of the investment of all right to buy receipts retained by the authority, up to the end of September 2015.
- viii. Approval to earmark additional resource of £3,110,000 towards the cost of the re-development of Anstey Way, in anticipation of a revised scheme being brought forward for the site, recognising the lower level of HRA resource available than anticipated when the scheme was first considered.
- ix. Approval of allocation of funds for a scheme to re-develop a mixed use HRA site in Akeman Street, subject to the approval of a separate report for the scheme, to be considered in Part 2 of this committee agenda.
- x. Approval of the revised Housing Capital Investment Plan as shown in Appendix K of the HRA Budget Setting Report.
- xi. Approve a provisional addition to the Housing Capital Allowance of £34,303,000 in respect of anticipated qualifying expenditure in 2016/17.



## General

- xii. Approval of delegation to the Head of Finance, as Section 151 Officer, to make the necessary detailed budgetary adjustments in the HRA, in respect of savings approved as part of the HRA Mid-Year Financial Review, following the outcome of consultation with both tenants and staff about proposed service changes and resulting final savings.

### **16/5/CNL To Consider Budget Recommendations of the Executive for Adoption**

**16/5/CNLa** Proposed Revenue and Capital Budgets - 2015/16 (Revised), 2016/17 (Budget & Council Tax) and 2017/18 (Forecast)

The Executive presented its budget recommendations as set out in the Council Agenda, also on the amendment sheet circulated around the Chamber and published on the City Council's website.

**16/5/CNLb** Liberal Democrat Group Amendment to the Executive Budget Recommendations.

Councillor Bick and Liberal Democrat Group Members presented the Liberal Democrat Group's alternative budget as set out in the Council Agenda, on the amendment sheet circulated around the Chamber and published on the City Council's website.

Under the Council's budget procedure, the Liberal Democrat Group's alternative budget was deemed to have been moved and seconded as an amendment.

On a show of hands the Liberal Democrat Group's alternative budget amendment was lost by:

**13 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Gillespie, Holt, Moore, O'Connell, Pippas, Pitt, Reid, & Tunnacliffe.

**to 25 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthorpe, Hart, Herbert, Hipkin, Holland, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstention:** Councillor Meftah.

In accordance with the Council's budget procedure, Councillor Bick moved separately the following proposals, which formed part of the Liberal Democrat Group alternative budget:

Reference	Details
	Earmarked Reserve amendment to the remit of the Invest for Income Fund

On a show of hands the proposal was lost by:

**13 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Gillespie, Holt, Moore, O'Connell, Pippas, Pitt, Reid, & Tunnacliffe.

**to 23 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthroe, Hart, Herbert, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstentions:** Councillors Hipkin, Holland, Meftah.

Reference	Details
B0001	Tree planting

On a show of hands the proposal was lost by:

**13 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Gillespie, Holt, Moore, O'Connell, Pippas, Pitt, Reid, & Tunnacliffe.

**to 23 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthroe, Hart, Herbert, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstentions:** Councillors Hipkin, Holland, Meftah.

Reference	Details
B0004	Refugee support

On a show of hands the proposal was lost by:

**13 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Gillespie, Holt, Moore, O'Connell, Pippas, Pitt & Reid.

**to 23 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthroe, Hart, Herbert, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstentions:** Councillors Hipkin, Holland, Meftah.

Reference	Details
B0005 + C0001	Licensing income and Rapid Charging Points

On a show of hands the proposal was lost by:

**13 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Gillespie Holt, Moore, O'Connell, Pippas, Pitt, Reid, & Tunnacliffe.

**to 23 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthroe, Hart, Herbert, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstentions:** Councillors Hipkin, Holland, Meftah.

Reference	Details
B0006 + X0001	Affordable Housing Analyst and Planning Enforcement Officer

On a show of hands the proposal was lost by:

**12 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Holt, Moore, O'Connell, Pippas, Pitt, Reid, & Tunnacliffe.

**to 25 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthroe, Hart, Herbert, Hipkin, Holland, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstentions:** Councillors Gillespie and Meftah.

Reference	Details
NCL0001	LED Street Lighting

On a show of hands the proposal was lost by:

**12 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Holt, Moore, O'Connell, Pippas, Pitt, Reid, & Tunnacliffe.

**to 24 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthroe, Hart, Herbert, Holland, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstentions:** Councillors Gillespie, Hipkin, Meftah

Reference	Details
II0001	Car Park Charges

On a show of hands the proposal was lost by:

**14 votes in favour:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Gillespie, Holt, Hipkin, Moore, O'Connell, Pippas, Pitt, Reid, & Tunnacliffe.

**to 24 votes against:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthroe, Hart, Herbert, Holland, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**Abstention:** Councillor Meftah

Unless otherwise stated, all references in the recommendations to sections, pages and appendices relate to Version 1 of the Budget Setting Report (BSR).

This can be found via:

<http://democracy.cambridge.gov.uk/ieListDocuments.aspx?CId=159&MId=2874&Ver=4>

Before the vote to the Executive Budget and Amendment was taken Councillor Reid proposed the following technical amendments to the Budget Setting Report, Climate Change, which can be found at the following link:

<http://democracy.cambridge.gov.uk/ieListDocuments.aspx?CId=116&MId=2796&Ver=4>

Members resolved (nem com) to accept the climate change, technical amendments.

It was **RESOLVED** to agree the Executive's budget proposals and Executive Amendment by:

**25 votes in favour:** Councillors Abbott, Ashton, Baigent, Benstead, Bird, Blencowe, Dryden, Gawthrope, Gillespie, Hart, Herbert, Holland, Johnson, O'Reilly, Owers, Perry, Price, Ratcliffe, Roberts, Robertson, Sarris, Sinnott, M Smart, Smith & Todd-Jones.

**To 0 votes.**

**Abstentions:** Councillors Austin, Avery, Bick, Cantrill, Gehring, Gillespie, Hipkin, Holt, Meftah, Moore, O'Connell, Pitt, Reid, & Tunnacliffe.

To approve the following:

**General Fund Revenue Budgets: [Section 5, page 28 refers]**

- i. Revenue Pressures shown in Appendix B(a) and Savings shown in Appendix B(b).
- ii. Bids to be funded from External or Earmarked Funds as shown in Appendix B(c).
- iii. Non Cash Limit items as shown in Appendix B(d).
- iv. Delegate to the Chief Financial Officer (Head of Finance) the calculation and determination of the Council Tax taxbase (including submission of the National Non-Domestic Rates Forecast Form, NNDR1, for each financial year) as set out in Appendix A(a).
- v. Agree the level of Council Tax for 2016/17 as set out in Section 4 [page 25 refers] and as updated to take account of decisions made by precepting authorities.

**Appendix A(b)**

**Council Tax Setting 2016/17**

1. The Council calculated its Council Tax Base 2016/17 for the whole Council area as **40,932.1**

[Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”)]

2. The Council calculates that the Council Tax requirement for the Council’s own purposes for 2016/17 is **£7,439,410**
3. That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:
  - (a) **£186,409,040** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act
  - (b) **£178,969,630** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act
  - (c) **£7,439,410** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. [Item R in the formula in Section 31B of the Act]
  - (d) **£181.75** being the amount at 3(c) above (Item R), all divided by the amount at 1 above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
4. To note that Cambridgeshire County Council, the Cambridgeshire Police and Crime Commissioner and Cambridgeshire & Peterborough Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings in the Council’s area as indicated in the table below.
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2016/17 for each of the categories of dwellings in the Council’s area.

<b><i>Dwelling Band</i></b>	<b><i>City Council £</i></b>	<b><i>County Council £</i></b>	<b><i>Police and Crime Commissioner £</i></b>	<b><i>Fire &amp; Rescue Authority £</i></b>	<b><i>Aggregate Council Tax £</i></b>
<i>A</i>	121.17	778.08	122.10	43.68	1,065.03
<i>B</i>	141.36	907.76	142.45	50.96	1,242.53
<i>C</i>	161.56	1,037.44	162.80	58.24	1,420.04
<b><i>D</i></b>	<b>181.75</b>	<b>1,167.12</b>	<b>183.15</b>	<b>65.52</b>	<b>1,597.54</b>
<i>E</i>	222.14	1,426.48	223.85	80.08	1,952.55
<i>F</i>	262.53	1,685.84	264.55	94.64	2,307.56
<i>G</i>	302.92	1,945.20	305.25	109.20	2,662.57
<i>H</i>	363.50	2,334.24	366.30	131.04	3,195.08

6. The Council determines that, in accordance with Section 52ZB of the Local Government Finance Act 1992, the basic amount of its council tax for 2016/17 is not excessive.

### Other Revenue:

- vi. Delegate to the Head of Finance authority to finalise changes relating to any corporate and/or departmental restructuring and any reallocation of support service and central costs, in accordance with the CIPFA Service Reporting Code of Practice for Local Authorities (SeRCOP).
- vii. Agree the approval of the new remit for the “Invest for Income Earmarked Reserve” [page 22 refers].
- viii. Approve the new remit for the “Office accommodation strategy fund” [page 25 refers].

### Capital: [Section 7, page 33 refers]

### Capital Plan:

- ix. Approve the proposals outlined in Appendix D(a) for inclusion in the Capital Plan, or put on the Projects Under Development List, including any additional use of revenue resources required.

- x. Approve the revised Capital Plan for the General Fund as set out in Appendix D(c), the Funding as set out in Section 7, page 37 and note the Projects Under Development list set out in Appendix D(d).

### **General Fund Reserves:**

- xi. Noted the impact of revenue and capital budget approvals and approve the resulting level of reserves to be used to support the budget proposals as set out in the table [Section 8, page 40 refers].

### **Revised Recommendations:**

- xii. Approve to insert into the BSR the Section 25 report [Section 10, page 45 refers].
- xiii. Approve to insert into the BSR updated Council Tax Base 2016/17 and Council Tax Setting 2016/17 [Appendices A(a) and A(b), pages 46 and 47 (Final BSR pages 48 and 49) refer]

### **The Executive Amendment:**

#### **Revenue:**

- xiv. Approve to amend for the new budget items [Appendix B, pages 53 to 67 (Final BSR pages 56 to 71) refer]

#### **Capital:**

- xv. Agreed that Executive Councillor for Planning Policy & Transport include the Electric Vehicle Charging Point project in the Council's capital process.

### **16/6/CNL To consider the recommendations of Committees for Adoption**

**16/6/CNLa** 26.01.16 Licensing Committee: Annual Review of Licensing Fees

The Mayor advised Council that this item should not have appeared on the agenda as the Licensing Committee were empowered to set its fees, which it did so at the January meeting.

**16/6/CNLb** 26.01.16 Licensing Committee: Incorporation of the Criminal Justice and Police Act 2001 into the Council Constitution



**Resolved unanimously to:**

- i. Approve that sections 19-28 of the Criminal Justice and Police Act 2001 be added to the scheme of delegations which are the responsibility of the Licensing Committee as found in Part 3 Section 5.6 of the Council's constitution.
- ii. Approve for recommendation 2.1 ([i] above), that the Director of Customer and Community Services be given delegated powers to exercise the Council's functions under section 19-28 Criminal Justice and Police Act 2001.

**16/6/CNLC** 17.02.16 Civic Affairs: Pay Policy Statement 2016/17

**Resolved unanimously to:**

- i. Approve the draft Pay Policy Statement 2016/17 attached as Appendix 1 to the Officers report.
- ii. Note that a review of senior officers salaries had been undertaken in 2015 and that no change to pay levels of the Chief Executive, Directors and Heads of Service on JNC1 and JNC2 were recommended as a result of the review.
- iii. Delegate authority to the Head of Human Resources to implement the new Band 10.
- iv. Note the position on the chief officer pay award and received an update at the meeting.
- v. Delegate authority to the Head of Human Resources to update the Pay Policy Statement 2016/17 should a Chief Executive and / or Chief Officer pay award be agreed.

**16/6/CNLD** 17/02/16 Civic Affairs: Constitutional Changes, For Council Meetings, Procedure Rules, Amending the Constitution

**Resolved unanimously to approve:**Constitution changes:

- i. The changes to Council Procedure Rules as set out in Appendix 1 of the officer's report.
- ii. That the Committee review the effect of these changes in Spring 2017.

Motion on public engagement in local democracy:

- iii. To agree a member working party with terms of reference, composition and delivery timetable as set out in paragraphs 4.2 to 4.3.

Updating the Constitution:

- iv. The changes to the Constitution as set out in Appendix 2 to allow the Monitoring Officer to keep the Constitution Updated. The Monitoring Officer would also keep Members informed of changes to the Constitution.

**16/6/CNLe** 17.02.16 Civic Affairs: Localism Act 2011 and Standards of Conduct: Appointment of "Independent Person" and Deputy

**Resolved unanimously to approve:**

- i. Extending the appointment of Sean Brady and Robert Bennett as the Council's Independent Person and Deputy for a term of two years until the end of February 2018.

**16/6/CNLf** 17.02.16 Civic Affairs: Localism Act 2011 and Standards of Conduct: Appointment of "Independent Person" and Deputy

**Resolved unanimously to approve:**

Extending the appointment of Sean Brady and Robert Bennett as the Council's Independent Person and Deputy for a term of two years until the end of February 2018.

**16/7/CNL To deal with Oral Questions****1) Councillor Pitt to the Executive Councillor for Environment and Waste**

**What steps was the Council taking to support Addenbrooke's in making improvements following the recent one-star food safety inspection?**

The Executive Councillor responded that at summary of the report from Frank Harrison (Refuse & Environment Team Manager) had been sent to Councillor Pitt for information. The report set out the detail of how concerns were being addressed and offered a re-inspection of the kitchen in future. Addenbrooke's had confirmed that the necessary work had been undertaken and requested a further inspection.

## **2) Councillor Robertson to the Executive Councillor for Communities**

**Could the Executive Councillor for Communities update the Council on its recent project to expand the number of Credit Union access points across the City?**

The Executive Councillor responded that six new access points were in operation across the City. The new locations had become operational from 23 November 2015 in the following locations and were mainly manned by volunteers:

- East Barnwell Community Centre
- Meadows Community Centre
- Brown's Fields Community Centre
- Trumpington Pavilion
- Ross Street Community Centre
- City Homes South

Volunteers continued to be sought to staff the access points, some people had come forward expressing an interest in the project. All benefit recipients across the City had been notified. Advertising of these points would continue.

In terms of impact both Credit Unions had seen at least a 10% increase in membership since publicity started in October in Cambridge. Eastern Savings had confirmed that although existing membership had increased by 4%, membership for Cambridge had increased by 10%. Since October, Eastern Savings had increased membership from 169 to 185 as from the end of January (10% increase/16 new accounts). Since October 2015 there had been an increase of 36 new adult accounts and 73 Junior Savers accounts from Kings Hedges and North Cambridge Academy. The original aim in twelve months was to have 125 new accounts, which although seemed small was fairly substantial in comparison to current totals. Overall there were 52 new accounts in four months across the City and should this continue the Council would potentially exceed the target.

## **3) Councillor Tunnacliffe to the Leader**

**What assurances and precise examples could he give to show that the bus service on Milton Road would fully meet the needs and expectations of local residents as a result of investment by the City Deal?**

The Leader responded he hoped the City Deal would facilitate a better bus service for everyone who used the service, including local residents. It was clear there was a poor service in terms of where the buses stopped along Milton Road due to the road layout and the location of the bus stops.

The Leader concluded that questions regarding the City Deal should be brought forward to a meeting of the City Deal Board or City Deal Executive. It was hoped that discussions regarding this particular service and other possible services such as a guided bus stop in Mitcham's Corner, could be discussed with Stagecoach at future meetings.

#### **4) Councillor Cantrill to the Leader**

**As the Chair of the City Deal Board and one of the three politicians who would make the final decision on the nature and form of the city deal proposals that would impact the residents of Cambridge, could the Leader commit to explore and introduce on a trial basis demand management measures on the city's roads before any heavy engineered infrastructure projects were undertaken?**

The Leader responded that there was a need for citywide measures to improve access and exit routes in and out of the City for all users while balancing these improvements against the needs of local residents and the environmental impact.

#### **5) Councillor Perry to Executive Councillor for Environment and Waste**

**Could the Executive Councillor for Environment and Waste please provide a brief overview of what changes were planned for Environment Reports over the coming year, especially in terms of additional resources and bolstering volunteering and community action across Cambridge?**

The Executive Councillor responded environmental reports had been in place for over a year with many successes. In the upcoming year data would be provided on:

- Educational activities and events undertaken and planned by the Waste teams particularly with local schools.
- Community payback activities with details of how small scale projects could be requested and those actioned and planned, as well as progress on longer term projects.

- Volunteer opportunities on how individuals could sign up to clean their local environment, get involved with planned projects, activities and campaigns and what kits and equipment volunteers could borrow from the Streets and Open Spaces Team. This would also include details of Time Credits that volunteers were eligible for.
- Campaigns details of planned / ongoing educational campaigns related to environmental education / crime, such as 'Clean for the Queen' scheme.

The Mayor advised Councillors that he would take questions six and seven together as they were of a similar content.

#### **6) Councillor Todd Jones to the Leader**

**What was the council's position on the Government's proposed 'Three County Devolution' which the Government launched at a meeting on Monday 15th February and where they want final agreed proposals from 23 councils and other organisations by Friday 4th March?**

#### **7) Councillor Bick to the Leader**

**What were your sticking points in participating in discussions on devolution with other councils and the Government?**

The Leader responded the City Council had established a good reputation for working with other councils and believed in a Cambridge based devolution that respected the needs of Greater Cambridge. At a recent workshop with a large number of representatives from various Cambridgeshire Local Authorities the question had been asked 'do you want a three county devolution? The majority of answers had been no.

The Government had since advised that there was only one option available which was a three county devolution plus a Mayor. The deadline to respond to Central Government was March 4 2016. Further discussion and consultation would take place during this time with invites to the opposition Leaders to take part in this process. During this time frame the following points had been expressed to Central Government:

- Councils needed to have a say over issues that affect them.
- The proposal could put the greater Cambridge economy at risk.
- A regional transport board was needed.

- Social rented homes were required in addition to the private rented market in Cambridge. The City Council had put forward a proposal for a total of 1350 new social houses to be built.
- The City Deal needed to be supported.

The following Oral Questions were also tabled, but owing to the expiry of the period of time permitted, were not covered during the meeting. The Mayor encouraged a written response to be sent out those Councillors whose questions were not answered:

**8) Councillor O'Connell to the Executive Councillor for City Centre and Public Places**

**Can the Executive Councillor for City Centre and Public Places tell us how she would like the North Pole compound on Parker's Piece to look in December 2016?**

**9) Councillor Markus Gehring to the Leader**

**Does the Leader believe that all consultation with stakeholders in relation to the city deal A428 proposals should be public – particularly given the level of response of over 2000 members of the public took the trouble to respond to the consultation?**

**10) Councillor Baigent to the Leader**

**What progress has he made in persuading the current Police and Crime Commissioner to ensure that the PCC's force-wide policing priorities, and the separate policing priorities of the Chief Constable, link up and also integrate with the Cambridge Community Safety priorities and Area Committee policing priorities?**

**11) Councillor Sinnott to the Executive Councillor for Communities**

**Can the Executive Councillor for Communities provide an update on the preparations for this year's Cambridge Folk Festival, organised by Cambridge Live, but supported by this authority?**

**12) Councillor Reid to the Leader**

**How is the Leader promoting transparency and engagement in City Deal processes?**

**13) Councillor Bird to the Executive Councillor for Finance and Resources**

**What is the Council's view on the 'National Living Wage' of £7.20/hour planned from 1st April and the difference from the 'Living Wage' outside London of £8.25/hour since October 2015?**

**14) Councillor Austin to the Executive Councillor for City Centre and Public Places**

**Has the council done a deal to provide delivery access across Jesus Green to the Lock House site?**

**15) Councillor M. Smart to the Executive Councillor for Environment and Waste**

**Can the Executive Councillor for Environment and Waste provide an update on the total amount of fixed penalty notices issued for dog fouling in the last year and his projection for the year ahead?**

**16) Councillor Pippas to the Executive Councillor for Planning Policy and Transport**

**We are pleased to see that the 20 mile per hour speed limit has been implemented in certain Wards in Cambridge including Coleridge.**

**When will the 20 mile per hour speed limit be implemented in Queen Edith's ward please?**

**Secondary Questions**

**1) Councillor Sinnott to the Executive Councillor for Environment and Waste**

**Does the Executive Councillor for Environment and Waste agree with me that there is no logical reason why women should not consider a career working in our front line waste teams, and does the new shared waste service provide a golden opportunity to look at this matter?**

## **2) Councillor Bird to the Executive Councillor for Communities**

**It has been claimed in media that Cambridge has one of the lowest public participation rates in swimming activities in the country. Is this true? And what is the council doing to promote swimming?**

**In addition the Council has also invested in programmes to support all children and families learning to swim, whatever their abilities and background. Cambridge also has a range of other swimming pools at schools and private clubs.**

**16/8/CNL To consider the following Notices of Motion, notice of which has been given by:**

**16/8/CNLa** Councillor Gillespie: Tourism Levy

Councillor Gillespie proposed and Councillor Holland seconded the following motion:

"This council is working hard to deal with the significant funding reductions being administered as part of the Government's austerity agenda which is giving rise to the current funding crisis in local government and the limits on the council's powers to control council tax and to raise revenue.

Council appreciates the contribution of tourism to our local economy and notes that major city tourism destinations such as Vancouver, New York and Venice, as well as many other cities in the United States and Europe, place a small levy on visitors.

Cambridge notes the potential of a relatively small levy of around £1-2 per night stayed to generate at least £1 - 2 million per annum – and that this scale of levy is unlikely to discourage visitors or drastically affect the hotel trade.

Council agrees in principle that Cambridge should pursue a policy that could introduce a Tourism Levy; and therefore formally agrees that a full report on the approach to introduction of a Tourism Levy should be presented to the Strategy and Resources Committee by July 2016."

On a show of hands the motion was lost by 28 votes to 1 vote.



**16/8/CNLb** Councillor Gillespie: Fair Tax

Councillors Gillespie proposed and Councillor Holland seconded the following motion:

"This council notes that:

- \* Corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid
- \* This is costing the UK as much as £30bn a year
- \* This practice also has a negative effect on small and medium-sized companies who pay more tax proportionately.

This council further notes that the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14 (PPN 03/14). This applies to all central government contracts worth more than £5m.

This council also notes the existence of voluntary schemes promoting tax compliance such as the Fair Tax Mark, which can serve as an independent means of verification. In early 2015 new regulations required public bodies, including councils, to ask procurement qualification questions of all companies for tenders over £173,000 for service contracts and £4m for works contracts.

However, these questions are not as detailed as the PPN 03/14.

This council believes that bidders for council contracts should be asked to account for their past tax records, using the standards in PPN 03/14, rather than the lower standards in the recent regulations. This council therefore calls for procurement procedures to be amended to require all companies bidding for service contracts worth more than £80,000 and for works contracts worth more than £2m to self-certify that they are fully tax-compliant in line with central government practice using the standards in 03/14, applying to contracts of the size specified above."

Councillor Owers proposed and Councillor Pitt seconded the following amendment to motion (deleted text struck through and additional text underlined):

"This council notes that:

- \* Corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid

- \* This is costing the UK as much as £30bn a year

- \* This practice also has a negative effect on small and medium-sized companies who pay more tax proportionately.

This council further notes that the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14 (PPN 03/14). This applies to all central government contracts worth more than £5m.

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This council resolves to bring a report to Strategy and Resources committee as soon as practicable to consider whether it is prudent, justified and practical to amend its procurement procedures in such a way as to require bidders for council contracts to account for their past tax records using the standards in PPN 03/14, and if so at what thresholds such a requirement should apply.'

On a show of hands the amendment was carried unanimously.

**Resolved unanimously that:**

"This council notes that:

- \* Corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid
- \* This is costing the UK as much as £30bn a year
- \* This practice also has a negative effect on small and medium-sized companies who pay more tax proportionately.

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However, these questions are not as detailed as the PPN 03/14.

This council resolves to bring a report to Strategy and Resources committee as soon as practicable to consider whether it is prudent, justified and practical to amend its procurement procedures in such a way as to require bidders for council contracts to account for their past tax records using the standards in PPN 03/14, and if so at what thresholds such a requirement should apply.

### **16/9/CNL Written Questions**

Members were asked to note the written questions and answers that had been placed in the information pack circulated around the Chamber.

### **16/10/CNL Urgent Decision**

#### **16/10/CNLa Amendment to the Capital Plan**

The decision was noted.

The meeting ended at 11.25 pm

**MAYOR**

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LICENSING COMMITTEE 21 March 2016

10.00 - 11.30 am

Present: Councillors Benstead (Chair), Bird (Vice-Chair), Austin, Bick, Gawthrope, McPherson, Meftah, O'Connell, O'Reilly, Pippas, Ratcliffe and Sinnott

<b>FOR ADOPTION BY THE COUNCIL</b>
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**16/37/LIC                      GAMBLING ACT 2005 STATEMENT OF POLICY – REVISIONS**

The Committee received a report from the Environmental Health Manager, advising that a public consultation on the updated Statement of Principles under the Gambling Act 2005 was undertaken from 3<sup>rd</sup> July 2015 to 3 September 2015. The updated statement was approved at Licensing Committee on 12 October and a meeting of Full Council on 22 October 2015.

A detailed review had subsequently been undertaken by Officers following the approval of the Statement of Principles to develop a Local Area Profile, Local Gambling Risk Assessment Guidance and Risk Assessment which forms part of new legislative requirements under the Gambling Act with effect from 6<sup>th</sup> April 2016

In response to the Committee's questions, the Environmental Health Manager and the Licensing & Enforcement Manager confirmed the following:

- i. The reference to the 'places of worship and religious buildings' were not to highlight the consideration of moral and ethical views on gambling.
- ii. A number of religious buildings in the local area were used for additional community purposes by various members of the community such as school groups, young adults, and the homeless community and therefore needed to be included in the Local Area Profile.
- iii. If operators were not asked to take into consideration the proximity of their business to places of worship and religious buildings (as with all community centres) a reasonable risk to certain groups would not be highlighted and could be missed.

- iv. Operators would be asked to demonstrate how they would operate in close proximity to these buildings and not how they operated within the views of the place of worship or religious building that they might be situated close to.
- v. By using places of worship and religious buildings in the Local Area Profile this would help operators identify that these buildings could also be used as community centres and consider what additional risks there could be.
- vi. Had no objections to the results of the community facilities audit being undertaken by the community services scrutiny committee being included in the Local Area Profile when it had been completed.
- vii. The Local Area Profile and Statement of Gambling Principles highlighted the risks to the operators' business and they needed to demonstrate how those risks would be mitigated.
- viii. Betting shops required an operating licence (issued by the Gambling Commission) and a premise licence (issued by the Local Authority) which set out the activities undertaken on the premises. The premise licence had an unlimited duration unless there had been a significant change to the Local Area Profile which could then be reviewed.
- ix. Those premises with fixed gambling terminals were asked to demonstrate what was being done to eliminate the risk to children and the vulnerable. City Council Officers had undertaken local inspections and were satisfied that the risks were being mitigated; there had been no infringements in the last twelve months.

#### The Committee:

Resolved unanimously to recommend to Council to:

- i. Endorse the post-consultation updated Statement of Gambling Principles and Local Area Profile and Guidance on Risk Assessments shown in Appendix A of the Officer's report and recommend to full Council that the policy is approved for publication on 15 April 2016 for it to come into effect on 13 May 2016.

## CAMBRIDGE CITY COUNCIL

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REPORT OF: Yvonne O' Donnell  
Environmental Health Manager

TO: Licensing Committee

21 March 2016

WARDS: All

### **UPDATE TO THE STATEMENT OF GAMBLING PRINCIPLES (GAMBLING ACT 2005)**

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#### **1 INTRODUCTION**

- 1.1 Cambridge City Council, as the Licensing Authority, is required to discharge its responsibilities under the Gambling Act 2005 with a view to promoting the three licensing objectives, namely;
  - Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
  - Ensuring that gambling is conducted in a fair and open way; and;
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.2 A public consultation on the updated Statement of Principles under the Gambling Act 2005 was undertaken from 3<sup>rd</sup> July 2015 to 3<sup>rd</sup> September 2015. The updated Statement was approved at Licensing Committee on 12<sup>th</sup> October 2015 and Full Council on 22<sup>nd</sup> October 2015.
- 1.3 Given the extensive, detailed research that would be required to produce and consult on a Local Area Profile, officers undertook a 'light touch' review of the Statement of Principles in 2015, to ensure legal compliance, with a view to a far more in depth review and a revised Statement being produced by April 2016.
- 1.4 Work has subsequently been carried out by Officers in order to develop a Local Area Profile, Local Gambling Risk Assessment Guidance and Risk Assessment Template which forms part of the Gambling Statement of Principles.

## **2. RECOMMENDATIONS**

- 2.1 Members are recommended to endorse the post-consultation updated Statement of Gambling Principles shown in Appendix A and recommend to full Council that the policy is approved for publication on 15<sup>th</sup> April 2016 for it to come in to effect on 13<sup>th</sup> May 2016.

## **3. BACKGROUND**

- 3.1 The Statement of Principles must be formulated in accordance with, and reflect the guidance issued by, the Gambling Commission and Government Codes of Practice. The principles essentially inform the processes that the Council would normally follow in conducting its duties as the Licensing Authority.
- 3.2 During the spring and summer of 2015 The Gambling Commission changed its Licence Conditions and Codes of Practice (LCCP) for operators. The changes are to be reflected in the Council's Statement of Principles.
- 3.3 The changes allowed the Council to create a Statement which is more reflective of local circumstances and to create a Local Area Profile (which is validated by evidenced provided in the Local Area Profile) to map the risks in Cambridge City of gambling-related harm according to a range of criteria. This could include mental health prevalence, significant ethnic groups, significant life stage groups (such as children or emerging adults), financial/ debt problems, housing instability, alcohol consumption and employment & income.
- 3.4 Gambling Operators that apply for licences will be required to produce a risk assessment as part of the application, although the template is not mandatory and Gambling Businesses can use their own template. The Council is already familiar with a risk based approach to compliance and has developed guidance to assist gambling operators in undertaking and preparing their local (premises) risk assessment.
- 3.5 The risk assessment will benefit the Council as a Licensing Authority under the Gambling Act 2005 as well as responsible authorities and interested parties when considering new and variation applications. The local risk assessments will also enable the Council to establish a more progressive compliance inspection regime.



- 3.6 Gambling operators will be required to undertake a risk assessment for all of their existing premises by 6<sup>th</sup> April 2016.
- 3.7 Following that date, operators must also undertake a review of those assessments when certain triggers are met. The Council considers that these local risk assessments are a key component of the overall assessment and management of the local risks and are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.
- 3.8 Details of the triggers can be found within the Guidance on Undertaking Local Gambling Risk Assessment but includes new premises, significant changes in local circumstances, significant changes to the premises and variation of the premises licence.
- 3.9 Operators will be able to use Cambridge City Council's Local Area Profile and Statement of Gambling Principles to help inform specific risks that operators will need to address in their risk assessment. The risk assessment should address how the operator will mitigate any risks outlined. Furthermore, operators will be required to demonstrate in their applications how they will prevent underage gambling and also their attitude to social responsibility.
- 3.10 It is anticipated that the Local Area Profile will develop over time and will:
- Enable the Council to better serve our local community, by better reflecting the community and the risks within it,
  - Enable the Council to make robust decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
  - Encourage operators and applicants to take a proactive approach to risk that is likely to result in reduced compliance and enforcement action.
- 3.11 The Local Area Profile has been included to facilitate operators being able to better understand the environment within Cambridge City and therefore proactively mitigate risks to the licensing objectives.
- 3.12 In January 2016, Officers undertook an exercise to visit the area where gambling premises are located and to inspect all gambling premises. In doing this, the Local Area Profile has been formulated to include detailed information for each Ward.

- 3.13 A consultation process took place between 1<sup>st</sup> and 14<sup>th</sup> February 2016 (Appendix B) on the Risk Assessment, the Guidance and the Local Area Profile. Two responses were received (Appendix C) and comments taken on board and factored in to the final document.

## 4. OPTIONS

- 4.1 The Committee may resolve to:

- 4.1.1 Endorse the post-consultation updated Statement of Gambling Principles shown in Appendix A and recommend to full Council that the policy is approved for publication on 15<sup>th</sup> April 2016 for it to come in to effect on 13<sup>th</sup> May 2016; or
- 4.1.2 Amend the draft Statement of Principles and recommend to full Council that the policy is approved for publication on 15<sup>th</sup> April 2016 for it to come in to effect on 13<sup>th</sup> May 2016.

## 5. CONSULTATIONS

- 5.1 Consultation on the draft policy took place between 1<sup>st</sup> and 14<sup>th</sup> February 2016, two responses have been received (Appendix C).
- 5.2 One response was from Coral Racing Limited who represents approximately 20% of all licensed betting premises across Great Britain.
- 5.3 A second response was from Gosschalks Solicitors who represents over 80% of the high street betting market and include large national gambling operators.
- 5.4 A summary of the key points from the two consultation responses can be found below:

Summary of Key Points	Response/ Action
Is the Risk Assessment Template Mandatory?	<i>The City Council has confirmed that the template is not mandatory and larger organisations can use their own template. The template is to assist smaller organisations.</i>
There appears to be a distortion of the “aim to permit” principle by moving the burden of proof onto operators.	<i>The Gambling Commission state that as a means of assisting local authorities, premises licence holders should have policies and procedures in place to mitigate the local risks to the licensing objectives. To take into account</i>

	<i>the feedback from the consultation, the following has been included in the Local Area Profile “The Council believe that contribution to premises risk assessments and being knowledgeable and informed on the ‘local area’ and risks is necessary in order to provide sufficient detail within the assessment. This means that any assessments undertaken do need to have an involvement of and an understanding of the local area in which they operate and are licensed.”</i>
It is not clear that the purpose of the Local Area Profile is to assist with the completion of the risk assessment.	<i>This has been made clear in the Local Area Profile documentation.</i>
Moral or ethical objections, a dislike of gambling or a general notion that it is undesirable are not valid reasons to reject an application. Furthermore, the affluence of an area would be irrelevant.	<p><i>Whilst this is clear in the Gambling Commission guidance, a number of factors have been taken into account in the compilation of the Local Area Profile in order to build a full picture and increase awareness of the area and to improve information sharing with gambling operators in order to facilitate constructive engagement with licensees. To take into account feedback from the consultation, the following has been included in the Local Area Profile “The Council has specifically included the location of religious premises and places of worship with the Local Area Profile due to evidence we have that they are focal points and areas of congregation for a percentage of vulnerable members of the local community, including our homeless community and youth population.</i></p> <p><i>It is not intended that we are considering any moral or ethical issues associated with gambling.”</i></p>
Reference is made to the British Gambling Prevalence Survey of 2010, whilst the Gambling Behaviour in England and Scotland of 2014 provides more recent data.	<i>The Local Area Profile has been reviewed and has included data and information highlighted in the Gambling Behaviour in England and Scotland 2014 report. The Council have explored the findings of reports from the Gambling Commission 2009 and 2010 undertaken Birmingham University titled “the role of social factors in gambling; evidence from</i>

	<p><i>the 2007 British Gambling Survey”. Whilst the study dates back, there are a number of observations within the reports which focuses more on the social aspects of gambling and make up of individuals from a local area, income of individuals and further factors which led the Council to consider our own Anti-Poverty Strategy.</i></p>
<p>The proximity of educational facilities, places of worship and licensed premises is not of relevant consideration.</p>	<p><i>We have produced and included an overview of key buildings at a ward level, including licensed premises and schools as a number, although not all of these premises can and do have gambling and alcohol related licenses (small society lotteries, TEN's, notification of more than 2 gambling machines). It is pertinent to highlight that the Local Area Profile is not exclusively just for the larger betting establishments.</i></p> <p><i>The City also has a number of licensed premises (2003 Act) which have 2 gambling machines (automatic entitlement) which are required to be registered and the appropriate fee paid. Whilst these are not separately licensed, they will be inspected accordingly and the Council expect these premises to consider an appropriate risk assessment and will review their activities within the guidance.</i></p>
<p>The list of triggers for risk assessments and local area risks need to be reviewed and redrafted to ensure only matters that are relevant to the licensing objectives are included.</p>	<p><i>The guidance on undertaking local risk assessments reflects triggers for risk assessments as being:</i></p> <ul style="list-style-type: none"> <li><i>- Upon application of a new premises licence</i></li> <li><i>- When applying for a variation to a premises licence</i></li> <li><i>- Changes in the local environment or premises warrant an assessment to be undertaken again</i></li> </ul>
<p>The ethical, age and economic make-up of the community is irrelevant unless the Council has determined that certain ethnic groups are more likely to</p>	<p><i>The following statements have been included in the Local area Profile: “Some high risk groups often also correlate to having low or limited income, live in areas of high deprivation, are more at risk of being involved in or of being a</i></p>

commit crime arising out of gambling. The statement of principles does not suggest this.	<i>victim of crime and disorder as well as often suffering with additional health related matters.”</i>  <i>“Accessibility to money is a factor which is cited in many gambling studies as is proximity from various locations such as dwellings to gambling venues as being a notable factor”</i>
The control measures should reference ‘Think 21’ scheme.	<i>The guidance reflects the use of a ‘Think 21’ scheme in gambling premises.</i>

## 6. CONCLUSIONS

- 6.1 Cambridge City Council has fulfilled its statutory duty and the Statement of Principles was published on 21<sup>st</sup> December 2015. In order to complete the Statement and to assist operators in fulfilling their requirements, the Addendum to the Statement should be produced by April 2016.

## 7. IMPLICATIONS

### (a) Financial Implications

The Statement of Principles, and the addendum to it, is a statutory function, covered by the fees paid by Licence and permit holders.

### (b) Staffing Implications

Existing staff resources will apply to the Statement of Principles and Addendum once finalised.

### (c) Equal Opportunities Implications

This is a statutory policy and it promotes equal opportunities. The policy does not prohibit any person from making an application or objecting to an application where they have a statutory right to do so.

An Equalities Impact Assessment was completed on the Statement of Principles in September 2015 (Appendix D).

### (d) Environmental Implications

There are no apparent environmental implications that result from the Statement of Principles or Addendum.

### (e) Community Safety

The Statement of Principles will ensure that in carrying out its statutory duties, the Licensing Authority will promote the licensing objectives:

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

## **APPENDICES**

### Appendix A

Statement of Principles (with Local Area Profile, Guidance on Undertaking Local Gambling Risk Assessment and Risk Assessment Template).

### Appendix B

Consultation Paper

### Appendix C

Consultation Responses

### Appendix D

Equalities Impact Assessment

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

- Gambling Act 2005
- Guidance Published by the Gambling Commission in May 2015
- Existing Statement of Gambling Principles published on 21<sup>st</sup> December 2015.

The author and contact officer for queries on the report is Vickie Jameson on extension 7863.

Date originated: 4 March 2016

Date of last revision: 4 March 2016

# **CAMBRIDGE CITY COUNCIL**



## **GAMBLING ACT 2005**

### **Statement of Principles**

**January 2016 – January 2019**

Published: ~~21 December 2015~~

Effective from: ~~18 January 2016~~

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## Introduction

Under the Gambling Act 2005 ("the 2005 Act" a regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting is regulated by the Gambling Commission whose duties include licensing the operators and individuals involved in the provision of gambling and betting.

Cambridge City Council Licensing Authority recognises the potential impact of gambling and in adopting this policy; the Licensing Authority will seek to work with communities and partners. It will address the concerns of the public to maintain safe and high quality environments making Cambridge an even better place to live, work and visit. It wishes to work together with premises licence operators/ holders to assist the thriving and growing local economy whilst seeking to protect vulnerable persons from harm.

Cambridge City Council ("the Council"), along with other licensing authorities, has a duty under the 2005 Act to licence premises where gambling is taking place. The Council is also required to licence certain other activities (such as registering small society lotteries). This document sets out how Cambridge City Council intends to carry out these duties.

Licensing authorities are required by Section 349 of the 2005 Act to publish a statement of principles that they propose to apply when exercising their functions in accordance with the legislation. This statement must be published every 3 years and this is the second revision. If any part of the document is amended, further consultation and re-publication is required.

The 2005 Act requires that the following parties are consulted by licensing authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority'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 Gambling Act 2005.

A full list of those persons/ organisations consulted is detailed at Appendix B.

**The latest draft of this statement of principles contains the minimum of amendments and no changes to the intent or direction of the policy. In producing the final statement, the Council declares that it has regard to the**

**Licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any response from those consulted on this statement.**

This statement of principles was approved at a meeting of the Full Council on (date to be inserted). It was then published via Cambridge City Council's website on (date to be inserted).

It should be noted that this policy statement does not override any right of any person to make an application, make representation about an application or apply for review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

The full list of comments made and the consideration by the Council of these comments is available by request to the Licensing & Enforcement Team, Refuse & Environment Department.

Should you have any comments in regard to this statement of principles, please send them to:

The Licensing & Enforcement Manager

Environmental Health Service

Cambridge City Council

PO Box 700

Cambridge, CB1 0JH

Email: [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk)

## PART A

### **1. The Licensing Objectives**

In exercising most of its functions under the Gambling Act 2005, the Council as the Licensing Authority must have regard to the Licensing Objectives as set out in Section 1 of the 2005 Act. The objectives are:

#### **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.**

The Gambling Commission will be taking a lead role in preventing gambling from being a source of crime. Cambridge City Council is aware that it falls to the Gambling Commission to ensure the suitability of an operator before issuing an operator licence.

However, this Licensing Authority will bring to the attention of the Gambling Commission any information that is brought to its attention during the course of processing a premises licence application or at any other time, which could question the appropriateness of an applicant.

Where an area has known high levels of crime, this Licensing Authority will consider carefully whether gambling premises are suitable to be located there. If there are concerns over a premises location, in order to prevent that premises from becoming a source of crime, certain conditions could be considered by the Council to be attached to the licence.

#### **Ensuring that gambling is conducted in a fair and open way.**

The Gambling Commission is concerned to ensure that not only is gambling fair in the way it is played, but also that the rules are transparent to players and they know what to expect. It achieves this by working to ensure that: -

- Operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
- Easily understandable information is made available by operators to players about, for example, the rules of the game, the probability of losing or winning, and the terms and conditions on which business is conducted;
- The rules are fair;
- Advertising is not misleading;
- The results of events and competitions on which commercial gambling takes place are made public;

- Machines, equipment and software used to produce the outcome of games meet standards set by the Gambling Commission and operate as advertised.

The Gambling Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way. This is because they will either be concerned with the management of the gambling business (and therefore subject to the operating licence), or the suitability and actions of an individual (and therefore subject to a personal licence). These permissions both fall within the remit of the Gambling Commission.

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

The Gambling Act 2005 is intended to ensure that children and vulnerable persons should not be allowed to gamble and should be prohibited from entering those gambling premises which are adult-only environments.

This licensing objective refers to protecting children from being 'harmed or exploited by gambling'; meaning that they should be prevented from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children, with the exception of Category D gaming machines.

It does not however seek to disallow particular groups of adults from gambling in the same way that it does children. The Gambling Commission has not sought to define 'vulnerable persons', but it does 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 mental health needs, learning disability or substance misuse relating to alcohol or drugs.

This Licensing Authority will consider this licensing objective on a case by case basis. In order to protect vulnerable persons, this Licensing Authority will consider whether any special considerations apply to a particular premises. These considerations could include self-barring schemes or providing information in the form of leaflets or helpline information from relevant organisations.

The Gambling Commission has stated (5.2) *"The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling"*

From 6 April 2016 premises licence holders must conduct a local risk assessment for each of their current premises. This applies to~~Additional statements on new mandatory requirements to follow:-~~

Social Responsibilities/Assessing Local Risk  
Comes into force on 6 April 2016  
Wording to follow from Gambling Commission

~~Social Responsibilities/ Sharing Local Risk Assessments~~  
~~Comes into force on 6 April 2016~~  
~~Wording to follow from Gambling Commission – Adult Gaming Centres~~

- ~~Family Entertainment Centres~~
- ~~Non-Remote Betting~~
- ~~Non-Remote Bingo~~
- ~~Non-Remote Casinos~~
- ~~Remote Betting Intermediary (trading room only)~~

~~There is also a requirement to conduct or update a risk assessment when:~~

- ~~Applying for a new gambling premises licence~~
- ~~Applying for a variation to a gambling premises licence~~
- ~~Changes in the local environment, or the premises, warrant a risk assessment to be conducted again.~~

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~~The Council will be looking at the Local Area Profile and Assessing Local Risk in a further review of the Statement of Principles during 2016.~~

This licensing authority is aware that, as per section 153, in making decisions about premises licences and temporary use notices it should “aim to permit” the use of premises for gambling in so far as it is satisfied the application is “*in accordance with any 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 the authority’s statement of licensing principles*”.

As a means of assisting Licensing Authorities in determining whether the provision of gambling facilities at premises will be, and will remain, consistent with the licensing objectives, the Gambling Commission that premises licence holders should have policies and procedures in place to mitigate the local risks to the licensing objectives arising from the provision of gambling at their premises.

Following the Gambling Commission’s review of the social responsibility elements of the Licence Conditions and Codes of Practice (LCCP), the Commission have introduced a social responsibility code (SR code 10.1.1) requiring operators to conduct local risk assessments of their premises to demonstrate how they aim to address the local risks to the licensing objectives.

The Council notes the Gambling Commission’s Guidance (5.28) to local authorities that “*In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be,*

*met. Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the Licensing Objectives. An Authority's decision cannot be based on dislike of gambling or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers)".*

## **2. Cambridge City**

Cambridge City Council is situated in Cambridgeshire, which contains a total of 5 District Councils. Cambridge combines a rich history with the vibrancy and prosperity of outstanding educational institutions and modern businesses. It is an inspiring and attractive place in which to live and work. It is at the heart of a buoyant sub-region which is an area designated for major growth in employment and housing.

The City of Cambridge is in the east of England, 50 miles north of London. A beautiful place to live and work, Cambridge is an historic University City and market town with high quality architecture and attractive open spaces. It is also a city of national importance, being a world leader in higher education and many 21st century industries – information technology, telecommunications and commercial research, particularly the biotechnology sector.

The population of Cambridge is over 125,000. This is forecast to increase to 151,800 in 2031 as a result of new developments

At present 23% of the City's population are aged 15–24. A significant characteristic of the City's population is its large and diverse student population, totaling almost 27,000 (including post graduates). This is swollen further by language students attending "summer schools", which adds to a high "churn" in our population. The proportion of older people in the City has not grown in the past 10 years.

The daytime population of the City increases significantly, with high levels of commuting into the City and very large numbers of tourists and visitors. Last year nearly 4 million people visited the City. The high day time population places pressure on the City's infrastructure and heavy demands on basic Council services such as street cleaning.

Cambridge has one of the highest qualified work forces in the East of England with 65.8% of people having NVQ4 qualifications and above, and relatively speaking, the City is affluent.

This area is shown in the map at Appendix A.

### 3. Authorised Activities

'Gambling' is defined in the 2005 Act as either gaming, betting or taking part in a lottery.

**Gaming** - means playing a game of chance for a prize

**Betting** – means making or accepting a bet on the outcome of a race, competition or any other event, the likelihood of anything occurring or not occurring, or whether anything is true or not true.

**Lottery** – is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process, which relies wholly on chance.

**Private Gaming** – in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access.

**Domestic Betting** – between inhabitants of the same premises or between employees of the same employer is also exempt.

**Non-commercial gaming and betting** – where no part of the proceeds are for private gain may be subject to certain exemptions.

### 4. Licences under the Gambling Act 2005

The 2005 Act provides for 3 categories of licence as detailed below:

- Operating Licences
- Personal Licence
- Premises Licences

The Council is responsible for the issue of Premises Licences. The Gambling Commission is responsible for the issue of Operating and Personal Licences.

### 5. The Gambling Commission

The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling, by ensuring that gambling is conducted in a fair and open way and by protecting children and vulnerable people. The Commission provides independent advice to the Government about the manner in which gambling is carried out, the effects of gambling and the regulation of gambling generally.

The Commission has issued guidance in accordance with Section 25 of the 2005 Act about the manner in which Licensing Authorities exercise their functions under the



Act and, in particular, the principles to be applied.

The Commission will also issue Codes of Practice under Section 24 about the way in which facilities for gambling is provided, which may also include provisions about the advertising of gambling facilities.

The Gambling Commission can be contacted at:

Gambling Commission

Victoria Square House

Victoria Square

Birmingham

B2 4BP

Website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Email [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

## **6. Responsible Authorities**

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

The principles are:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this licensing authority designates the Local safeguarding Children's Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are set out in Appendix C.

## **7. Interested Parties**

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005

as follows:

*“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person –*

- a) Lives sufficiently close to the premises to be likely affected by the authorized activities, and/ or*
- b) Has business interests that might be affected by the authorized activities, or*
- c) Represents persons who satisfy paragraph a) or b)”.*

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether person is an interested party. The principles are:

- Each case will be decided upon its merits. The authority will not apply a rigid rule to its decision making.
- It will have regard to the examples of considerations provided in the Gambling Commissions Guidance to licensing authorities at 8.11 to 8.19
- It will also consider the Gambling Commission’s Guidance that “business interests” should be given the widest possible interpretation and where appropriate include organisations such as, but not limited to, partnerships, charities, faith groups and medical practices.

Interested parties can be people who are democratically elected such as Councillors and MP’s. Where appropriate, this will include county, parish and town Councillors. Other than these persons, authorities should require written evidence that a person ‘represents’ someone who either lives sufficiently close to the premises likely to be affected by the authorized activities and/ or business interests that might be affected by the authorized activities. A letter from one of these persons requesting the representation is sufficient.

Further advice on how licensing authorities can determine whether someone is an interested party is detailed below:

- i) The approach taken by licensing authorities in determining who is an interested party is also a function that is dealt with in the Licensing Statement of Policy.
- ii) The factors that should be taken into account when determining what ‘sufficiently close to the premises’ means (in each case) might include:
  - The size of the premises
  - The nature of the premises
  - The distance of the premises from the location of the person making the representation
  - The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and

- The circumstances/ interests of the complainant which may be relevant to the distance from the premises.

## **8. Exchange of Information**

Licensing authorities are required to include in their statements, the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission. It is also required to include the principles it will apply in exercising its functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that the Council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The Council will also have regard to any guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Details of applications and representations which are referred to a Licensing Sub-Committee for determination will be detailed in the reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the Licensing Authority is asked to do so.

Should any protocols be established as regards information exchange with other bodies then they will be made available. The Council has various policies relating to the sharing of information which will be considered when deciding what information to share and the process of doing so.

## **9. Enforcement**

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and under the powers of Section 346 of the Act to instigate criminal proceedings in respect of offences specified.

This Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance to licensing authorities and will endeavor to be:

- **Proportionate** – regulators should only intervene when necessary. Remedies should be appropriate to the risk posed and costs identified and minimized;
- **Accountable** – regulators must be able to justify decisions and be subject to public scrutiny;
- **Consistent** – rules and standards must be coherent and implemented fairly;
- **Transparent** – regulators should be open and keep regulations simple and user friendly; and
- **Targeted** – regulation should be focused on the problem and minimize side effects.

In accordance with the Gambling Commission's Guidance, the Council will endeavor to avoid duplication with other regulatory regimes so far as possible.

Cambridge City Council has adopted and implemented a risk-based inspection programme based on:

- The Licensing Objectives
- Relevant Codes of Practice
- Guidance issued by the Gambling Commission (in particular Part 36)
- The principles set out in this Statement of Licensing Policy

The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorizes. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

The Council shall have regard to the principles of "Better Regulation" as outlined by the Department for Business Innovation and Skills.

Bearing in mind the principle of transparency, the Council's enforcement/ compliance protocols and written agreements are available upon request.

The Corporate Enforcement Policy can be found online here:

<https://www.cambridge.gov.uk/enforcement-policy>

## 10. Licensing Authority Functions

Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements

- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/ or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/ supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licenses.

## **11. Public Register**

Section 156 of the Act requires licensing authorities to maintain a register of the premises licences that it has issued. The register must be made available, at any reasonable time, to the public who may request copies of the entries. The Council achieves this requirement through the use of an online register which is accessible via the Council's website.

## **PART B PREMISES LICENCES**

### **1. General Principles**

Premises licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others where it is believed to be necessary.

The Council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks 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 the authority's statement of licensing principles

It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to are not a valid reason to reject applications for premises licences" (except as regards as any 'no casino resolution') and also unmet demand is not a criterion for a licensing authority.

Premises are defined in the Act as including "any place". Section 152 therefore 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 be reasonably regarded as being different premises.

This approach has been taken to allow large, multiple unit premises such as pleasure parks, piers, tracks or shopping malls to obtain discrete premises licences where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the fourth edition of its 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 being 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 for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises".*

The Council takes particular 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*

they should be aware of the following:

- *The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.*
- *Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.*
- *Customers should be able to participate in the activity named on the premises licence"*

The Guidance also gives a list of factors which the licensing authority 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 access from any other gambling premises?

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

## **2. Access Provisions**

The Gambling Commissions relevant access provisions for each premises type are below:

### **Casinos**

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/ or young persons
- No customer must be able to enter a casino directly from any other premises which hold a gambling premises licence

### **Adult Gaming Centre**

- No customer must be able to access the premises directly from any other licensing gambling premises

#### Betting Shops

- Access must be from a street (as per paragraph 7.23 of the guidance) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café, the whole area would have to be licensed

#### Tracks

- No customer should be able to access the premises from:
  - i) a casino
  - ii) an adult gaming centre

#### Bingo Premises

- No customer must be able to access the premises directly from:
  - i) a casino
  - ii) an adult gaming centre
  - iii) a betting premises, other than a track

#### Family Entertainment Centre

- No customer must be able to access the premises directly from:
  - i) a casino
  - ii) an adult gaming centre
  - iii) a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further information on this issue, which the Council will also take into account in its decision making.

The guidance states that a license to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at the premises, the Council will determine applications on their merits, applying a two stage consideration process:



1. First, whether the premises ought to be permitted to be used for gambling
2. Second, whether the 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 Council is entitled to decide that it is appropriate to grant a licence subject to conditions, but it not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.67 of the Guidance.

### 3. Location

The Council is aware that demand issues cannot be considered with regard to the location of the premises but that considerations in terms of the licensing objectives are relevant to its decision making. As per the guidance, the Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its own merits, with the onus upon the applicant showing how potential concerns can be overcome.

### 4. Planning

The Gambling Commission Guidance to Licensing Authorities states *“In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. This authority will not take into account irrelevant matters as per the above guidance”*.

In addition the Council notes the following exception from the guidance: *“When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises*

*licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building control".*

## **5. Duplication with other Regulatory regimes**

The Council will seek to avoid any duplication with other statutory/ regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will though, listen to and consider carefully any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished building, the Council will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

## **6. Licensing Objectives**

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Council has considered the Gambling Commission's Guidance to Licensing Authorities:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.**

The Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime the Council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Council is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behavior was to those who could see it, so as to make that distinction.

- **Ensuring that gambling is conducted in a fair and open way**

The Gambling Commission has stated that it generally does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks.

- **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

The Gambling Commission's Guidance to Licensing Authorities states 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 Council will therefore consider, as suggested in the guidance, whether specific measures are required at particular premises with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas etc.

The Council is also aware of the Gambling Commission Codes of Practice, which the Gambling Commission issues as regards this licensing objective, in relation to specific premises.

With regard to 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 Council will consider this licensing objective on a case by case basis.

## **7. Licence Conditions**

Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonable related to the scale and type of premises; and
- Reasonable in all other aspects

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. The Council will also expect the licence applicant to offer his/ her own suggestions as to the way in which the licensing objectives can be

met effectively.

The Council will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

The Council will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

These considerations will apply to premises including buildings where multiple premises licences are applicable.

The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, the Council will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions that the licensing authority cannot attach to premises licences, which are:

- Any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- Conditions relating to gaming machine categories, numbers or method of operation;
- Conditions which provide that membership of a club or body be required. The Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- Conditions in relation to stakes, fees, winning or prizes.

## **8. Door Supervisors**

The Gambling Commission advises in its guidance that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/ machines is appropriate for particular cases, a consideration of whether these need to be SIA licenced or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary.

### **9. Adult Gaming Centres**

The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

The Council may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/ machine areas
- Physical separation of areas
- Location of entry
- Notices/ signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/ helpline numbers for organisations such as GamCare

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

### **10. Licensed Family Entertainment Centres**

The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

The Council may consider measures to meet the licensing objectives such as:

- Proof of age schemes

- CCTV
- Supervision of entrances/ machine areas
- Physical separation of areas
- Location of entry
- Notices/ signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/ helpline numbers for organisations such as GamCare
- Measures/ training for staff on how to deal with suspected truant school children on the premises

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

The Council will, as per the Gambling Commission's Guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing category C machines should be delineated. The Council will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

## **11. Casinos**

The Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Council decide in the future to pass such a resolution, it will update this statement of principles with details of that resolution. Any such decision will be made by the Full Council.

## **12. Bingo Premises**

The Council notes that the Gambling Commission's Guidance states in 18.4 *"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"*.

The Council also notes the Guidance at paragraph 18.7 where the the holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises.

Premises in existence before 13 July 2011 are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. The holder of bingo premises licence granted on or after 13 July 2011 but before 1 April 2014 is entitled to make available a maximum of eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only.

Regulations state that category B machines at bingo premises should be restricted to sub-category B3 and B4 machines, but not B3A lottery machines.

*“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 separate from areas where children and young people are allowed”.*

### **13. Betting Premises**

The Council will, as per the Gambling Commission’s Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/ nature/ circumstances of betting machines an operator wants to offer.

### **14. Credit/ ATM's**

Section 177 of the 2005 Act requires, in relation to casino and bingo premises licences, that a condition be placed on the licence prohibiting the provision of credit in connection with gambling authorised by the licence or any involvement with the provision of credit.

Section 177 does not, however, prevent the licensee from permitting the installation of cash dispensers (ATM's) on the premises. Such machines may accept credit cards (and debit cards) providing the arrangement is subject to a requirement that the licensee has no other commercial connection with the machine provider in relation to gambling (aside from the agreement to site the machines) and does not profit from the arrangement, nor make any payment in connection with the machines.

### **15. Tracks**

The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the

Gambling Commission's Guidance, the Council will especially consider the impact upon the third licensing objective (i.e the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

The Council will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/ or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

The Council may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/ machine areas
- Physical separation of areas
- Location of entry
- Notices/ signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/ helpline numbers for organisations such as GamCare

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

#### Gaming Machines

Where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines (other than category D machines), these machines should be located in areas from which children are excluded.

#### Betting Machines

The Council will take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/ nature/ circumstances of betting machines an operator wants to offer.

#### Applications and Plans

The Gambling Act (Section 51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises



are fit for gambling. The plan will also be used for the Council to plan future premises inspection activity.

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to point race tracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

The Council appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the 'five times rule' (commonly known as betting rings) must be indicated on the plan.

## **16. Travelling Fairs**

It will fall to the Council to decide whether, where category D machines and/ or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Council will also consider whether the applicant falls within the statutory definition of a travelling fair.

It is noted that the 27 day statutory maximum for the land being used as a fair, is per calendar year, and that it applies 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. The Council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **17. Provisional Statements**

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

Section 204 of the Gambling Act 2005 provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- a) Expects to be constructed;
- b) Expects to be altered; or
- c) Expects to acquire a right to occupy

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

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

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

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

In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- Which could not have been raised by objectors at the provisional statement stage;
- Which in the authority's opinion reflect a change in the operator's circumstances; or
- Where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and the Council notes that it can discuss any concerns it has with the applicant before making a decision.

## 18. Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities (it should be noted that there is no mechanism to review any permit or notice). However, it is for the Licensing Authority to decide whether such a request will result in a review. Such a decision will be taken by considering, amongst other matters, the following:

- Any relevant code of practice or guidance issued by the Gambling Commission;
- The licensing objectives
- The Licensing Authority's Statement of Policy
- Whether the request is considered frivolous, vexatious, or whether it will certainly not cause the authority to wish to alter or revoke or suspend the licence; and
- Whether the request is substantially the same as previous representations or requests for a review.

The Council, as the licensing authority, may also initiate a review of a premises licence. The purpose of such a review would be to determine whether the Council, as the licensing authority, should take any action in relation to the licence.

Following a review, the actions open to the licensing authority are:

- Add, remove or amend a licence condition imposed by the licensing authority;
- Exclude a default condition imposed by the Secretary of State or Scottish Ministers to remove or amend such an exclusion;
- Suspend the licence for any period not exceeding three months; and
- Revoke the licence.

In considering what action, if any, should be taken following a review the Council must have regard to the principles set out under Section 153 of the Act as well as any relevant representations.

## PART C PERMITS/ TEMPORARY & OCCASIONAL USE NOTICES

### 1. Unlicensed Family Entertainment Centre Gaming Machine Permits

Unlicensed family entertainment centres will be able to offer category D machines if granted a permit by the Council. If an operator of a family entertainment centre wishes to make category C machines available in addition to category D machines, they will need to apply for an operating licence from the Gambling Commission and a Premises Licence from the Council.

The Council can grant or refuse an application for a permit, but cannot attach conditions.

## **2. Statement of Principles**

As unlicensed family entertainment centres will particularly appeal to children and young persons, weight shall be given to child protection issues.

The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits.

The policies and procedures are expected to include:

- What staff should do if they suspect that truant children are on the premises
- How staff should deal with unsupervised young children on the premises
- How staff should deal with children causing perceived problems on or around the premises

The Council will also expect applicants to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- That the applicant has no relevant convictions (those that are set out in Schedule 7 to the Act);
- That staff are trained to have a full understanding of the maximum stakes and prizes

## **3. Alcohol Licensed Premises Gaming Machine Permits**

Premises licensed to sell alcohol for consumption on the premises, can automatically have 2 gaming machines, of categories C and/or D. The holder of a Premises Licence under the Licensing Act 2003, authorising the sale of alcohol, will simply need to notify the Council, and pay the prescribed fee.

The Council may remove the automatic authorisation in respect of any particular premises if;

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act;

- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then the holder of the Premises Licence will need to apply for a permit. The Council shall consider that application having regard to the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Act, and any other matters that are considered relevant.

The Council shall determine what constitutes a relevant consideration on a case-by-case basis, but weight shall be given to the third licensing objective i.e. protecting children and vulnerable persons from being harmed or being exploited by gambling. To this end, the Council will expect applicants to demonstrate

- that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines.
- Measures may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18.
- Notices and signage will also need to be considered.

With respect to the protection of vulnerable persons, the Council will expect applicants to provide information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol-licensed premises may apply for a Premises Licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre Premises Licence.

The Council may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. The Council will not attach any other conditions in granting such an application.

The holder of such a permit will be required to comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

#### **4. Prize Gaming Permits**

Applicants for prize gaming permits should set out the types of gaming that they intend to offer. The applicant will be required to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law.

In making its decision on an application for this type of permit the Council does not need to have regard to the licensing objectives but will have regard to any Gambling Commission guidance. Weight will be given to child protection issues, and relevant considerations are likely to include the suitability of the applicant (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises. Applicants for prize gaming permits must disclose any previous relevant convictions to the Council.

The Council may grant or refuse an application for a permit, but will not attach any conditions. However, there are 4 conditions in the Act that permit holders must comply with. These are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

## **5. Club Gaming and Club Machine Permits**

Members clubs (but not commercial clubs) may apply for a club gaming permit. The club gaming permit will enable the premises to provide gaming machines (3 machines of categories B4, C or D), equal chance gaming and games of chance.

If a club does not wish to have the full range of facilities permitted by a club gaming permit or if they are a commercial club not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act), they may apply for a club machine permit, which will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D).

Members clubs must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members’ club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men’s clubs, branches of Royal British Legion and clubs with political affiliations.

The Council will only refuse such an application on one or more of the following grounds;

- the applicant does not fulfil the requirements for a members' or commercial club and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a condition of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or;
- an objection has been lodged by the Gambling Commission or the Police

The Council will have regard to the guidance issued by the Gambling Commission and (subject to that guidance), the licensing objectives.

There is a 'fast-track' procedure available for clubs which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which an authority can refuse a permit licences are reduced.

The grounds on which an application under the fast track procedure may be refused are;

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

The Council may grant or refuse an application for a club gaming or club machine permit, but will not attach any conditions. However, premises must comply with the Gambling Commissions Licence Conditions and Codes of Practice. There are a number of conditions in the Act that the holder must comply with.

## **6. Cancellation of Permits**

### **Gaming / Machine Permits**

The authority is able to cancel a permit. It may do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Act has been committed. Before it cancels an authority

must notify the holder giving 21 days' notice of intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed.

#### **Club Gaming / Club Machine Permits**

Decisions relating to the cancellation of a Club Gaming or Club Machine Permit may not be made by an officer of the authority. Such decisions shall be dealt with by the Licensing Sub Committee.

#### **Alcohol Licensed Premises Permits**

In the event of representations being received against a notice of cancellation, the matter will be determined by a licensing sub-committee. Where no representations have been received, or if they have been received but have been subsequently withdrawn, then the final decision may remain with an Officer of the Council.

### **7. Small Local Society Lotteries**

A Small Society Lottery is a lottery that is promoted on behalf of a non-commercial society (such as a charity or similar non-profit making organisation) to raise funds for any of the purposes for which the society or organisation is set up.

Small Society Lotteries do not require a licence but must be registered with the licensing authority in the area where the society's principle premises is situated. An application to register a Small Society Lottery should be on the relevant application form and accompanied by any necessary documents and the appropriate fee.

The maximum prize per ticket in either money or monies worth is £25,000.

In determining whether to grant or renew a small society lottery registration, the Licensing Authority will have regard to the Guidance to Local Authorities issued by the Commission.

Societies may wish to refer to the relevant section of the Licensing Authority's website for full details on how to register and maintain small society lottery registrations.

### **8. Exempt Gambling**

The Licensing Authority has no control over Gambling in these circumstances, provided the specific requirements are complied with and any limits on stakes and prizes are observed.



### **8.1. Non-commercial gaming**

There are two types of non-commercial gaming allowed: non-commercial prize gaming and non-commercial equal chance gaming. Neither of these require any authorisation provided the maximum stakes and prizes are not exceeded. In each case the gaming can be incidental to another activity, or the activity itself. It must be non-commercial which means there must be no private profit or gain. However, the proceeds of such events may benefit an organisation, group or one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes;
- to enable participation in, or support of, sporting, athletic or cultural activities.

### **8.2. Non-commercial prize gaming**

In this case, the prize should be determined in advance and not be dependent on the number of players or monies staked. The players should be told what the monies are being raised for, and it cannot take place in premises that have a Gambling Act premises licence (except a track).

This can include casino nights and race nights.

### **8.3. Non-commercial equal chance gaming**

In this case, the stakes per player cannot exceed £8. In addition, the aggregate value of prizes in all games played at a single event cannot exceed £600 (but if the event is the final one of a series in which all of the players have previously taken part, a higher prize fund of up to £900 is allowed). The players should be told what the monies are being raised for, and it cannot take place in premises that have a Gambling Act premises licence (except a track).

This can include casino nights and race nights.

### **8.4. Private gaming**

This covers situations where the public are not admitted to the gaming. This includes residential and domestic premises and workplaces.

This can include casino nights and race nights.

### **8.5. Domestic gaming**

Non-equal chance gaming can be played in private dwellings on domestic occasions

provided no participation charge is made.

#### **8.6. Residential gaming**

Non-equal chance gaming can be played in hostels or halls of residence provided at least 50% of the participants are residents.

#### **8.7. Non-commercial and private betting**

This is betting in domestic premises or workplaces. In domestic premises the participants must habitually reside there, and for workers betting the participants must be employed by the same employer.

#### **8.8. Incidental non-commercial lottery**

These can take place as an incidental activity at another non-commercial event, e.g. a raffle at a dinner or tombola at a garden party. No registration or permission is required provided the following requirements are met.

- Tickets can only be sold on the premises where the event takes place to people present and while the event is taking place;
- The draw must take place at the event and the results must be announced while the event is taking place;
- No rollovers are allowed;
- The maximum deduction allowed for prizes from the proceeds is £500; and
- The maximum deduction allowed for organising costs from the proceeds is £100.

### **9. Exempt gambling in pubs**

Various types of gambling can take place in premises that are licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises and which have a bar at which alcohol is served to customers, but this does not apply where the sale of alcohol can only take place as being ancillary to the sale of food.

#### **9.1. Equal chance gaming in pubs**

Equal chance gaming up to specified limits on stakes and prizes can take place, and this includes games such as backgammon, mah-jong, rummy, kalooki, dominoes,

cribbage, bingo and poker.

The following requirements have to be met:

- The maximum stakes and prizes for each type of game must not be exceeded (£5 maximum stake for any game of chance except poker, dominoes and cribbage. For poker the maximum stake is £5, a daily maximum of £100 in aggregate stakes cannot be exceeded and the maximum prize limit is £100. There are no limits on stakes and prizes for dominoes or cribbage);
- The gaming must be supervised by a nominated gaming supervisor and comply with Gambling Commission codes of practice;
- No participation fees can be charged and no levy taken from stakes or prizes;
- The games cannot be linked to any other games in other premises; and
- Nobody under 18 years old can take part.

## **9.2. Bingo in pubs**

Low-turnover bingo where the aggregate of stakes and prizes in a seven day period does not exceed £2000 can take place.

## **10. Exempt gambling in Clubs**

There are two types of club for the purposes of the Act: members' clubs (including miners' welfare institutes) and commercial clubs. Generally speaking the club must be established for purposes other than gaming, but there is an exception for bridge or whist clubs. The exempt gaming that can take place differs according to the type of club. If a club has a club gaming permit, additional games and higher stakes and participation fees apply.

### **10.1. Equal chance gaming in clubs**

Equal chance gaming with no specified limits on stakes and prizes (except for poker) can take place.

The following requirements have to be met:

- Only club members (who have been members for at least 48 hours) or a bona fide guest of a member can participate;
- Except for poker, there is no maximum stake or prize;
- For poker there is a £10 maximum stake, a daily maximum of £250 in

aggregate stakes and a seven day maximum of £1000 in aggregate stakes cannot be exceeded, and the maximum prize limit is £250;

- The gaming must be supervised by a nominated gaming supervisor and comply with Gambling Commission codes of practice;
- A maximum participation fee of £1 can be charged but no levy taken from stakes or prizes (however if the games are bridge or whist, on a day when no other gaming is permitted, participation fees of up to £18 per person can be charged);
- The games cannot be linked to any other games in other premises; and
- Nobody under 18 years old can take part.

### **10.2. Bingo in clubs**

Low-turnover bingo where the aggregate of stakes and prizes in a seven day period does not exceed £2000 can take place in all types of club.

### **10.3. Bridge and Whist clubs**

Unlimited stakes bridge or whist can be played. In addition participation fees (up to £18) can be charged.

## **11. Temporary Use Notices**

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this statement the relevant regulations (SI no3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

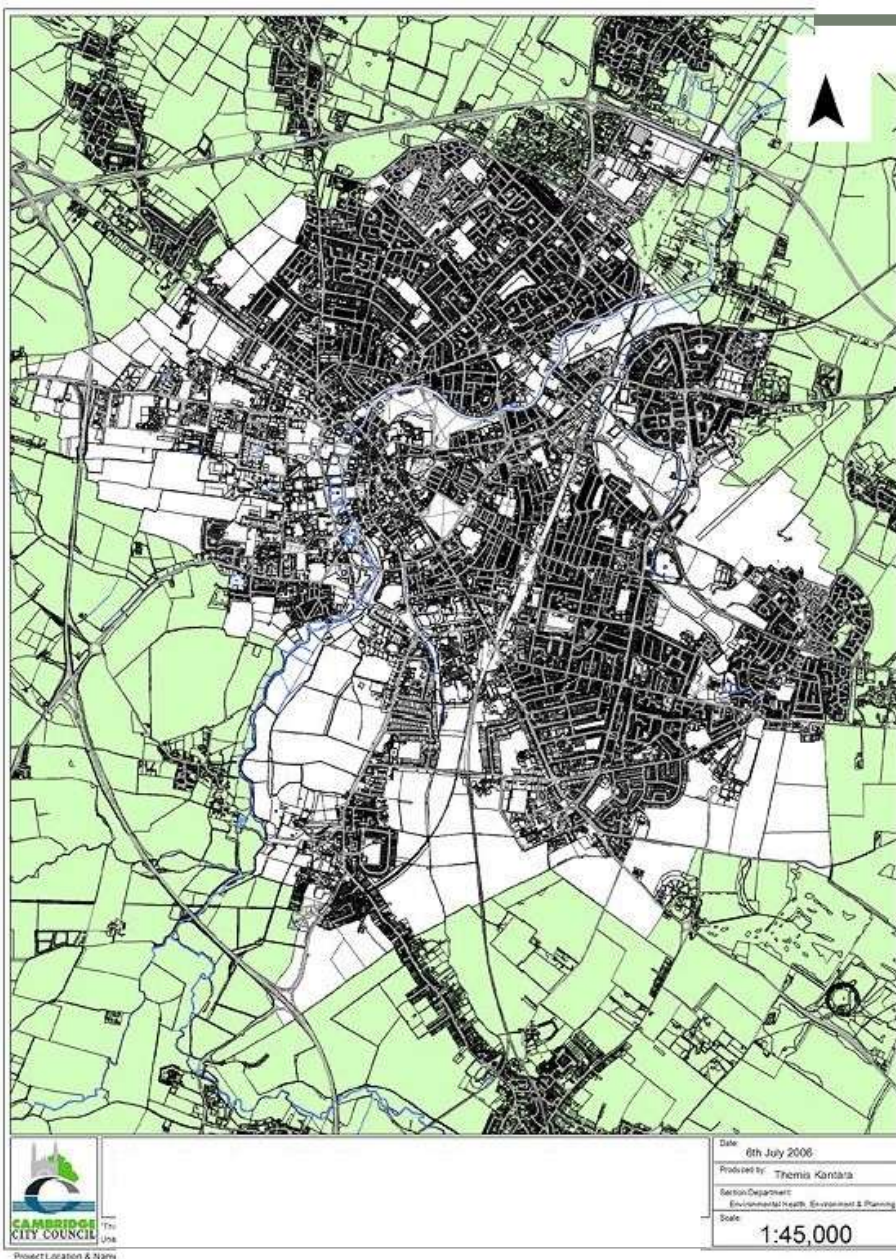
There are a number of statutory limits as regards Temporary Use Notices. Gambling Commission Guidance is noted that *“the meaning of ‘premises’ in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities.*

*As with 'premises' the definition of a 'set of premises' will be a question of fact in the particular circumstances of each notice that is given. In the Act 'premises' is defined as including 'any place'. In considering whether a place falls within the definition of a 'set of premises', licensing authorities will need to look at, amongst other things, the ownership/ occupation and control of the premises".*

This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance.

## **12. Occasional Use Notices**

The Council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will though consider the definition of a 'track' and whether the applicant is permitted to avail him/ herself of the notice.



## APPENDIX B – LIST OF CONSULTEES

- Responsible Authorities
- Emma Thornton (Head of Tourism & City Centre Management)
- Graham Saint (Consultation Working Group)
- Adam Ratcliffe (CAMBAC Manager)
- Poppleston Allen
- TLT Solicitors
- Gamestec
- **BACTA**

- **The Bingo Association**
- **Association of British Bookmakers Ltd (ABB)**
- **Business In Sport and Leisure (BISL)**
- **BALPA**
- **British Institute of Inn Keeping (BII)**
- **Justices Clerks' Society**
- **The Portman Group**
- **British Beer and Pub Association**
- **Racecourse Association Ltd**
- **GAMCARE**
- **Greater Cambridge Partnership**
- **Cambridge Citizens Advice Bureau**
- **Cambridgeshire Chambers of Commerce**

Paddy Power  
 Coral Bookmakers  
 Ladbrokes PLC  
 William Hill  
 Betfred  
 Done Brothers (Cash Betting) Limited  
 Power Leisure Bookmakers Ltd  
 Quicksilver Amusement  
 Talarius Limited

#### Ward Residents Associations

Abbey People  
 Riverside Area Residents Association  
 Riverside Area Residents Association  
 Whitehill Residents Association  
 The Friends of Sourbridge Common  
 Castle Community Action Group  
 Darwin & Akeman St (DEARA)  
 NAFRA 19 Acre Field Residents' Association  
 NAFRA 19 Acre Field Residents' Association  
 Storeys Way Residents' Association  
 Concerned Residents Of North West Cambridge (CRONC)  
 Windsor Road Residents Association (WIRE)  
 Oxford Road Residents' Association  
 CREW  
 Tavistock Road & Stratfield Close Residents' Association  
 Richmond Road Residents' Association  
 Richmond Road Residents' Association  
 Marion Close & Sherlock Road Association

Sherlock Close RA  
 Shelly Gardens Leaseholder's Association  
 Rustat Neighbourhood Association  
 Newnham Croft Conservation Group  
 Newnham Croft Conservation Group  
 Cherry Hinton & Rathmore Road Residents' Association  
 Old Chesterton Residents Association  
 Icení Homes (Hundred Houses) Tenants' Association  
 Three Trees Residents' Association  
 Three Trees Residents' Association  
 St Andrews Road RA  
 Fen Estates and Nuffield Road RA (FENRA)  
 Fen Road Steering Group  
 Bradmore & Petersfield Residents Association  
 Kings Hedges Neighbourhood Partnership  
 Park Street Residents' Association  
 Park Street Residents' Association  
 Park Street Residents' Association  
 Ravensworth Gardens Residents Association Limited  
 Christs Pieces Residents Association  
 King Street Neighbourhood Association  
 Jesus Green Association  
 Jesus Green Association  
 Brunswick & North Kite Residents Association  
 Brunswick & North Kite Residents Association  
 Evening Court RA  
 Radcliffe Court Residents' Association  
 St Andrews Road RA  
 North Newnham Residents Association  
 North Newnham Residents Association  
 North Newnham Residents Association  
 North Newnham Residents Association  
 North Newnham Residents Association  
 Gough Way Residents Association  
 West Cambridge Preservation Society  
 Clerk Maxwell Road Residents' Association  
 Pinehurst South Resident's Association  
 Pinehurst South Resident's Association  
 Residents' Association of Old Newnham  
 Residents' Association of Old Newnham  
 Residents' Association of Old Newnham  
 Bulstrode Gardens Residents Association  
 Barton Close Residents' Association  
 Millington Road & Millington Lane Residents' Association  
 Millington Road & Millington Lane Residents' Association  
 Hedgerley Close RA  
 Bradmore & Petersfield Residents Association  
 Bradmore & Petersfield Residents Association  
 George Pateman Court Residents' Association  
 Covent Garden Residents' Association  
 Glisson Road/Tenison Road Area Residents' Association  
 Petersfield Mansions Residents' Association  
 Petersfield Mansions Residents' Association  
 Petersfield Area Community Trust (PACT)



Mill Road Community Improvements Group  
 Devonshire Road Residents' Association  
 Guest Road Residents' Association  
 Highsett Flats Resident's Association  
 Babraham Road Action Group  
 Corfe Close Residents Association (CCRA)  
 Greenlands' Residents Association  
 Blinco Grove Residents' Association  
 East Mill Road Action Group EMRAG  
 East Mill Road Action Group EMRAG  
 East Mill Road Action Group EMRAG  
 East Mill Road Action Group EMRAG  
 Romsey Action  
 Mill Road Society  
 Mill Road Society  
 Mill Road Society  
 Mill Road Society  
 Empty Common Allotment Society  
 Gazeley Lane Residents' Association  
 Brookside Residents Association  
 Hanover & Princess Court Residents' Association  
 Bateman Street & Bateman Mews Residents Association  
 Bishops Court Residents' Company Ltd  
 Trumpington Residents Association  
 Norwich Street Residents' Association  
 Norwich Street Residents' Association  
 Southacre Latham Road and Chaucer Road RA (SOLACHRA)  
 Southacre Latham Road and Chaucer Road RA (SOLACHRA)  
 Southacre Latham Road and Chaucer Road RA (SOLACHRA)  
 Accordia Community and Resident's Association (ACRA)  
 Accordia Community and Resident's Association (ACRA)  
 Brooklands Avenue Area Residents' Association  
 North Newtown Residents' Association  
 North Newtown Residents' Association  
 Newtown Residents' Association  
 Applecourt Residents' Association  
 Fenners Lawn Residents' Association  
 Fenners Lawn Residents' Association  
 BENERA (Bentley and Newton Road Residents' Association)  
 Victoria Park Residents Working Group  
 Mitchams Corner Residents' & Traders' Association (MCRTA)  
 Mulberry Close Residents Society  
 Sandy Lane Residents' Association  
 De Freville Avenue RA  
 Federation of Cambridge Residents' Associations (Secretary)  
 Federation of Cambridge Residents' Associations (Chair)

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## **APPENDIX C – Responsible Authorities**

**The Licensing Authority**

**The Gambling Commission**

**The Chief Officer of Police**

**The Fire and Rescue Authority**

**Planning Authority**

**Environmental Health**

**Local Safeguarding Children Board**

**HM Revenues and Customs**

In addition, for vessels:

**Environment Agency**

**Conservators of the River Cam**

**APPENDIX D List of Authorisation**

<b>MATTER TO BE DEALT WITH</b>	<b>FULL COUNCIL</b>	<b>LICENSING COMMITTEE/SUB COMMITTEE</b>	<b>OFFICERS</b>	<b>COUNCIL SOLICITOR</b>
Three year licensing policy	✓			
Policy not to permit casinos	✓			
Fee setting-when appropriate		✓		
Application for		Where representations	Where no representations	

premises licences		received and not withdrawn	received/representations have been withdrawn	
Application for a variation to a licence		Where representations received and not withdrawn	Where no representations received/representations have been withdrawn	
Application for a transfer of a licence		Where representations received from the Gambling Commission	Where no representations received from the Gambling Commission	
Application for provisional statement		Where representations received and not withdrawn	Where no representations received/representations have been withdrawn	
Review of premises licence		✓		
Application for club gaming/club machine permits		Where representations received and not withdrawn	Where no representations received/representations have been withdrawn	
Cancellation of club gaming/club machine permits		✓		
Application for other permits			✓	
Cancellation of licensed premises gaming machine permits			✓	
Consideration of Temporary Use Notices			✓	
Decision to give a counter Notice to a Temporary Use Notice		✓		
Determination as to whether a person is an interested party				✓
Determination as to whether representations are relevant				✓
Determination as to whether a representation is frivolous, vexatious or repetitive				✓
Representative of Licensing Authority who will be responsible for making representations as the Responsible Authority on licence applications				✓
Responsibility for attaching to			✓	

premises licences Mandatory, Default and Specific Conditions				
Representative of Licensing Authority who can initiate a Licence review				✓
Representative of Licensing Authority who can reject an application for a Licence review				✓

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## APPENDIX E – GLOSSARY OF TERMS

**Admissible Representations:** - representations submitted by a Responsible Authority or Interested Party.

**Authorised Local Authority Officer:** - a Licensing Authority Officer who is an authorised person for a purpose relating to premises in that authority's area.

**Authorised Person:** - a licensing officer and an officer of an authority other than a Licensing Authority, both of whom have been authorised for a purpose relating to premises in that authority's area. The following are considered authorised persons:

- Inspectors appointed under the Fire Precautions Act 1971;
- Inspectors appointed under the Health and Safety at work, etc. Act 1974;
- Inspectors or Surveyors of ships appointed under the Merchant Shipping Act 1995; &
- A person in a class prescribed in regulations by the Secretary of State.

**Automated Roulette Equipment:** - equipment that is either linked to a live game of chance, e.g. roulette, or plays live automated games, i.e. operates without human intervention.

**Automatic Conditions:** - conditions attached automatically to premises licences or authorisations. The Licensing Authority has no discretion not to include or modify them.

**AWP machines:** - Amusement with Prize Machines

**BACTA:** - the British Amusement Catering Trade Association

**Betting Intermediary:** - someone who offers services via remote communication, such as the internet.

**Betting Ring:** - an area that is used for temporary 'on course' betting facilities.

**Bingo:** - a game of equal chance.

**Casino:** - an arrangement whereby people are given an opportunity to participate in one or more casino games.

**Casino Games:** - games of chance that are not equal chance gaming.

**Casino Premises Licence Categories:** - regional, large, small, casinos permitted under transitional arrangements.

**Casino Resolution:** - resolution concerning whether or not to issue Casino Premises Licences.

**Child:** - an individual who is less than 16 years old.

**Christmas Day Period:** - the period of 24 hours from midnight on 24 December.

**Club Gaming Machine Permit:** - a permit to enable the premises to provide gaming machines (three machines of Categories B, C or D)

**Club Gaming Permit:** - a permit to enable the premises to provide gaming machines (three machines of Categories B C or D), equal chance gaming and games of chance.

**Complex Lottery:** - an arrangement where:

- Persons are required to pay to participate in the arrangement;
- In the course of the arrangement, one or more prizes are allocated to one or more members of a class;
- The prizes are allocated by a series of processes; and
- The first of those processes relies wholly on chance.

**Conditions:** - conditions to be attached to licences by way of:

- Automatic provision
- Regulations provided by Sec. Of State
- Conditions provided by Gambling Commission
- Conditions provided by Licensing Authority
- Conditions may be general in nature (either attached to all licences or all licences of a particular nature) or may be specific to a particular licence.

**Customer Lotteries:** - lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These lotteries may not be conducted on vessels.

**Default Conditions:** - conditions that will apply unless the Licensing Authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.

**Delegated Powers:** - decisions delegated by the Licensing Authority either to a Licensing Committee, Sub-Committee or Licensing Officers.

**Disorders:** - in the case of gambling premises licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.

**Domestic Computer:** - one used for in a residential property for private, non-commercial purposes and is exempt from a Gaming Machine Permit.

**Dual Use Computer:** - definition in forthcoming Regulations. Exempt from a Gaming Machine Permit.

**Equal Chance Gaming:** - games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.

**EBT:** - Electronic Bingo Ticket Minders consisting of electronic equipment operated by a Bingo Operators Licence for the purposes of playing bingo.

**Exempt Lotteries:** - lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are four types:

- Small Society Lottery (required to register with Licensing Authorities)
- Incidental Non Commercial Lotteries
- Private Lotteries
- Customer Lotteries

**External Lottery Manager:** - an individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.

**Fixed Odds Betting:** - general betting on tracks.

**Gaming:** - prize gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming and where the prizes are determined by the operator before the play commences.

**Gaming Machine:** - a machine used for gambling under all types of gambling activity, including betting on virtual events.

**Guidance to Licensing Authorities:** - guidance issued by the Gambling Commission dated May 2009.

**Inadmissible Representation:** - a representation not made by a Responsible Authority or Interested Party.

**Incidental non-commercial lottery:** - a lottery that is run as an additional amusement at non-commercial events with tickets only sold and drawn during the event, such as a raffle at a dance, bazaar etc.

**Information Exchange:** - exchanging of information with other regulatory bodies under the Gambling Act.

**Interested Party:** - a person who in the opinion of the Licensing Authority

- 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 above, including Trade Associations, Trade Unions, Residents and Tenants Associations where they can demonstrate that they represent such persons.
- In determining if a person lives or has business interests sufficiently close to the premises, the following factors will be considered: -
- The size and nature of the premises to be licensed.
  - The distance of the premises from the location of the person making the representation.
  - The potential impact of the premises (e.g. number of customers, routes likely to be taken by those visiting the establishment).
  - The nature of the complaint, i.e. not the personal characteristics of the complainant but the interest of the complainant, which may be relevant to the distance from the premises.
  - The catchment area of the premises (i.e. how far people travel to visit).
  - Whether the person making the representation has business interests that might be affected in that catchment area.

**Irrelevant Representations:** - representations that are vexatious, frivolous or will certainly not influence the authority's determination of the application.

**Large Lottery:** - where the total value of tickets in any one lottery exceeds £20,000 or tickets in separate lotteries in one calendar year exceeds £250,000. This type of lottery requires an operating Licence from the Gambling Commission.

**Licensed Lottery:** - large society lotteries and lotteries run for the benefit of local authorities will require operating licences to be issued by the Gambling Commission.



**Licensing Objectives:** - there are three objectives

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

**Live Gambling:** - gambling on a live game as it happens.

**Lottery:** - an arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.

**Lottery Tickets:** - every lottery must have tickets for each chance

- Identifying the promoting society
- Stating the price of the ticket, which must be the same for all tickets
- Stating the name and address of the member of the society who is designated as having responsibility at the Society for the promotion of the lottery, or, if there is one, the external lottery manager; and
- Stating the date of the draw, or sufficient information to enable the date of the draw to be determined.

**Mandatory Conditions:** - conditions that must be attached to a Premises Licence, to a class of Premises Licence or licences for specified circumstances.

**Members Club:** - a club must have at least 25 members, be established and conducted 'wholly or mainly' for purposes other than gaming, be permanent in nature, not established to make commercial profit and controlled by its members equally.

**Non-commercial event:** - an event where all the money raised at the event, including entrance fees, goes entirely to purposes that are not for private gain.

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

**Occasional Use Notice:** - a notice that may only be issued in respect of a track, that permits betting on a track without the need for a Premises Licence and which only the person responsible for administration of events on the track or the occupier of the track may issue.

**Off Course Betting:** - betting that takes place other than at a track, i.e. at a licensed betting shop.

**Off Course Betting:** - betting that takes place in self contained betting premises within the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operate only on race days.

**On Course Betting:** - betting that takes place on a track while races are taking place.

**Operating Licence:** - a licence issued by the Gambling Commission to permit individuals and companies to provide facilities for certain types of gambling, including remote or non remote gambling.

**Permit:** - an authorisation issued by the Licensing Authority to provide gambling facilities where the stakes and prizes are low or gambling is not the main function of the premises.

**Personal Licence:** - a licence issued by the Gambling Commission to individuals who control facilities for gambling or are able to influence the outcome of gambling.

**Pool Betting (Tracks):** - pool betting may only be offered at a horse racecourse by the Tote and at a dog track by the holder of the premises licence for the track.

**Premises:** - 'any place' including anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water, a hovercraft or anything or any place situated on or in water. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.

**Premises Licence:** - a licence issued by the Licensing Authority to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres where an operator's licence and personal licence have been issued by the Gambling Commission. A licence is restricted to one premises only but one set of premises may have separate licences issued in respect of different parts of the building.

**Private lottery:** - there are three types of private lottery

- Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society
- Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises
- Residents' Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises

**Prize Gaming:** - gaming in which the nature and size of the prize is not determined by the number of players or the amount paid for or raised by the gaming, the prizes having been determined before play commences, e.g. bingo with non-cash prizes. (NB: bingo with cash prizes and that carried on in commercial bingo halls will need to be licensed by the Gambling Commission; prize gaming does not include gaming by use of gaming machines.)

**Prize Gaming Permit:** - a permit issued by the Licensing Authority to authorise the provision of facilities for gaming with prizes on specific premises.

**Provisional Statement:** - an application to the Licensing Authority in respect of premises that are

- Expected to be constructed
- Expected to be altered
- Expected to acquire a right to occupy

**Relevant Representations:** - representations that relate to the Gambling Licensing Objectives, the Gambling Commission's Guidance, the Codes of Practice.

**Responsible Authorities:** - public bodies for the area in which the premises are mainly or wholly situated

- Licensing Authority in whose area the premise is partly or wholly situated
- Chief Officer of Police
- Fire & Rescue Service
- Planning Authority
- Environmental Health (related to pollution and harm to human health)
- Body competent to advise on protection of children from harm, i.e. Children & Young Peoples' Service
- Authority in relation to vulnerable adults
- Navigation Authority whose statutory functions are in relation to waters where a vessel is usually moored or berthed
- Environment Agency
- British Waterways Board
- Maritime & Coastguard Agency
- HM Revenue & Customs
- Gambling Commission

**Simple Lottery:** - an arrangement where

- Persons are required to pay to participate in the arrangement
- In the course of the arrangement, one or more prizes are allocated to one or more members of a class and
- The prizes are allocated by a process which relies wholly on chance.

**SWP:** - a Skills-with-Prizes machine

**Skills with Prizes machine:** - a machine on which the winning of a prize is determined only by the player's skill and there is no element of chance. SWPs are unregulated.

**Small Lottery:** - where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.

**Small Society Lottery:** - a lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.

**Small Operations:** - independent on course betting operators with only one or two employees or a bookmaker running just one shop.

**Statement of Principles:** - matters the Licensing Authority may publish in the Statement of Licensing Principles that they intend to apply when considering an applicant's suitability in applications for permits for unlicensed family entertainment centres and prize gaming.

**Temporary Use Notice:** - a notice that may be issued in respect of a set of premises where there is no premises licence, but where a person or company holding an operating licence relevant to the proposed temporary use of premises wishes to use the premises temporarily for providing facilities for gambling.

**Travelling Fair:** - a fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.

**Vehicles:** - includes trains, aircraft, sea planes and amphibious vehicles other than hovercraft.

**Vessel:** - anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything or part of any place situated on or in water.

**Virtual Betting:** - gambling by machine that takes bets on virtual races, i.e. images generated by computer to resemble races or other events.

**Vulnerable Persons:** - no set definition but likely to mean group to include people who gamble more than they want to, people who gamble beyond their means; people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

**Young Person:** - an individual who is over 16 years of age but who is under 18 years of age.

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## **CAMBRIDGE CITY COUNCIL**



### **GAMBLING ACT 2005**

#### **Local Area Profile**

**April 2016**

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## 1. Introduction

Nationally, gambling policy and the regulatory environment overall has an increasing focus on risk. Whilst not compulsory, it is now recommended that a licensing authority creates a 'local area profile' to inform its understanding of risk and to allow appropriate decisions to be made and steps taken to mitigate these risks.

From April 2016, gambling establishment operators must undertake 'local area risk assessments' for all their premises and will be expected to give due consideration to the information available in the Council's 'local area profile'.

Although not a compulsory requirement, we have included a local area profile in the proposed Policy in order to increase awareness of local risks and improve information sharing with gambling operators. This will facilitate constructive engagement with licensees and a more coordinated response to local risks.

The local area profile will help to inform the local risk assessment process. For example, if a gambling outlet is to be located within close proximity to a school we would expect licensees to have sufficient controls in place to mitigate associated risks, e.g. implementing a robust Think 21 policy and ensuring that the premises is so designed that children cannot see gambling taking place. The Council believe that contribution to premises risk assessments and being knowledgeable and informed on the 'local area' and risks is necessary in order to provide sufficient detail within the assessment. This means that any assessments undertaken do need to have an involvement of and an understanding of the local area in which they operate and are licensed.

It is wholly anticipated that the Council's 'local area profile' will develop over time and will be influenced by information and intelligence from researchers, key partners and other stakeholders.

It is our view that the inclusion of a Local Area Profile within the Policy will bring the following benefits:

- enable us to better serve our local community, by better reflecting the community and the risks within it,
- enable us to make robust decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
- encourage operators and applicants to take a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

## 2. Background

The last decade has seen many changes in the British gambling landscape. The most notable changes during this period include growth in the availability of remote gambling (particularly via the internet), the introduction of fixed odds betting terminals into most bookmakers, an increase in the number of casinos, an increase in the prominence of poker (both online and offline), and the introduction of online betting exchanges.

The most severe form of gambling, pathological (or problem gambling) is recognized as a mental health disorder. Pathological gambling is currently classified as an impulse control disorder but it shares many important features with substance use disorders, especially in terms of diagnostic criteria, clinical course, and treatment.

### Key Facts

*All major current research has been undertaken at national level.*

- 73% of the adult population (16+) participated in some form of gambling in the past year (2010)
- The most popular gambling activity remains the national lottery. Excluding this the rate is 59% of adults
- 14% of adults had used the internet to gamble in the past year
- Problem gamblers are most likely to be young, male, have parents who gambled regularly and smoke.
- Other risk factors include unemployment, poor health, those from Black Asian and Black British backgrounds and other substance misuse.

### British Gambling Prevalence Survey (BGPS) 2010

The BGPS 2010 is the third nationally representative survey of participation in gambling and the prevalence of problem gambling in Great Britain. It builds on the two previous surveys conducted in 1999 and 2007. The BGPS 2010 is the first survey to have been carried out since the implementation of the Gambling Act 2005 on 1 September 2007. The aims of the BGPS 2010 were to provide data on participation in all forms of gambling in Great Britain, the prevalence of problem gambling, attitudes to gambling and to explore a range of associations with gambling behaviour.

### Participation in Gambling Activities

- Overall, 73% of the adult population (aged 16 and over) participated in some form of gambling in the past year. This equates to around 35.5 million adults in the UK. Applied to the estimated 16+ population of Cambridge City (93,300) in 2014 (Office of National Statistics Population Estimates), this would amount to around 68,109 people in the authority.
- The most popular gambling activity was the National Lottery. In 2010, 59% of adults had bought tickets for the National Lottery Draw.



- Excluding those who had only gambled on the National Lottery Draw, 56% of adults participated in some other form of gambling in the past year. This would amount to ~38,300 people in Cambridge City.
- After the national lottery, the next most popular gambling activities are other lotteries (25%), scratch cards (24%), horserace betting (16%) and slot machines (13%).
- The survey has noted a significant increase in betting on other events such as horse and dog racing (increased from 3% in 1999 to 9% in 2010, scratch cards (up to 24% in 2010 from 20% in 2007) and a smaller increase in online poker/bingo/casino gambling from 3% in 2007 to 5% in 2010.
- In contrast, betting on football pools, slot machines and online bets has fallen slightly over the course of the survey.

### **Online and Offline Gambling**

- Overall, 14% of adults had used the internet to gamble in the past year, including online lottery tickets, betting, casino games, bingo, online slot machines and football pools. This would estimate to ~13,100 people in Cambridge City. Increases in online gambling activity have been greater in women than men.
- Among respondents who had gambled in the past year, 81% reported that they gambled 'in person' only, 17% had gambled both online and in-person and only 2% had gambled 'online only'.
- The survey suggests that most gambling activities still occur 'offline'; however casino games and betting on other sports events reported relatively high proportions of online activity – 39% and 27% respectively.

### **Profile of Participants in Gambling Activity**

- Men were more likely than women to gamble overall (75% for men and 71% for women). Women however had higher incidence participating in bingo and scratch cards.
- Gambling participation is associated with age – participation was lowest among the youngest and oldest age groups and highest among those aged 44-64.
- Gambling prevalence was highest among those who were;
  - Either married or had been married (75%)
  - White/white British (76%)
  - Those whose highest qualification was GCSE's or equivalent (76%)
  - Those in lower supervisory/technical households (79%)
  - Those in paid work (78%)
  - Those with the highest personal income

### **Gambling Frequency**

- 59% of people who participated in the National Lottery did so once a week or more often. Only football pools had a similar level of frequency (54% once a week or more often).
- There were five other activities which were undertaken at least once a month by half or more of all participants. These were bingo played in person (54%),

casino games played on line (53%), spread betting (53%), fixed odd betting terminals (52%), and poker at a pub/club (50%).

- Taking participation in all gambling activities together, past year gamblers took part in gambling, on average, on 93.6 days per year. That is, they tended to gamble more than once a week, but not quite as often as twice a week.
- Those who gambled both online and in-person did so more than twice as often (163.3 days) as those who gambled 'online only' (61.5 days) or 'in-person' only (79.5 days).
- Overall, 6% of regular gamblers were classified as high-time/high-spend gamblers.
- The profile for high-time gamblers consists disproportionately of those with poorer socio-economic indicators, with National Lottery and Bingo being the most popular activities.
- The profile for high-spend gamblers had a higher proportion of graduates, those in paid employment and a preference for betting on horse racing, slot machines and casino games.
- When asked how their gambling involvement had changed in the past year, 4% reported an increase, 13% a decrease and 82% no change.

### **3. Problem Gambling**

Problem gambling, or Ludo mania, is an urge to continuously gamble despite harmful negative consequences or a desire to stop. Problem gambling often is defined by whether harm is experienced by the gambler or others, rather than by the gambler's behavior. Severe problem gambling may be diagnosed as clinical pathological gambling if the gambler meets certain criteria. Pathological gambling is a common disorder that is associated with both social and family costs. The condition is classified as an impulse control disorder, with sufferers exhibiting many similarities to those who have substance addictions.

- Problem gambling prevalence measures using DSM-IV (diagnostic and statistical manual of mental disorders) and PGSI (problem gambling severity index) estimate problem gambling at between 0.7 and 0.9% of the adult population in 2010.
- Rates observed in Great Britain compared similarly to other European countries, particularly Germany, Norway and Switzerland, and lower than countries like the USA, Australia and South Africa.
- Problem gamblers were more likely to be male, younger, have parents who gambled regularly and had experienced problems with their gambling behaviour and be current cigarette smokers. Unemployment, poor health, alcohol consumption and those from Asian/Asian British and Black/Black British backgrounds were also associated risk factors.
- Current best estimates suggest that less than 1% of those in need of treatment actually embark on a treatment programme.
- It is estimated that every problem gambler represents an annual cost to society of c£8,000.

## **Young People and problem gambling**

There are an estimated 127,500 people aged under 24 with a gambling problem in the UK. Factors linked with problem gambling in young people include; depression, anxiety, crime, suicide, alcohol and substance abuse and poor school performance.

## **Gambling and Debt**

The first known UK research to focus exclusively on the relationship between problem gambling and over indebtedness, published in Autumn 2009, was jointly commissioned by GamCare and the Money Advice Trust from Manchester Metropolitan University. Key findings were;

- Debts of up to £60,000 might be common amongst problem gamblers.
- Understanding of problem gambling amongst money advice agencies and in the NHS is extremely low.
- Awareness of the help available to problem gamblers amongst these agencies and in the NHS, particularly GPs, is equally poor.
- There is an urgent need to improve education about gambling for young people, alongside or as part of work on financial literacy and understanding chance and risk.

## **4. Gambling Premises**

In Cambridge City there are currently:

16 Betting Shops

2 Adult Gaming Centres

10 Premises with Gaming Permits

7 Premises with Club Machine Permits

These premises pose potential risks to those who reside, work and visit the City in terms of associated crime and also in terms of 'problem gambling'.

Problem gambling is commonly defined as gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits. This profile provides data and maps of the local area showing the risk profile for Cambridge City for the Gambling Act 2005 Policy.

## **5. Cambridge City**

Cambridge City Council is situated in Cambridgeshire, which contains a total of 5 District Councils. Cambridge combines a rich history with the vibrancy and prosperity of outstanding educational institutions and modern businesses. It is an inspiring and attractive place in which to live and work. It is at the heart of a buoyant sub-region which is an area designated for major growth in employment and housing.

The City of Cambridge is in the east of England, 50 miles north of London. A beautiful place to live and work, Cambridge is an historic University City and market town with high quality architecture and attractive open spaces. It is also a city of national importance, being a world leader in higher education and many 21st century industries – information technology, telecommunications and commercial research, particularly the biotechnology sector.

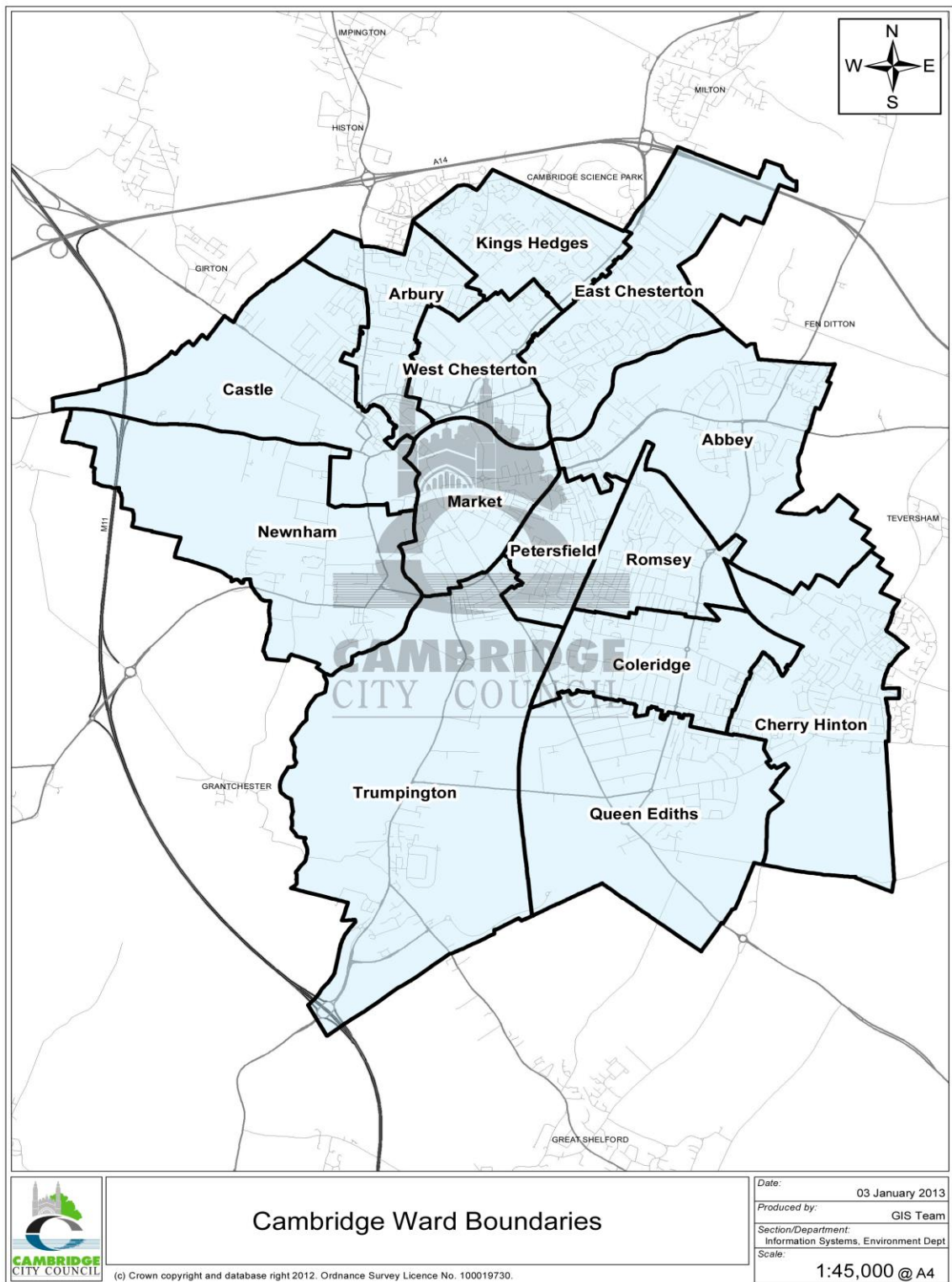
The population of Cambridge is over 125,000. This is forecast to increase to 151,800 in 2031 as a result of new developments

At present 23% of the City's population are aged 15–24. A significant characteristic of the City's population is its large and diverse student population, totaling almost 27,000 (including post graduates). This is swollen further by language students attending “summer schools”, which adds to a high “churn” in our population. The proportion of older people in the City has not grown in the past 10 years.

The daytime population of the City increases significantly, with high levels of commuting into the City and very large numbers of tourists and visitors. Last year nearly 4 million people visited the City. The high day time population places pressure on the City's infrastructure and heavy demands on basic Council services such as street cleaning.

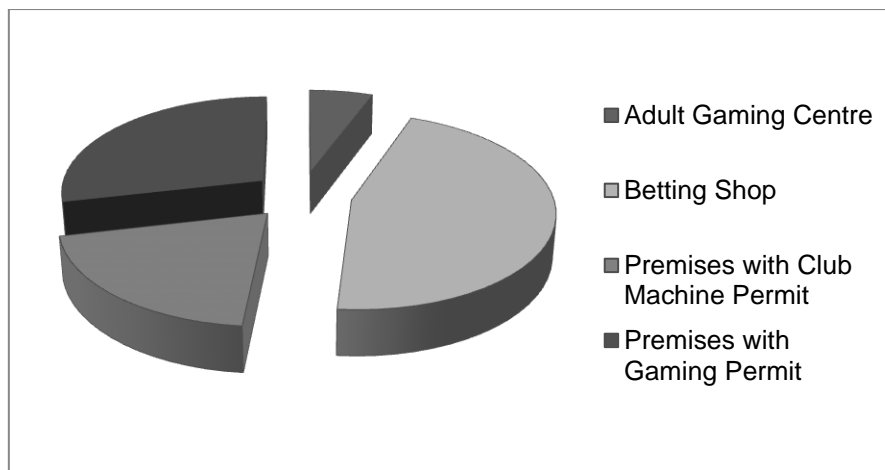
Cambridge has one of the highest qualified work forces in the East of England with 65.8% of people having NVQ4 qualifications and above, and relatively speaking, the City is affluent.

Cambridge has 14 Wards as shown in the map below:



The Ward Breakdown of Gambling Premises is detailed below:

WARD	BREAKDOWN
Abbey	1 Premises with Club Machine Permit
Arbury	1 Betting Shop
Castle	NA
Cherry Hinton	2 Betting Shops
Coleridge	3 Betting Shops 1 Premises with Club Machine Permit 1 Premises with Gaming Permit
East Chesterton	1 Betting Shop 2 Premises with Club Machine Permit
Kings Hedges	1 Betting Shop 1 Premises with Gaming Permit
Market	2 Adult Gaming Centres 5 Betting Shops 3 Premises with Club Machine Permit 6 Premises with Gaming Permit
Newnham	NA
Petersfield	NA
Queen Edith	NA
Romsey	1 Betting Shop
Trumpington	NA
West Chesterton	2 Betting Shops 2 Premises with Gaming Permit



## 6. Compilation of the Local Profile

In researching and compiling the Local Profile for Cambridge City consideration and focus has been upon the following strands:

- Crime & Disorder
- Antisocial Behaviour
- Areas of Deprivation
- Accessibility
- Health
- Safeguarding

It is using this information that the Council has been able to identify concerns and risks in relation to gambling in particular areas as described in this Local Area Profile.

In line with updated guidance, the Council will use the Local Area Profile to help shape the Gambling Statement of Principles. The profile will be maintained separately from the Statement to enable it to be updated accordingly.

The Local Area Profile has regard to the following:

- Places of Worship & Religious Buildings
- Schools, Sixth Form Centres, Nurseries & Other Education establishments
- Hostels or Shelters for Vulnerable People
- Addiction Support Facilities (e.g. drug/ alcohol)
- Supported Living & Sheltered Housing Facilities
- Residential Care establishments
- Hospitals
- Mental Health Centres
- Community Centres
- Areas with a significant presence of children (e.g. Park)
- Job Centres
- Pawn Broker/ Pay Day Loan businesses in the area
- Nearby Parking facilities
- Banks and/ or ATM facilities nearby
- Transport links (e.g. bus stops)

- Other gambling premises in the area
- Crime and Disorder Statistics for the area
- Known anti-social behaviour issues
- The area footfall (e.g. is it a residential area, are there mainly visitors)
- Other premises in the area (type and operation)
- Known issues with ludomania
- The economic makeup of the area
- The surrounding night time economy

The Council has specifically included the location of religious premises and places of worship with the Local Area Profile due to evidence we have that they are focal points and areas of congregation for a percentage of vulnerable members of the local community, including our homeless community and youth population.

It is not intended that we are considering any moral or ethical issues associated with gambling.

Accessibility to money is a factor which is cited in many gambling studies as is proximity from various locations such as dwellings to gambling venues as being a notable factor.

## **7. Cambridge in Detail**

### **General**

Cambridge continues to be a diverse and dynamic place with a high turnover in its population and a place of growth. People are drawn to Cambridge because it has an international reputation as a centre for academic excellence and research. The economic success contributes to a high jobs density in the City but has also led to a high cost of living.

The total number of people at places of work identified (in the 2011 census) in Cambridge is 84,617, occupied by 33,839 people who live in the City. Therefore 40% of Cambridge employment is filled with people who live in the City.

Cambridge continues to be one of the most diverse places in the country, outside of London, with an increasing proportion of its population made up of a number of ethnic groups.

According to the 2011 census, there were 103.5 males to every 100 females resident in Cambridge which is higher than the national average.

In general, the median age of people resident in Cambridge is thirty-one, one of the lowest medians for a local authority population in the country. Cambridge's age structure differs significantly from the other Cambridgeshire districts and nationally.

### **Health & Wellbeing Profile**

The health of people in Cambridge is varied compared with the England average.

Life expectancy for men and women is higher than the England average.



Health and social care services in all sectors find themselves under increasing pressure. People are living longer and the proportion of older people in our society is increasing; resulting in growing needs and demands on existing systems and services.

Unique to Cambridge are the Joint Strategic Needs Assessments which identify the current and future health and social care needs within the local area. Local authorities and clinical commissioning groups (CCGs) have an equal and joint duty to prepare the assessments through the health and wellbeing board.

There are many different factors which have an important influence on people's health. The factors which have been found to have the most significant influence are widely known as the determinants of health. While health services make a contribution to health, most of the key determinants of health, for example, education, employment, housing, and environment, lie outside the direct influence of healthcare.

### **Deprivation & the Anti-Poverty Strategy**

The Department of Communities and Local Government (DCLG) and the Index of Multiple Deprivation 2015 (IMD 2015) indicates that Cambridge City ranks as a less deprived area than average.

The IMD has identified two areas within Kings Hedges which fall within the 20% most deprived areas in the country. There are also a further 18 areas in the city which are amongst the 40% most deprived areas nationally.

Deprivation does not just cover finances but a complex range need and a lack of access to resources. In total there are seven indices:

- Income
- Employment
- Education, Skills and Training
- Health deprivation and Disability
- Crime
- Barriers to Housing and Services
- Living Environment

The City of Cambridge has a thriving economy where the quality of life enjoyed by manage residents is high. However, there is evidence to show that this is not shared by all Cambridge residents. A fifth of households in the City have annual earnings of £19,169 or less and a significant proportion of Cambridge residents are also in receipt of benefits, up to 20% of residents in some Wards in the City.

The anti-poverty strategy aims to improve the standard of living and daily lives of those residents in Cambridge who are experiencing poverty, but also to alleviate issues that can lead to households on low incomes to experience financial pressures.

In terms of the economic make-up of the area, in compiling the Local Area Profile we explored the findings of reports from the Gambling Commission 2009 and 2010 undertaken Birmingham University titled “the role of social factors in gambling; evidence from the 2007 British Gambling Survey”. Whilst the study dates back, there are a number of observations within the reports which focuses more on the social aspects of gambling and make up of individuals from a local area, income of individuals and further factors which led the Council to consider our own Anti-Poverty Strategy.

Some high risk groups often also correlate to having low or limited income, live in areas of high deprivation, are more at risk of being involved in or of being a victim of crime and disorder as well as often suffering with additional health related matters.

### **Community Safety**

Nationally, total crime (both police recorded crime and the measures within the Crime Survey for England and Wales) is showing a declining trend. This is not to say there have not been spikes or local increases in some parts of the Country. Within Cambridge City total crime has reduced over the long term, with recent increases noted.

Over the last 12 months there have been a number of emerging issues, both nationally and locally. These include cohesion, child sexual exploitation (CSE), modern day slavery, cybercrime and dwelling burglary. A particular aspect across all of these is the vulnerabilities displayed, particularly by the victims of these crimes.

The Cambridge City Community Safety Partnership currently has the following priorities:

- To understand the impact of mental health, alcohol and drug misuse on violent crime and anti-social behaviour
- alcohol-related violent crime
- antisocial behaviour
- personal property crime
- domestic abuse (with local awareness raising and training)

### **Local Economy**

The primary purpose of a local economic assessment is to inform county and district councils’ sustainable community strategies, and the economic interventions of local partners. Local economic assessments will also form part of the evidence base for the preparation of a range of local strategies such as local transport plans, local development frameworks, skills and economic development strategies.

There is a large working age population, but high student numbers reduce the levels of economic activity. However, with a high level of in-commuting, Cambridge is a regional hub of employment with Cambridge being the third largest travel to work area in the East of England.

A large proportion of the resident population are employed in 'high value' occupations (64%) but there are disparities within the City with some areas having a much higher prevalence of Jobseeker's Allowance claimants. This is particularly true for King's Hedges Ward and, to a lesser extent, Abbey and Arbury Wards.

The unemployment rate among the economically active across Cambridge City is low at 3.5% of 16-74 year old residents (compared with a national level of 5.2%).

Knowledge intensive occupations are concentrated in Cambridge City where they represent 26% of employment (reflecting high employment in teaching, research and health professions). The dominant sectors of employment are education (accounting for approximately 25% of all employment compared with a national average of 10%), health, professional, scientific and technical, and retail.

The East of England Forecasting Model estimates that labour productivity in Cambridge City is the third highest of all Greater Cambridge districts. 45% of Cambridge workers work in the public sector (15 percentage points higher than the national average).

## **8. The Local Profile**

The following area profile has been included to facilitate operators being able to better understand the environment within Cambridge City and therefore proactively mitigate risks to the licensing objectives.

The number of gambling premises has remained stable since the inception of the 2005 Act.

We have produced and included an overview of key buildings at a ward level, including licensed premises and schools as a number, although not all of these premises can and do have gambling and alcohol related licenses (small society lotteries, TEN's, notification of more than 2 gambling machines). It is pertinent to highlight that the Local Area Profile is not exclusively just for the larger betting establishments.

The City also has a number of licensed premises (2003 Act) which have 2 gambling machines (automatic entitlement) which are required to be registered and the appropriate fee paid. Whilst these are not separately licensed, they will be inspected accordingly and the Council expect these premises to consider an appropriate risk assessment and will review their activities within the guidance.

## Appendix Ai

### Abbey Ward

<b>Educational Facilities</b>	1 Primary School
<b>Places of Worship</b>	7 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 4 Premises Licensed for Off Sales – 7 Premises Licensed for On & Off Sales - 6

### Arbury Ward

<b>Educational Facilities</b>	2 Primary Schools
<b>Places of Worship</b>	3 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 2 Premises Licensed for Off Sales – 10 Premises Licensed for On & Off Sales - 5

### Castle Ward

<b>Educational Facilities</b>	1 Primary School
<b>Places of Worship</b>	5 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 7 Premises Licensed for Off Sales – 1 Premises Licensed for On & Off Sales - 22

### Cherry Hinton Ward

<b>Educational Facilities</b>	4 Primary Schools 1 Secondary School
<b>Places of Worship</b>	2 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 3 Premises Licensed for Off Sales – 5 Premises Licensed for On & Off Sales - 6

### Coleridge Ward

<b>Educational Facilities</b>	1 Primary School 1 Secondary School 1 Further Education Establishment
<b>Places of Worship</b>	2 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 11 Premises Licensed for Off Sales – 12 Premises Licensed for On & Off Sales - 14

### East Chesterton Ward

<b>Educational Facilities</b>	1 Primary School
<b>Places of Worship</b>	3 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 1 Premises Licensed for Off Sales – 6 Premises Licensed for On & Off Sales - 3

## Appendix Ai

### Kings Hedges Ward

<b>Educational Facilities</b>	3 Primary Schools 1 Further Education Establishment
<b>Places of Worship</b>	3 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 2 Premises Licensed for Off Sales – 4 Premises Licensed for On & Off Sales - 3

### Market Ward

<b>Educational Facilities</b>	1 Primary School 1 Secondary School
<b>Places of Worship</b>	22 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 81 Premises Licensed for Off Sales – 14 Premises Licensed for On & Off Sales - 109

### Newnham Ward

<b>Educational Facilities</b>	1 Primary School 1 Independent School
<b>Places of Worship</b>	3 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 12 Premises Licensed for Off Sales – 3 Premises Licensed for On & Off Sales - 17

### Petersfield Ward

<b>Educational Facilities</b>	1 Primary School
<b>Places of Worship</b>	5 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 23 Premises Licensed for Off Sales – 18 Premises Licensed for On & Off Sales - 20

### Queen Ediths Ward

<b>Educational Facilities</b>	3 Primary Schools 1 Secondary School 1 Independent School
<b>Places of Worship</b>	4 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 1 Premises Licensed for Off Sales – 2 Premises Licensed for On & Off Sales - 5

### Romsey Ward

<b>Educational Facilities</b>	1 Primary School
<b>Places of Worship</b>	4 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 7 Premises Licensed for Off Sales – 7 Premises Licensed for On & Off Sales - 6

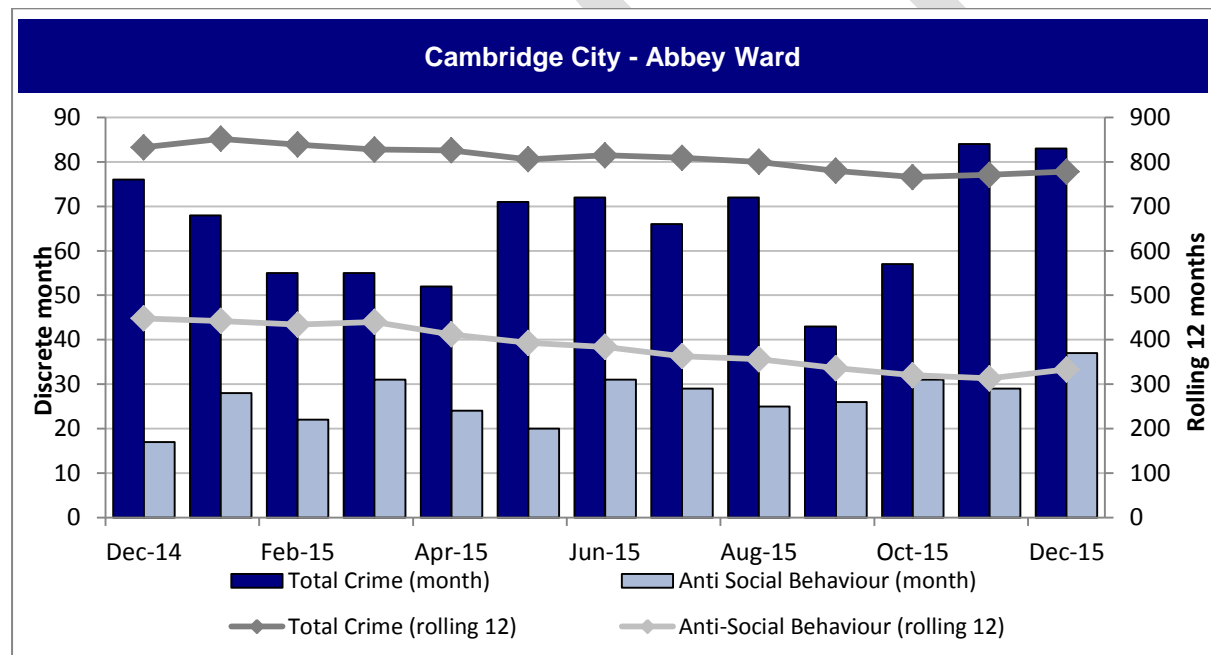
Trumpington Ward

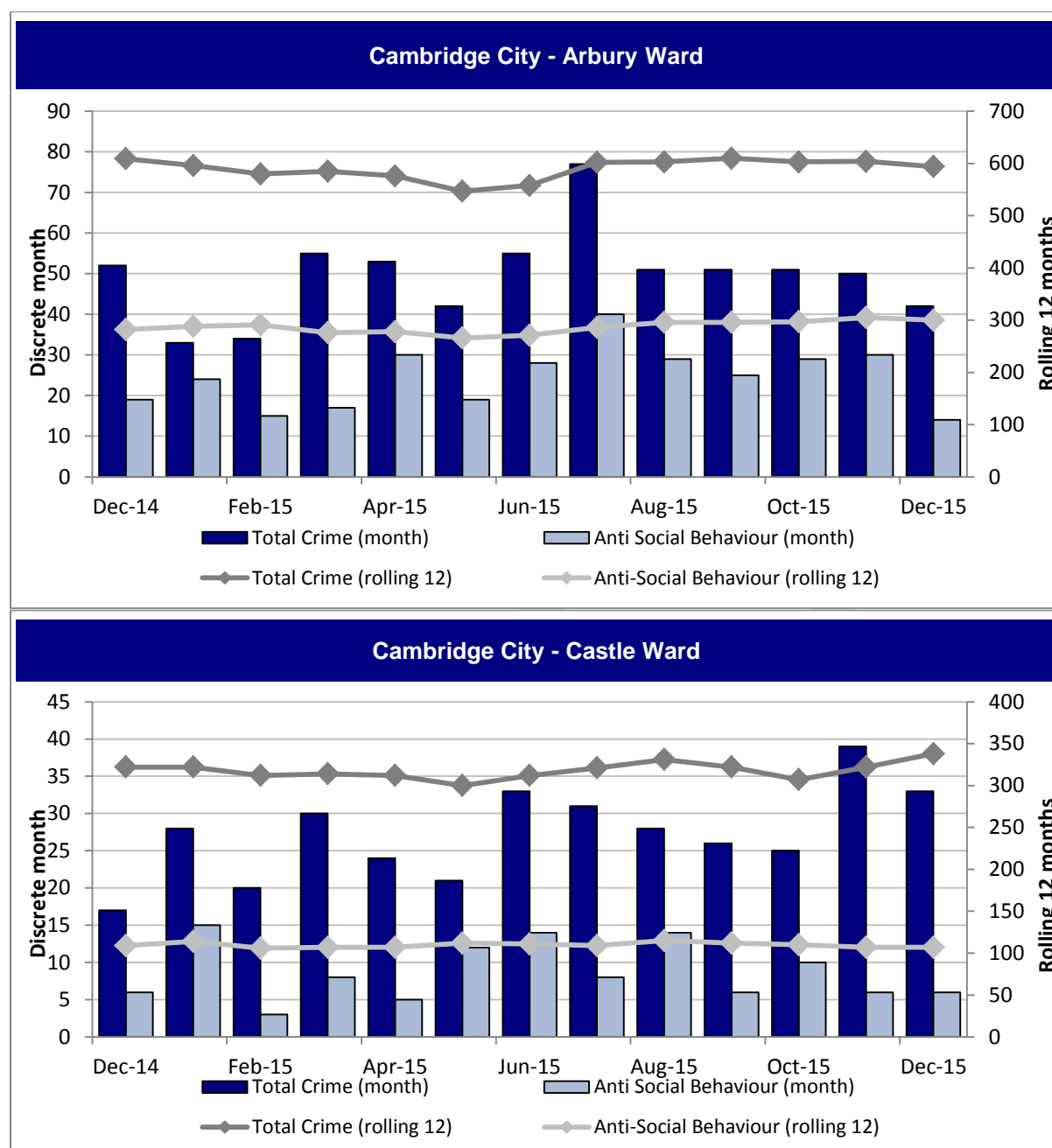
<b>Educational Facilities</b>	2 Primary Schools 2 Independent Schools 1 Further Education Establishment
<b>Places of Worship</b>	6 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 10 Premises Licensed for Off Sales – 9 Premises Licensed for On & Off Sales - 21

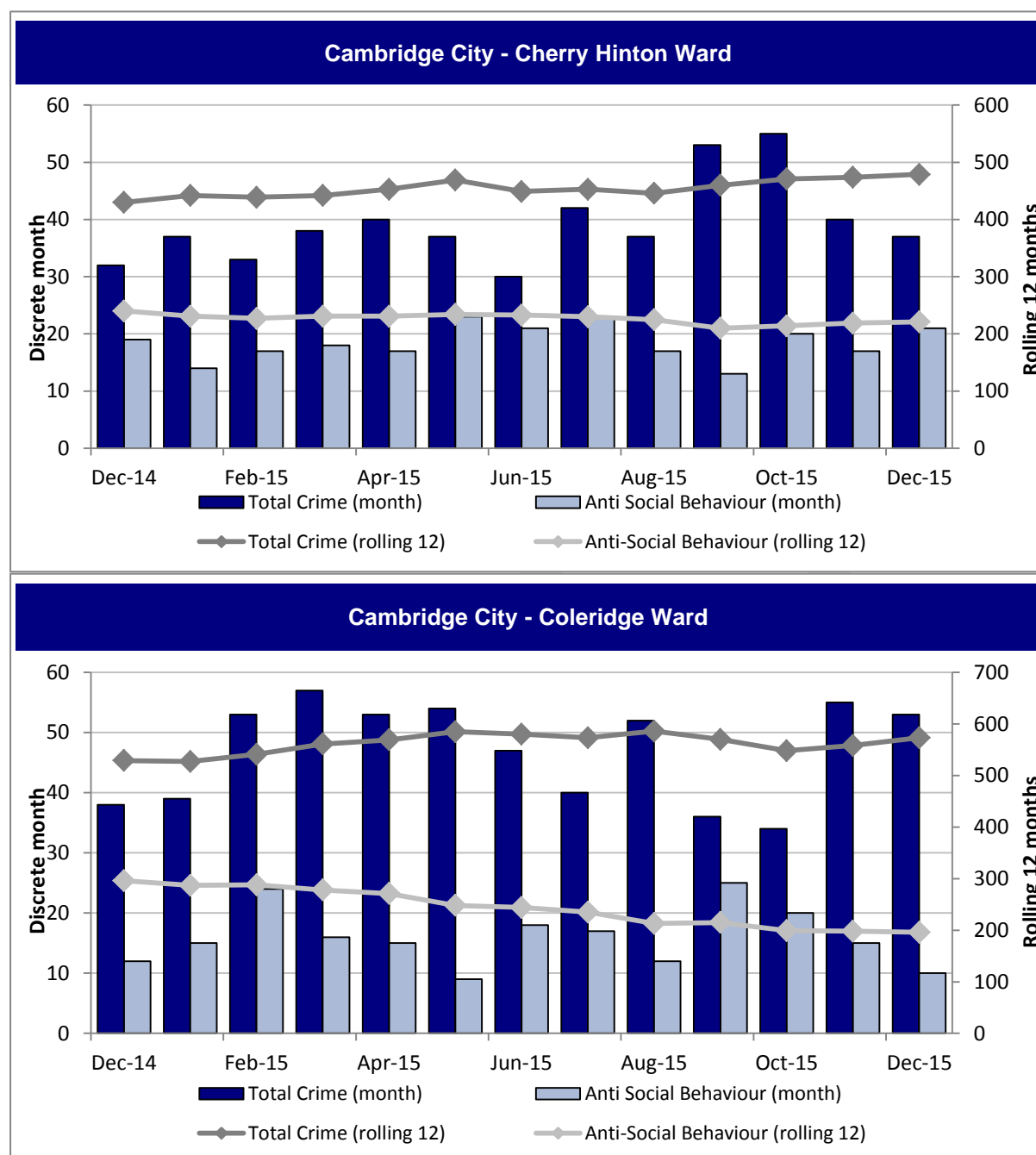
West Chesterton Ward

<b>Educational Facilities</b>	1 Primary School 2 Secondary Schools
<b>Places of Worship</b>	2 Places of Worship
<b>Licensed Premises</b>	Premises Licensed for On Sales – 7 Premises Licensed for Off Sales – 7 Premises Licensed for On & Off Sales - 11

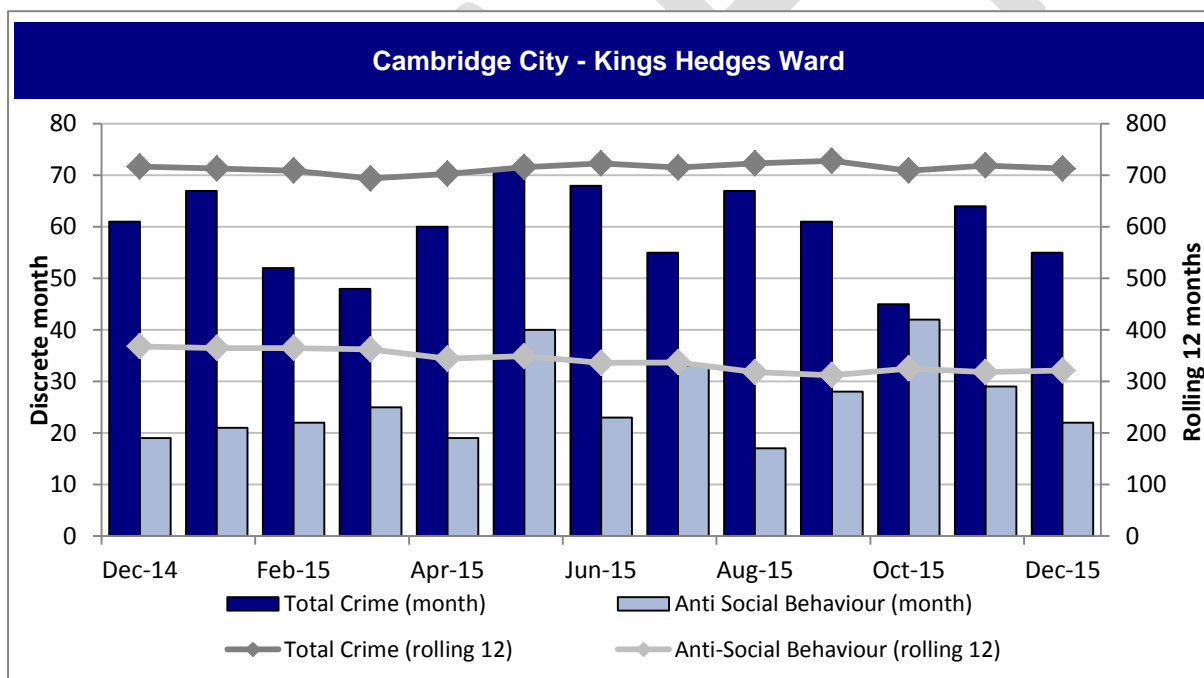
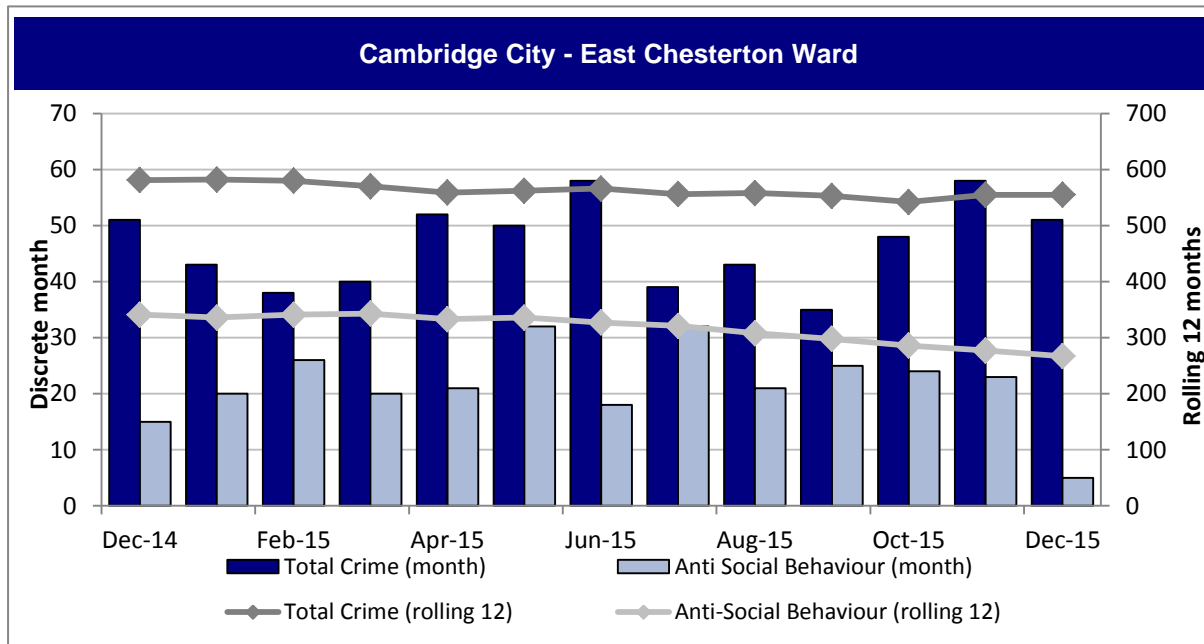
Crime & Anti-Social Behaviour Statistics

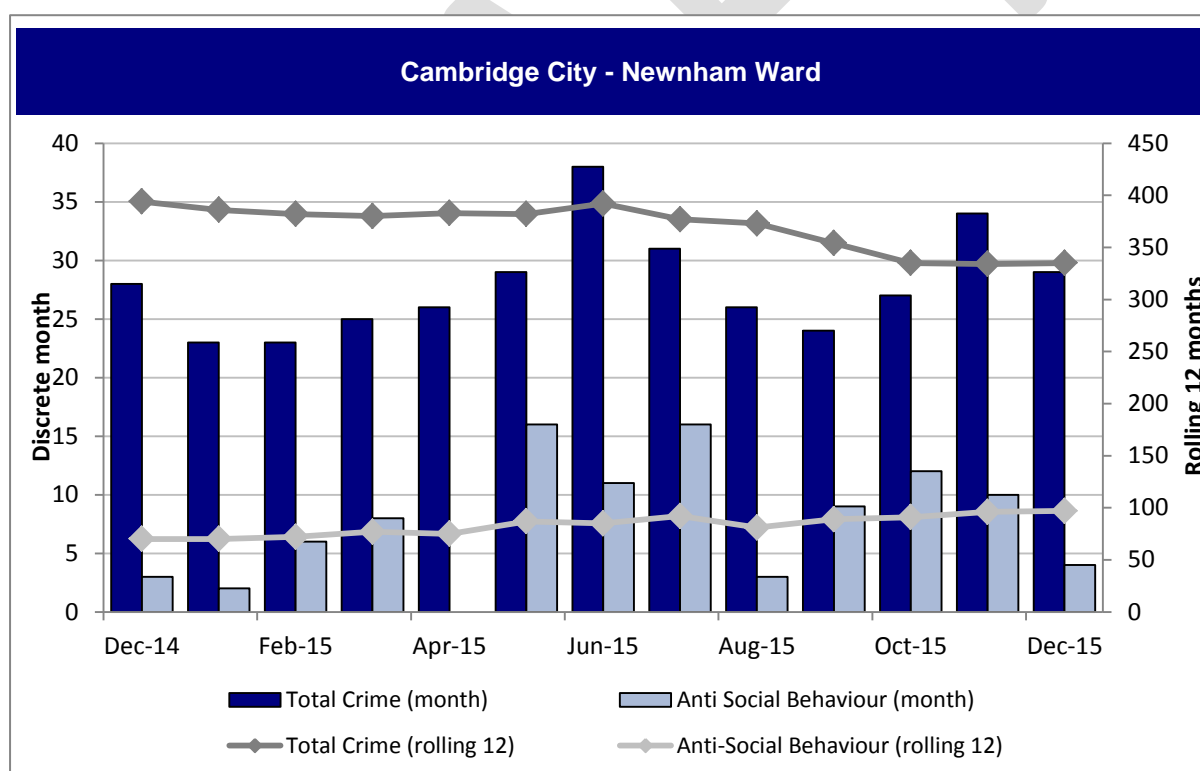
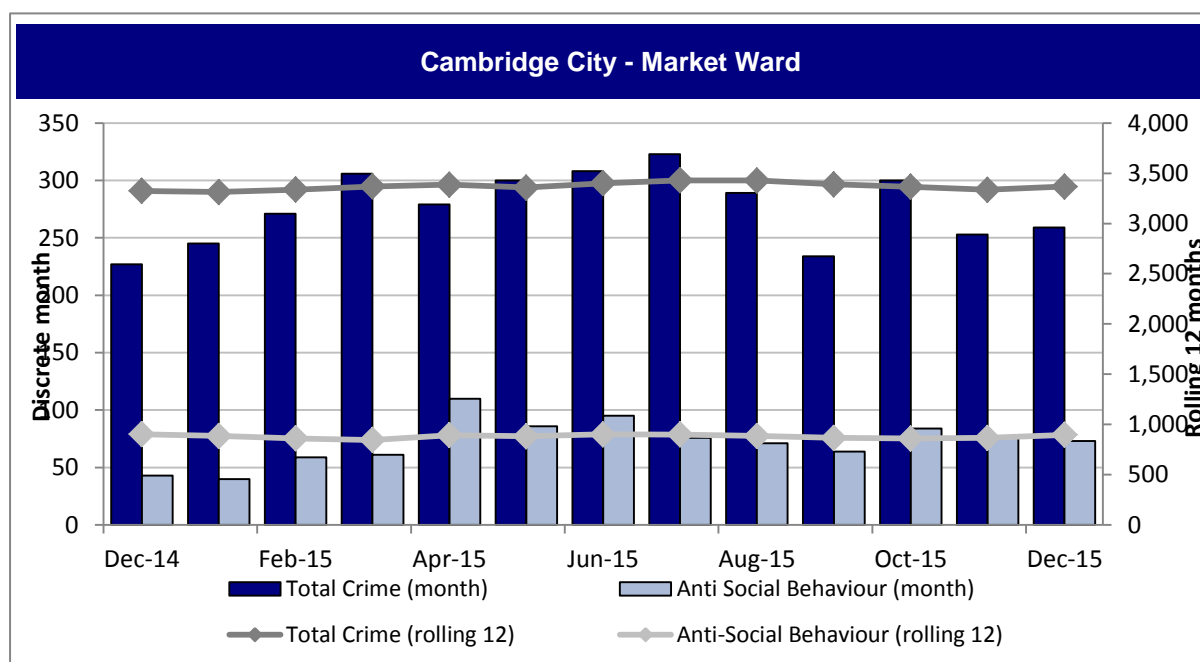


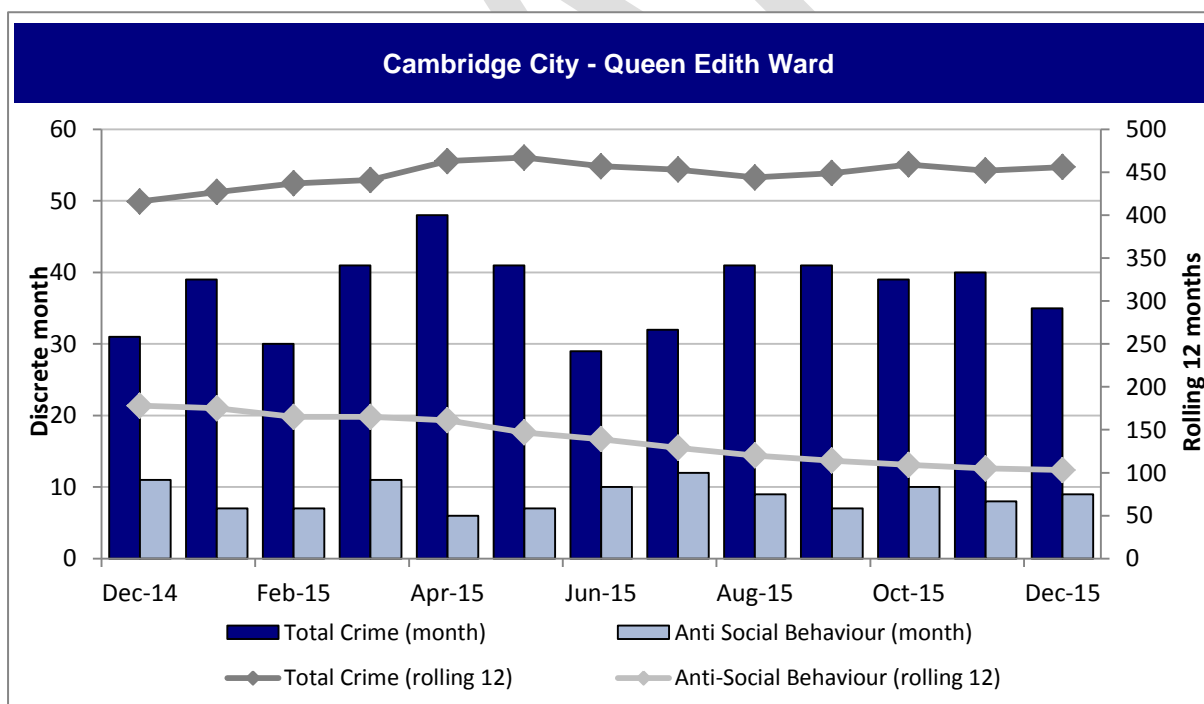
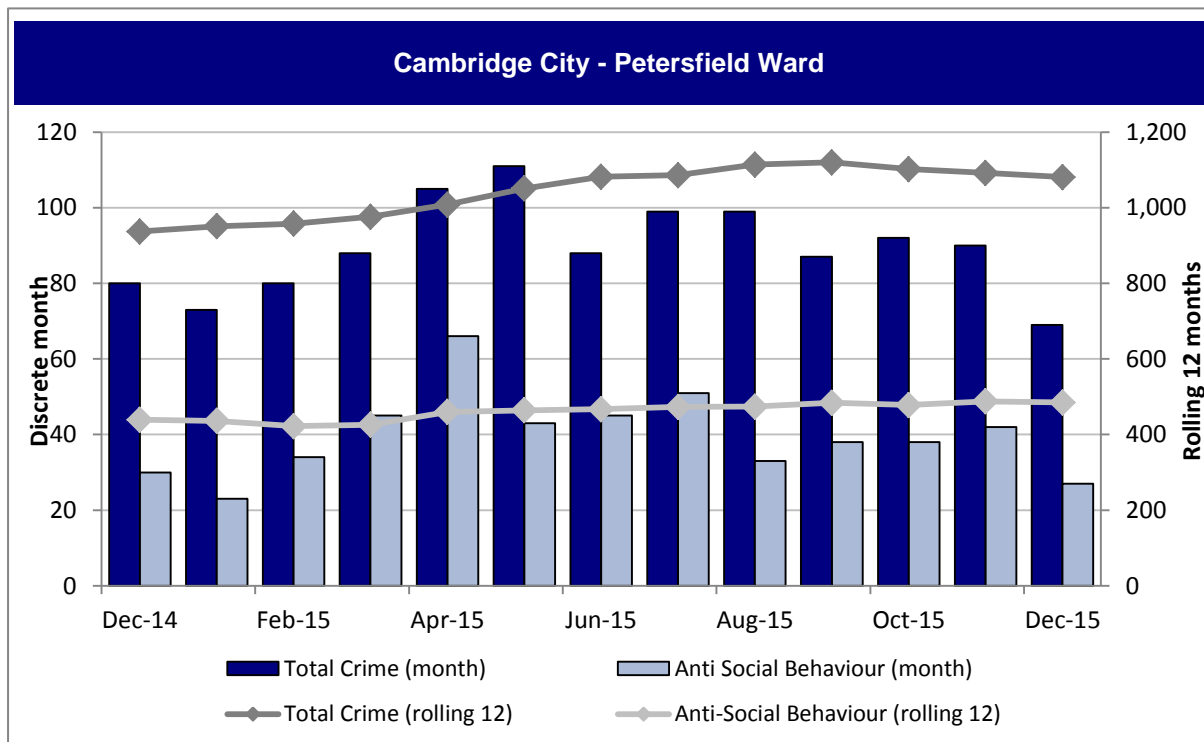


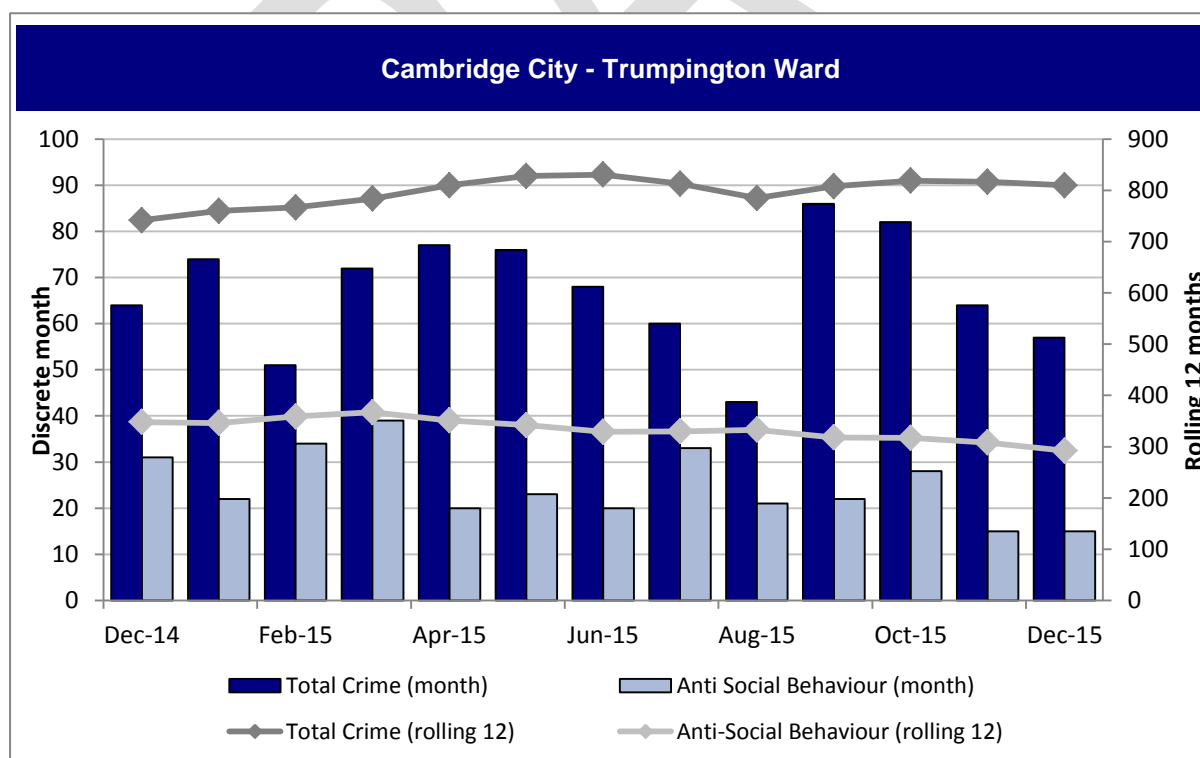
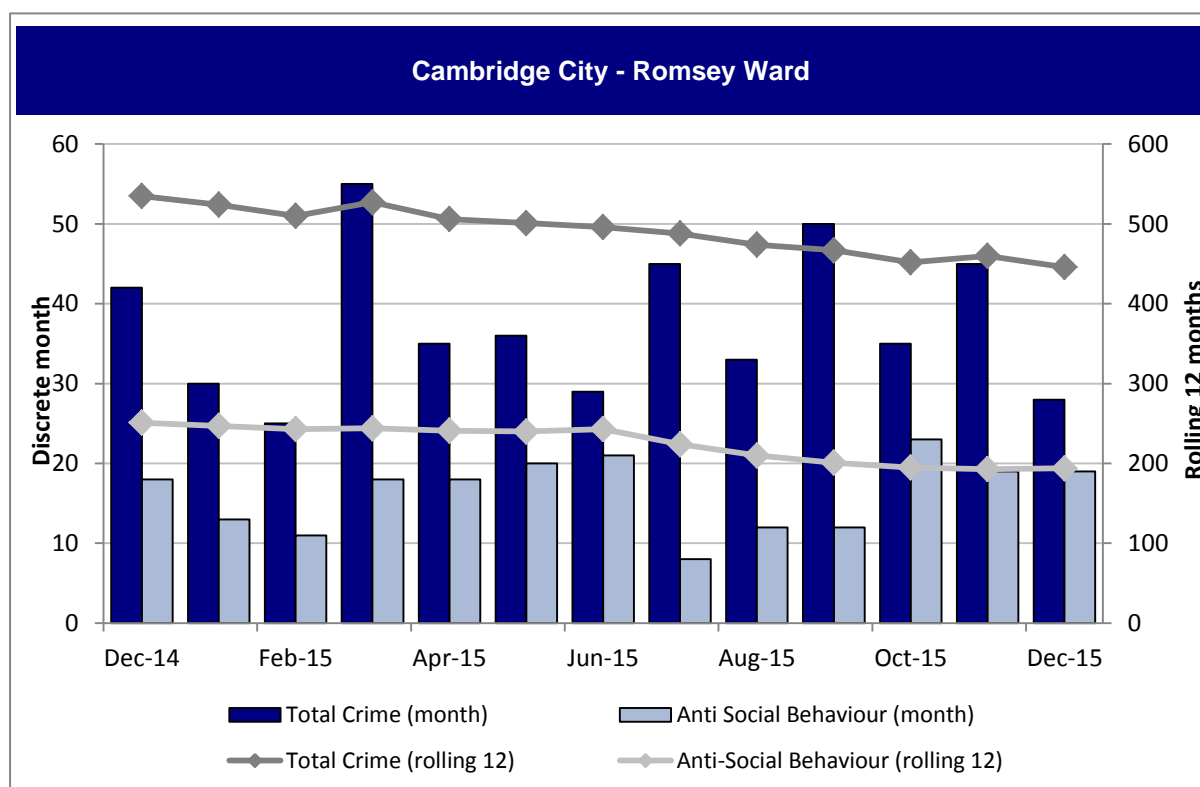


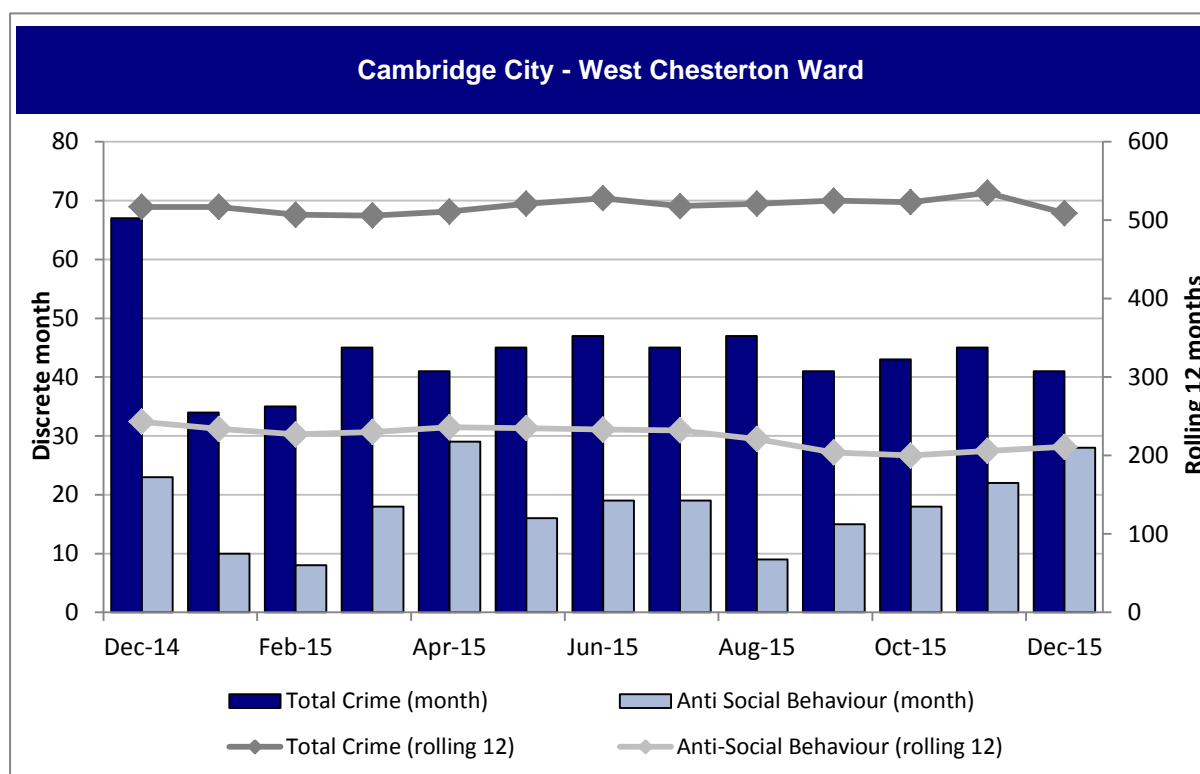












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## **CAMBRIDGE CITY COUNCIL**



### **GAMBLING ACT 2005**

### **Guidance on Undertaking Local Gambling Risk Assessments**

**April 2016**

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## Introduction

The Gambling Commission (the Commission) has introduced new provisions in its social responsibility code within the Licence Conditions and Codes of Practice (LCCP) which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. This change in national policy is intended to provide a well evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling.

The introduction of new provisions in the social responsibility code within the LCCP encourages local authorities, the Commission and the industry to work in partnership to address local issues and areas of concern. This movement towards increased partnership working is something that Cambridge City Council (the Council) wishes to develop in order to implement a risk based approach to regulation so that the Council can priorities resources where they are most required and can be most effective.

Undertaking a risk based approach provides a better understanding of, and enables a proportionate response, to risk. This approach includes identifying future risks and thinking about risks in a hypothetical way. It is worth highlighting that risk is not necessarily related to an event, or events, that have happened. Risk is related to the probability of an event happening, along with the likely impact of that event. In this case it is the risk of the impact on the licensing objectives.

The Council has developed this guidance to assist gambling operators in undertaking and preparing their local (premises) risk assessments. This guidance provides a framework for the local risk assessment process that will provide a uniform approach across all non-remote gambling sectors. This will benefit the Council as Licensing Authority under the Gambling Act 2005 (the Act), as well as responsible authorities and interested parties when considering new and variation applications. The local risk assessments will also enable the Council to establish a more progressive compliance inspection regime.

### **Gambling operators will be required to undertake a risk assessment for all of their existing premises by 6th April 2016.**

Following that date operators must also undertake a review of those assessments when certain triggers are met. These triggers, along with the Council's views on what would instigate either a new assessment or the review of an existing one are detailed within this guidance document.

The Council considers that these local risk assessments are a key component of the overall assessment and management of the local risks. The Council will assist

operators in this process by providing specific information on its concerns surrounding gambling within the City and the impact that premises can have on the licensing objectives. This will be contained within its Gambling Statement of Principles.

This local risk assessment process is not the same as other forms of risk assessment undertaken by gambling operators, such as Health and Safety at Work, Fire Safety and Food Hygiene, etc. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.

DRAFT

## 1. BACKGROUND

- 1.1 Cambridge City Council is a Licensing Authority under the Act. The Licensing Authority is responsible for considering and determining applications for premises licences which offer gambling facilities within the City. The Licensing Authority also has a role in gambling regulation by ensuring compliance with the Act.
- 1.2 The Act contains three licensing objectives which guide the way that the Licensing Authority performs its functions and the way that gambling operators carry on their activities. They are:
- a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
  - b) Ensuring that gambling is conducted in a fair and open way.
  - c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 The Act places a legal duty on the Licensing Authority to aim to permit gambling in so far as it thinks it reasonably consistent with the licensing objectives. The effect of this duty is that the Licensing Authority must approach its functions in a way that seeks to regulate gambling by using its powers where appropriate, for example to attach conditions to licences to moderate their impact on the licensing objectives, rather than by setting out to prevent gambling altogether.
- 1.4 The Licensing Authority will set out how it intends to carry out its functions under the Act in its Statement of Principles, also known as Licensing Policy. This statement is kept under review and is updated every three years (as a minimum).
- 1.5 The Commission is responsible for issuing operating licences to gambling operators who are deemed suitable and competent to provide facilities for gambling. As a requirement of these operating licences operators must ensure that they comply with and meet the requirements of the LCCP.
- 1.6 Although gambling is a legal entertainment activity it can, in some locations have a negative impact on individuals and the wider community.
- 1.7 In February 2015, following substantial consultation with relevant stakeholders the Commission introduced a new social responsibility code provision making it a requirement for certain gambling operators to assess the local risks to the licensing objectives posed by each of their premises based gambling operations. The Commission also introduced an ordinary code provision relating to sharing local risk assessments. The relevant provisions of the code state:

### **SOCIAL RESPONSIBILITY CODE PROVISION 10.1.1**

#### **Assessing Local Risk**

**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.*

- a) Licensees must 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 making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of gambling principles.
- b) Licensees must review (and update as necessary) their local risk assessments:
  - i) To take account of significant changes in local circumstances, including those identified in the licensing authority's statement of gambling principles;
  - ii) When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  - iii) When applying for a variation of a premises licence; and
  - iv) In any case, undertake a local risk assessment when applying for a new premises licence

### **ORDINARY CODE PROVISION 10.1.2**

#### **Sharing Local Risk Assessments**

**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.*

- a) Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise upon request.

1.8 These code provisions come into effect on 6 April 2016. As a result, all premises that provide facilities for gambling within Cambridge City must be assessed to identify the local risks posed by the provision of gambling facilities in their

respective locations. This guidance will assist operators in complying with these code provisions.

## **2. RISK ASSESSMENT TRIGGERS**

2.1 The local risk assessment code provisions provide a number of triggers for when a new assessment is required and for when an existing risk assessment requires review. This section sets out the Licensing Authority's views on what these triggers are and when operators should provide a copy of their assessments to the Licensing Authority.

### **New Premises**

2.2 If an operator intends to apply for a new premises licence under Part 8 of The Gambling Act 2005 then a local risk assessment must be carried out. That assessment should be based on how the premises are proposed to operate at the premises location and must take into account the local area. The completed assessment should be provided with the application for a new premises licence upon submission to the Licensing Authority.

### **Significant Changes in Local Circumstances**

2.3 Operators are required to review their local risk assessment if significant changes in local circumstances occur. Changes to local circumstances happen frequently and can be either temporary or permanent depending on the change, how long that change will remain in place and how it affects the local area. However, the requirement for review of the risk assessment is only applicable when that change is significant.

2.4 The following list sets out some examples of what the Licensing Authority considers to be significant changes in local circumstances:

- The local area is classified or declassified by the Licensing Authority as being an area of heightened risk within its Gambling Statement of Principles.
- Any substantial building development or conversion of existing premises in the local area which may increase or decrease the number of visitors. For example, where premises are converted to a local supermarket or a new office building is constructed nearby.
- Any new pay day loan or pawn brokers open up in the local area.
- Changes are made to the provision, location and/ or timings of public transport in the local area, such as a bus stop which is used by children to attend school is moved to a location in proximity to gambling premises.

- Educational facilities increase in the local area. This may occur as a result of the construction of a new school/ college or where a significant change is made to an existing establishment.
- The local area is identified as a crime hotspot by the Police and/ or Licensing Authority.
- Any vulnerable group is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in the proximity to gambling premises (e.g. additional homeless hostels or care/ support facilities are opened in the local area).
- A new gambling premises opens in the local area.

2.5 The above list is not an exhaustive list of significant changes in local circumstances. The Local Authority will provide information to gambling operators when it feels a significant change has occurred in the local area. The Licensing Authority will set out what that change is and may provide information on any specific concerns it may have that should be considered by operators. However, operators must also consider what is happening in their local areas and it is their responsibility to identify significant changes which may require a review and possibly an amendment to their risk assessment. A significant change can be temporary and any temporary changes should be considered and adjustments made to the local risk assessment if necessary.

### **Significant Changes to the Premises**

2.6 From time to time, operators may undertake a refresh of the premises layout and décor which is unlikely to prompt a review of the risk assessment for that premises. However, where there is significant change at the premises that may affect mitigation of local risks, then an operator must review its risk assessment and if necessary update it, taking into account the change and how it may affect one or more of the licensing objectives.

2.7 The following list sets out some examples of what the Licensing Authority considers to be significant changes to the premises (some of which may also require a variation to the existing premises licence). This is not an exhaustive list of significant changes to premises; operators must consider whether any change that they are proposing to their premises is one that may be considered significant.

- Any building work or premises refit where gambling facilities are relocated within the premises.
- The premises licence is transferred to a new operator who will operate the premises with its own procedures and policies which are different to those of the previous licensee.

- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/ or staff will require training on those policy changes.
- The entrance or entrances to the premises are changed, for example, the door materials are changed from metal with glazing to a full glass door or doors are reallocated from egress to ingress or vice versa.
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, self-service betting terminals or a different category of gaming machine is provided.
- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime, for example to permit the sale of alcohol or to provide sexual entertainment on the premises.

2.8 The Licensing Authority will not, as general practice, request a copy of the reviewed risk assessment if a significant change to the licensed premises has occurred unless the change is one that will necessitate a variation application.

### **Variation of the Premises Licence**

2.9 Variations to premises licences are only those required to be made under Section 187 of The Gambling Act 2005 and will not include changes of circumstances such as a change of premises name or a change of licensees address.

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

### **Regular Review of Risk Assessment**

2.11 As a matter of best practice, the Licensing Authority recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

### **3. LOCAL RISKS AND CONTROL MEASURES**

- 3.1 There are two specific parts to the risk assessment process, the assessment of the local risks and the determination of appropriate mitigation to reduce those risks.
- 3.2 The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. The gambling operator will be expected to identify and list all of the local risks within the assessment. The level of such risks can range from being low to very high depending on the potential impact they can have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures necessary to mitigate such risk.
- 3.3 This process is not new to gambling operators as they are already undertaking elements of this assessment, albeit in a far less formalised way. Operators will already be assessing locations when looking for new sites or when reviewing performance of their premises. The design of premises is also assessed to ensure that they will meet the needs of the gambling operation, will provide protection for staff and customers; and will have facilities for recording incidents of crime. Operators will also have implemented policies and procedures for the operation of premises in line with statutory and other regulatory requirements placed upon them by the Commission and other agencies.
- 3.4 Operators will already be familiar with identifying risks in relation to health and safety and food hygiene legislation. Risk assessments are also used for security and crime purposes, for example for money laundering and as part of trade association best practice, such as the Safe Bet Alliance.
- 3.5 The local risk assessment process, although similar, requires a much broader range of considerations when identifying local risk. Operators must consider the local area in which the premises are situated, the gambling operation and the premises both internally and externally.

#### **Local Area Risks**

- 3.6 There are a number of factors relating to the local area that operators will need to consider which is independent of who the operator believes is their target market. A few examples of these factors are:
- The types of premises and their operation in the local area surrounding these premises.



- The footfall in the local area, for example, does it predominantly comprise residents, workers or visitors, is it a family orientated area, popular with children and young people.
- Transport links and parking facilities.
- Educational facilities.
- Community centres.
- Hospitals.
- Homeless or rough sleeper shelters, hostels and support services.
- The ethnicity, age and economic makeup of the local community.

3.7 The local area will be different depending on the premises and the size of its operation. For example a casino may have a wider catchment area than a neighbourhood betting shop as the casino attracts customers from further afield.

### **Gambling Operational Risks**

3.8 The gambling operation relates to how the premises will be or is run. This will include the operator's policies and procedures which have been put in place to meet the requirements of the business, the Act and/ or specific code provisions within the LCCP. It will also include other elements such as:

- The gambling products it provides in the premises.
- The facilities to enable gambling within premises.
- Marketing material within premises
- Standard shop fixtures and their design.
- Security and crime prevention arrangements.
- Shop displays and provision of information to customers.
- Staffing levels
- Loyalty cards

3.9 It is likely that the identification of risks associated with this element of the assessment will be very similar for all premises with slight variations depending on any specific factors that relate to the premises or the local area.

3.10 The control measures that operators will put in place to mitigate any risk associated with the gambling operation will be dependent on the type of gambling activities provided, how the company operates and the size of the organisation.

### **Premises Design Risks**

3.11 The design of the premises is an extremely important factor when considering local risks. For example, premises which are located within an area which has a high number of children and young people present throughout the day may

identify that their standard external design means that children and young people can see into the premises and see gambling taking place. The appropriate mitigation in this case may be for the operator to amend the premises design by installing a screen or by covering the windows to obscure the interior of the premises. Such changes would be considered as control measures to mitigate the risk of attracting children to gambling.

- 3.12 As part of the design process, the layout of the premises is a major consideration as poorly conceived design may create significant risks to one or more of the licensing objectives.

### **Interior Design Risks**

- 3.13 The internal design and layout will reflect the premises operation and the type of gambling facilities that it offers. For some premises the design will be subject to certain limitations due to mandatory conditions on the gambling premises licence, such as the distance between gaming tables and other gambling facilities in casinos, and the restrictions on the locations of ATM's.
- 3.14 Operators will need to assess the risk presented by the internal layout of the premises and the location of gambling facilities within them. For example, if a gaming machine is placed within direct line of sight of the cashier counter then staff will be able to monitor player behaviour and undertake interventions if there is a concern over the customers spending habits. Staff can also monitor the use of the machines and can challenge any customers who are believed to be under the age of 18, or who damage machines, or who appear to be attempting to launder money. By a simple assessment of the optimum location for these machines, operators can significantly reduce the risk to the licensing objectives.

### **Exterior Design Risks**

- 3.15 The exterior of the premises will be a major advertisement for the gambling operator. However, the design will need to be assessed based on the associated risk. Operators will identify the risk associated with the design and introduce control measures based on that perceived risk. For example, if the premises have a large amount of glass frontage in an area prone to criminal damage, operators may consider the risk of damage to the standard toughened glass to be high and introduce a control measure such as roller shutters and/ or external CCTV cameras.

## Control Measures

- 3.16 Depending on the nature of the risk factors, the control measures identified to mitigate the perceived risk may be a combination of systems, design and physical measure. Control measures that relate to systems will be measures that have been put in place through policies and procedures. These can either be systems that apply to all of the operators' premises or systems that have been developed specifically for particular premises to deal with a specific local risk factor. System control measures will include staff training and security policies and procedures. They may also relate to having security personnel on entrances, implementing membership criteria and/ or providing support to local vulnerable groups through financial or other means.
- 3.17 Design control measures are measures that are built into the design of the premises. These can include the location of gambling facilities and the design and location of cashier counters within the premises, along with the exterior design of the premises. For example, a control measure for the interior of the premises could involve moving a cashier counter from the rear of the premises to the front next to the main entrance. An external design measure may involve the exterior design being tailored to address local risks, for example, more open window displays to enable staff to see out of the premises or a design to avoid attracting children to the premises.
- 3.18 The final control measures relate to specific physical measures that will address an identified risk factor. These physical control measures may include alarms, CCTV cameras, doors, magnetic locks, time locks on safes, spit kits, window shutters, fogging systems, UV lights in toilets.
- 3.19 The control measures identified to mitigate a perceived risk may involve a combination of systems, design and physical measures. For example to address the risk factors relating to children gaining access to an over 18 restricted gambling premises, the operator may identify the following control measures:

<b>SYSTEMS</b>	PASS card or age verification policies, 'Think 21' scheme, staff training and door staff.
<b>DESIGN</b>	Exterior design which will not attract children into the premises, the entrance layout which will enable staff and security to watch those entering the premises and challenge them on the grounds of age.
<b>PHYSICAL</b>	Magnetic door locks and ID scans.

## **Licence Conditions**

3.20 As set out in the code provisions, applications for new premises licences and for variations to existing licences will require a local risk assessment. The control measures specified in these risk assessments may be incorporated into the new or varied premises licences through the imposition of appropriate conditions. Cambridge City Council, within its Gambling Statement of Principles has provided some examples of measures which operators can review and choose to use to address specific risks depending on the results of their assessment. Operators are advised to formulate appropriate control measures to mitigate risks to the licensing objectives identified in their local risk assessments.

## **4. UNDERTAKING A LOCAL RISK ASSESSMENT**

4.1 A local risk assessment of gambling premises should be carried out using a step by step approach. The approach that Cambridge City Council suggests is to first assess the local area and identify the relevant risk factors, then to assess the gambling operation and finally to assess the premises design both internal and external. Once the risk factors have been identified the control measures to mitigate the risks should be considered. These control measures will either already be in place or will need to be implemented. To assist, Cambridge City Council has developed a local risk assessment form that encompasses the step by step approach to the assessment (Appendix A). The form also enables the assessor to identify actions such as the installation or production of control measures, the individual made responsible for carrying out those actions and to record when those actions were completed.

### **Who Should Undertake the Assessment?**

4.2 It will be the responsibility of the gambling operator to assign the assessor for assessing the local risks for their premises. The person assigned as the assessor must be competent to undertake this role as failure to properly carry out this function could result in a breach of the provisions of the LCCP. The assessor must understand how the premises operate or will operate, the design and where it is located. The assessor will need to understand the local area and can use staff or area managers to assist in gaining an understanding of that local area.

**Step by Step Approach**

<b>STEP 1 THE LOCAL AREA</b>	
<b>1</b>	<p>Operators will be expected to identify the local risk factors surrounding the premises.</p> <p>The risk factors will differ from location to location so an understanding of the specific characteristics of the local area and the people who live, work or visit that area is important.</p>
<b>2</b>	<p>To assist in assessing the local area, Cambridge City Council has developed a Local Area Profile (LAP) which sets out the demographic profile areas of the City and the specific concerns and risks that the Council has identified in relation to gambling in those areas.</p>
<b>3</b>	<p>The first step is to identify the local risk factors associated with the local area in which the premises are located.</p> <p>Local risk factors are risks that affect one or more of the licensing objectives.</p>
<b>4</b>	<p>The following list is a small example of some of the risk factors which may be present in an area where gambling premises are located:</p> <ul style="list-style-type: none"> <li>- The types of premises and their operation in the local area surrounding these premises</li> <li>- The footfall in the local area e.g. does it predominately comprise residents, workers or visitors, is it a family orientated area, popular with children and young people</li> <li>- Transport links and parking facilities</li> <li>- Educational facilities</li> <li>- Community centres</li> <li>- Hospitals</li> <li>- Homeless shelters, hostels or support services</li> <li>- The ethnicity, age and economic make-up of the community</li> <li>- Significant presence of children</li> <li>- High crime area</li> <li>- High unemployment area</li> <li>- Nearby drug or alcohol support facility</li> <li>- Pawn broker/ pay day loan business in the vicinity</li> <li>- Other gambling premises in the vicinity</li> </ul>

## STEP 2 THE GAMBLING OPERATION

- 1** In assessing the risk factors associated with a gambling operation the assessor should take into account the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk.

The assessor may wish to consider:

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

## STEP 3 THE DESIGN OF THE PREMISES

- 1** The design and layout of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives.

In assessing the risk factors associated with the premises design and layout reference is needed to the local area risk factors already identified to ensure the design does not add to that risk.

The design both internal and external should be considered and specific risk factors identified and noted. For example:

- The premises may have a number of support pillars which the assessor identifies as obstructing the view of the gaming machines from the cashier counter
- The assessor may identify that the design of the entrance to the premises is not sufficiently covered by CCTV to enable the identification of offenders
- Premises which are located within an area which has a high number of children and young people present throughout the day, may identify that their standard external design means that children and young people can see into the premises and see gambling taking place
- If a premises has a large amount of glass frontage in an area prone to criminal damage, the assessor may consider the risk of damage to the standard toughened glass to be high

These would be identified risk factors that would need to be documented.

#### STEP 4 CONTROL MEASURES

<b>1</b>	<p>Once the risk factors have been identified, the assessor should seek to identify control measures that would mitigate the identified risks. Such control measures will relate to one of the three categories of control measures mentioned above (systems, design and physical).</p> <p>Some risk factors may require a combination of control measures to adequately mitigate the risk.</p>
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#### COMPLETED ASSESSMENT

<b>1</b>	<p>The control measures must be implemented on the premises and, if applicable, staff on the premises should be trained in their use or trained on the new policy or procedure.</p> <p>The assessment must be retained and should be reviewed whenever a trigger occurs or as part of a regular review regime.</p>
<b>2</b>	<p>Cambridge City Council will assess the risks identified and the measures implemented to mitigate those risks.</p> <p>When a completed assessment is provided with a new application or with a variation application, the Council will consider the assessment in the course of determining whether to grant the application or not.</p> <p>Some control measures identified in the assessment may be put forward as conditions to be attached to the licence to address significant local concerns.</p>

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# Gambling Act 2005 Statement of Policy - Revisions



## Introduction and Background

A public consultation on the updated Statement of Principles under the Gambling Act 2005 was undertaken from 3<sup>rd</sup> July 2015 to 3<sup>rd</sup> September 2015. The updated Statement was approved at Licensing Sub-Committee on 12<sup>th</sup> October 2015 and Full Council on 22<sup>nd</sup> October 2015.

The Council is required to prepare and publish a Statement of Principles for each successive three year period and the current Statement became effective for the period January 2016 to January 2019, the Statement sets out the principles that the Council will apply in exercising its functions under the Act.

During the spring and summer of 2015 The Gambling Commission updated the advice for Local Authorities on how to prepare the Statement of Gambling Principles allowing, under new provisions, the Council to create a Local Area Profile to map the risks in Cambridge City of gambling related harm according to a range of criteria. This could include mental health prevalence, significant ethnic groups, significant life stage groups (such as children or emerging adults), financial/ debt problems, housing instability, alcohol consumption and employment & income.

Gambling Operators that apply for licences will be required to produce a risk assessment that is specific to Cambridge City Council's Local Area Profile and Statement of Gambling Principles. The risk assessment should address how the operator will mitigate any risks outline. Furthermore, operators will be required to demonstrate in their applications how they will prevent underage gambling and also their attitude to social responsibility.

Officers undertook a 'light touch' review of the Statement of Principles in 2015, to ensure legal compliance, with a view to a far more in depth review and a revised Statement being produced by April 2016.

The current Statement of Principles can be found here:

[https://www.cambridge.gov.uk/sites/default/files/gambling\\_statement\\_of\\_principles\\_january\\_2016.pdf](https://www.cambridge.gov.uk/sites/default/files/gambling_statement_of_principles_january_2016.pdf)

## **The Gambling Act 2005**

The Gambling Act 2005 gives Licensing Authorities various regulatory functions in relation to gambling. The main functions of Licensing Authorities include:

- Licensing premises for gambling activities,
- Considering notices given for the temporary use of premises for gambling,
- Granting permits for gaming and gaming machines in clubs,
- Regulating gaming and gaming machines in alcohol licensed premises,
- Granting permits to family entertainment centres for the use of certain lower stake gaming machines,
- Granting permits for prize gaming; and
- Registering Small Society Lotteries.

A Gambling Statement of Principles is required to address the three licensing objectives of the Act which are:

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

## **Risk Assessment and Local Area Profiles**

Licensing Authorities are already familiar with a risk based approach to compliance and targeting resources and effort where risk is greatest. To provide greater clarity, and make more explicit what an assessment of gambling related risks might look like, there is:

- Guidance on Undertaking Local Gambling Risk Assessments,
- Gambling Risk Assessment; and
- Cambridge City Local Area Profile

as an addendum to the existing Gambling Statement of Principles.

Although not a mandatory requirement, the Local Area Profile will increase awareness of local risks and improve information sharing. This will facilitate constructive engagement with licensees and a more co-ordinated response to local risks. The Local Area Profile will also help to inform the risk assessment section of any new licence application or application to vary a licence.

For example, an area could be identified as high risks on the basis that it is located within close proximity to a youth centre, rehabilitation centre or a school. The Licensing Authority might therefore indicate that they would expect licensees to take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be

nearby. The licensee would be reasonably expected to have sufficient controls in place to mitigate associated risks in such areas and, if not, the Licensing Authority could consider implementing other controls.

Having a Local Area Profile will bring the following benefits:

- Enable Licensing Authorities to better serve their local community by better reflecting the community and the risks within it,
- Enable Licensing Authorities to make robust decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
- Encourage operators and applicants to take a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

It is anticipated that our 'local area profile' will develop over time and will be influenced by information and intelligence from researchers, key partners and other stakeholders.

## Consultation

The Gambling Commission Guidance (para 6.64) states that “Authorities should note that where a statement is revised, it is only the revision that needs to be published and consulted on. So, for example, an authority may consult separately on whether to pass a casino resolution and then subsequently publish the resolution as part of the statement. This can be done without any need to review and reopen consultation on the main body of the statement. The same would apply if the licensing authority was updating its local area profile to take account of changing local risks. Any revisions must be published and advertised in the same way as a new statement.”

Cambridge City Council is consulting on a revision to the Gambling Act 2005 Statement of Principles for 2016-19.

An addendum covering Risk Assessment and the Local Area Profile is included as a revision to the existing Statement and draft documents can be found in the appendices.

The consultation is open to the public and the closing date for submitting consultation responses is **14 February 2016**.

Send your response:

- By email to [licensing@cambridge.gov.uk](mailto:licensing@cambridge.gov.uk) please include the words 'Gambling Consultation' in the subject field; or
- In writing to Licensing & Enforcement, Environmental Health Service, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH.

The licensing authority is particularly interested in hearing from responsible authorities as well as other organisations/ individuals in the area that can give input to 'map' local risks in the City. If there is sufficient information to develop the Local Area Profile it will help increase awareness of local risks and improve information

sharing, facilitate constructive engagement with licensees and develop a more coordinated response to local risks.

Any comments that you forward to the Licensing Authority should clearly state your name, any organisation or persons you may be responding on behalf of and your address. It would also be helpful if you would give a brief description of any specific interest you have in gambling matters (for example you may be involved in some capacity with existing gambling premises, vulnerable persons/ children's groups, or be an individual or business affected by gambling premises near to you).

It should be noted that the Gambling Commission Guidance advises that demand for gambling premises; public nuisance and morality issues are not considerations under this legislation. Therefore the authority may not be in a position to consider any comments of this nature.

Cambridge City Council  
Licensing and Enforcement Team  
PO Box 700  
Cambridge  
CB1 0JH

Please ask for:  
Direct Tel:  
Email:  
Our ref: RJT / LHK / 097505.00004  
#GS606618  
Your ref:  
Date: 11 February 2016

Dear Sir/Madam,

**Re: Consultation on Revisions to Gambling Act 2005 Statement of Principles  
Guidance on Undertaking Local Gambling Risk Assessments and Local Area Profile**

We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to your consultation on the council's revisions to the Gambling Act 2005 Statement of Principles.

The ABB represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power as well as almost 100 smaller independent bookmakers.

On behalf of our client, we have reviewed the documents, "Guidance on Undertaking Local Gambling Risk Assessments", "Gambling Act 2005 – Local Area Profile – April 2016" and "Local Area Profile Gambling Risk Assessment Document".

Local Area Profile

It is important that any risks identified in the local area profile are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles.

This would distort the "aim to permit" principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.

A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.

The local area profile document produced indicates that *“the local area profiles will help to inform the local risk assessment process.”* This sentence should be expanded in accordance with paragraph 6.49 of the Gambling Commission Guidance to Licensing Authorities (5<sup>th</sup> Edition) which indicates that *“the local area profile will help to inform specific risks that operators will need to address in their risk assessment...”* The document needs to be clear that the purpose of the local area profile is to assist with the risk assessment. The local area profile, therefore, needs to highlight matters which are relevant to the licensing objectives. The local area profile should not include matters that can have no bearing on whether or not the operation of a premise is reasonably consistent with the licensing objectives.

Section 6 of the Local Area Profile Document lists factors taken into account when compiling the local area profile. This list indicates that the City Council has had regard to places of worship and religious buildings, job centres, pawnbrokers, payday loan businesses in the area, parking facilities, banks and/or ATM facilities nearby, the economic make-up of the area and the surrounding night time economy when comparing its local area profile. The proximity of such places to Gambling Act 2005 premises will have no bearing on whether the operation of such premises is reasonably consistent with the licensing objectives and these should not, therefore, be taken into account.

It is not clear why places of worship and religious buildings are taken into account when compiling the local area profile. The Gambling Commission Guidance (5<sup>th</sup> Edition) is clear at paragraph 5.34 that licensing authorities should be aware that considerations such as moral or ethical objections to gambling, a dislike of gambling or a general notion that is undesirable to allow gambling premises in an area, are not valid reasons to reject a premises licence application and therefore cannot be relevant in these circumstances.

Another factor included is the economic make-up of the area. It is impossible to see how the relevant affluence of an area could be relevant. The only way that the relative affluence of an area could be relevant is if the council has determined that people in certain income brackets are more or less likely to be involved with crime or are vulnerable. We doubt that this is the case.

In the circumstances, we respectfully submit that the list of factors to be taken into account when compiling the local area profile needs to be reviewed with the list being redrafted to ensure that only relevant factors (such as hostels or shelters for vulnerable people, addiction support facilities, mental health centres) are included.

The Local Area Profile Document refers to the British Gambling Prevalence Survey of 2010. The data upon which this is based is well over six years old and we respectfully submit that more relevant figures from subsequent reports should be produced. For example, “Gambling Behaviour in England and Scotland” was published in June 2014 and details the findings of the health survey for England and Scotland in 2012. These more recent surveys indicate that problem gambling among adults is around 0.4% (less than the British Gambling Prevalence Survey 2010) and the number of problem gamblers is stable.

The local area profile produces details (pages 15 -17) of the educational facilities, places of worship and licensed premises for each ward. It is not clear why these are produced. The proximity of premises licensed under Licensing Act 2003 is not a relevant consideration and the comments

above relating to places of worship are similarly irrelevant considerations. This section of the local area profile seems to offer nothing.

The local area profile document should concentrate on matters that are relevant. To be of assistance in producing a local area profile, then it should list instances of gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

#### Guidance on Undertaking Local Gambling Risk Assessments/Pro Forma for Gambling Risk Assessments

The pro forma gambling risk assessment form indicates in its guidance notes that “this risk assessment must be completed for all new premises or when the premises licence is varied.” This makes completion of the Cambridge City Council pro forma mandatory. The ABB believes that it is not for a licensing authority to prescribe a form of risk assessment. If a risk assessment document is to be produced, it should be clear that it may be used although it must be made clear that operators may use their own forms of documentation. There is no power to require use of any prescribed form. The documentation should be amended to make this very clear.

The guidance on completing the risk assessments needs to be amended. The examples of risk assessment triggers given take into account matters that can have no bearing on whether the operation of a premise is consistent with the licensing objectives. For example the opening of a new payday loan or pawnbrokers in an area is not relevant to whether or not a premise operates in accordance with the licensing objectives. The ethnicity, age and economic make-up of the community is similarly irrelevant unless the council has determined that certain ethnic groups are more likely to commit crime arising out of gambling or are automatically vulnerable. The statement of principles does not suggest this.

The lists of triggers for risk assessments and local area risks need to be reviewed and redrafted to ensure that only matters that are relevant to the licensing objectives are included.

Within the section headed “Control Measures” there is reference to a “Challenge 21 scheme”. This scheme is relevant to Licensing Act 2003 premises. The industry standard age verification scheme operated by most betting office operators is called Think 21 and is similar. The document should be amended to reflect this.

We trust that the comments above are useful to you and look forward to receiving confirmation that the documentation will be reviewed as outlined above.

Yours faithfully

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Licensing & Enforcement,  
Environmental Health Service,  
Cambridge City Council,  
PO Box 700,  
Cambridge,  
CB1 0JH

12<sup>th</sup> February 2016

Dear Sir,

**Consultation on Cambridge City Council's Statement of Principles –  
Gambling Consultation – Risk Assessment**

Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates c. 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.

Coral Racing Limited are broadly supportive of your detailed document regarding the new risk assessment inclusion and appreciate the advice and guidance you have provided within it.

We have been progressing the new risk assessment requirements for over 6 months and have been discussing our proposals for applying the correct assessments with a number of councils (through consultation exercises) as well as in more detail with Westminster City Council.

As we are sure you appreciate, with an estate as wide as ours, it is not sensible to have a bespoke template for each of the c.350 local authorities and we have agreed a form for completion in conjunction with Westminster City Council which we are using for all our shops. Comparing our format to your suggestion, there are many similarities and they both cover the key areas of risk assessments. Our shops will be inspected by our security team and the assessments will be completed by them in conjunction with our operational teams who understand the local area in greater detail. Your draft document does not indicate that use of your template is mandatory and as such, we will continue with our standard template in your area which of course, you are able to inspect at any time.

Naturally, if these do not meet the level desired by yourselves, we would be happy to receive feedback on the areas which you would like further information on.

Yours sincerely,

[Redacted Signature]  
[Redacted Name]  
[Redacted Title]



**Coral Racing Limited**  
One Stratford Place, Montfichet Road, London E20 1EJ  
Registered Office: New Castle House, Castle Boulevard, Nottingham NG7 1FT  
Registered in England No. 541600  
Tel: 020 3288 7000 Fax: 020 3288 7050

a  company

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# Cambridge City Council Equality Impact Assessment



Completing an Equality Impact Assessment will help you to think about what impact your strategy, policy, plan, project, contract or major change to your service may have on people that live in, work in or visit Cambridge, as well as on City Council staff.

The template is easy to use. You do not need to have specialist equalities knowledge to complete it. It asks you to make judgements based on evidence and experience. There are guidance notes on the intranet to help you. You can also get advice from Suzanne Goff, Strategy Officer on 01223 457174 or email [suzanne.goff@cambridge.gov.uk](mailto:suzanne.goff@cambridge.gov.uk) or from any member of the Joint Equalities Group.

<b>1. Title of strategy, policy, plan, project, contract or major change to your service:</b>
Gambling Act 2005: Statement of Principles January 2016-January 2019

## **2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?**

Licensing Authorities are required by the Gambling Act 2005 to publish a Statement of Principles that they propose to apply when exercising their functions under the above legislation. The statement must be published at least every three years. The statement must also be reviewed from 'time to time' and any amended parts re-consulted upon before publication.

The objective of the Statement of Principles is to inform interested parties of the principles that it proposes to apply when exercising its functions under the Gambling Act 2005. The Council must have regard to the licensing objectives as set out in section 1 of the Act as follows:

1. Preventing gambling from being a source of crime or disorder, being associated with crime disorder or being used to support crime;
2. Ensuring that gambling is conducted in a fair and open way; and
3. Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Gambling Commission has updated the advice for Local Authorities on how to prepare the Statement of Gambling Principles. The changes will allow the Council to create a Statement which is reflective of local circumstances and issues than is the case now and under the new provisions the Council will be able to create a Local Area Profile to map the risks in Cambridge City of gambling-related harm according to a range of criteria. This could include:

- Mental health prevalence
- Significant ethnic groups
- Significant life stage groups
- Financial/ debt problems
- Housing instability
- Alcohol consumption
- Employment and income

The London Borough of Westminster and Manchester City Council have jointly commissioned research that will be made available for all Local Authorities to assist them in producing detailed Local Area Profiles of their communities and local needs.

Operators that apply for licences will be required to produce a risk assessment that is specific to Cambridge City Council's Local Area Profile and Statement of Gambling Principles. The risk assessment should address how the operator will mitigate any risks outlined. Furthermore, operators will be required to demonstrate in their applications how they will prevent underage gambling and also their attitude to social responsibility.

There would be extensive, detailed research required in order to produce and consult on a Local Area Profile, it would not be possible to undertake this and produce complete document in time to meet the January deadline for the Council's Statement of Principles.

Currently, officers have undertaken a 'light touch' review of the existing statement for approval, in order to ensure that we are legally compliant, with a view to a far more in depth review and new Statement being produced during 2016.

**2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?**

Cambridge City Council has a duty to determine and publish a Statement of Principles no later than 21 December 2015. The policy must also be referred to full Council for adoption in order to fulfil the Council's statutory duty.

The committee report can be found here: [insert hyperlink](#)

**3. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)**

☒ Residents

☒ Visitors

☒ Staff

A specific client group or groups (please state):

Children

Vulnerable Adults

**4. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)**

☐ New

☒ Revised

☐ Existing

**5. Responsible directorate and service**

Directorate: Customer & Community Services

Service: Environmental Health Service

**6. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service?**

☒ No

☐ Yes (please give details):

## 7. Potential impact

There are no specific equalities indicators. Gambling legislation and licensing procedures are designed to ensure that all applications are dealt with on their own merits. The regulatory framework is transparent and fair.

**(a) Age** (any group of people of a particular age, including younger and older people – in particular, please consider any safeguarding issues for children and vulnerable adults)

Children and vulnerable adults – whilst there is no specific evidence at this present time, however a more in depth review will be undertaken, and a new Statement of Principles produced, during 2016.

**(b) Disability** (including people with a physical impairment, sensory impairment, learning disability, mental health problem or other condition which has an impact on their daily life)

Individuals with mental health issues and individuals with learning disabilities - whilst there is no specific evidence at this present time, however a more in depth review will be undertaken, and a new Statement of Principles produced, during 2016.

**(c) Gender**

There is no specific evidence at this present time. Further research will be carried out and a more in depth review will be undertaken, and a new Statement of Principles produced, during 2016.

**(d) Pregnancy and maternity**

N/A

**(e) Transgender** (including gender re-assignment)

N/A

**(f) Marriage and Civil Partnership**

N/A

**(g) Race or Ethnicity**

There is no specific evidence at this present time. Further research will be carried out and a more in depth review will be undertaken, and a new Statement of Principles produced, during 2016.

#### **(h) Religion or Belief**

There is no specific evidence at this present time. Further research will be carried out and a more in depth review will be undertaken, and a new Statement of Principles produced, during 2016.

#### **(i) Sexual Orientation**

N/A

#### **(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty (please state):**

#### **8. If you have any additional comments please add them here**

Individuals affected by poverty and individuals in low income areas - There is no specific evidence at this present time. Further research will be carried out and a more in depth review will be undertaken, and a new Statement of Principles produced, during 2016.

#### **9. Conclusions and Next Steps**

All completed Equality Impact Assessments must be emailed to Suzanne Goff, Strategy Officer, who will arrange for it to be published on the City Council's website.  
Email [suzanne.goff@cambridge.gov.uk](mailto:suzanne.goff@cambridge.gov.uk)

#### **10. Sign off**

Name and job title of assessment lead officer: Victoria Jameson – Assistant Licensing Officer

Names and job titles of other assessment team members and people consulted:  
Yvonne O'Donnell – Environmental Health Manager

Date of completion: September 2015

Date of next review of the assessment: After April 2016 when further guidance has been issued, research and risk assessment undertaken and revised Statement of Principles consulted upon.

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## EMPLOYMENT (SENIOR OFFICER) COMMITTEE

**22 March 2016**  
(4.00pm – 6.25pm)

**Present:** Councillors Bick, Blencowe, Herbert, Price and C Smart

<b>FOR ADOPTION BY THE COUNCIL</b>
------------------------------------

### **16/18/ESOC - Legal Shared Service Restructuring**

The committee received a report from the Director of Business Transformation relating to the Legal Shared Services Restructuring and the redundancy of the post of Head of Legal Services and Monitoring Officer.

**Resolved** (unanimously)

- i. That the full Council approves the termination of employment of the Head of Legal Services and Monitoring Officer by reason of redundancy in the light of implementation of the shared legal service.
- ii. To add an additional recommendation to full Council

The Council notes with regret that one consequence of the decision to combine three legal services into one is that the Head of Legal services will be leaving the Council's employment. The Council wishes to place on record its thanks to Simon Pugh for 30 years of fantastic service to the Council and to the city. Officers and Members have been very fortunate to have access to his sound advice over such a long period.

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Director of Business Transformation

TO: Employment (Senior Officer) Committee 22/3/2016

WARDS: None directly affected

### **LEGAL SHARED SERVICE RESTRUCTURING**

---

#### **1 INTRODUCTION**

- 1.1 The Leader approved proposals for a shared legal service with South Cambridgeshire and Huntingdonshire District Councils at the Strategy and Resources meeting on 13 July 2015. (15/51/SR)
- 1.2 The proposals approved included the restructure of the staffing of three existing legal services into one shared service. In particular, it included the deletion of three separate lead/head of legal service posts within the three authorities and the creation of a Head of Legal Practice post to lead the shared service.
- 1.3 Under the new structure the post of Head of Legal Services for Cambridge City Council has become redundant. The current post holder has indicated that he does not wish to be considered for the new post of Head of Legal Practice. He has agreed to stay with the Council until the end of July to help with continuity but will then leave the City Council's employment.
- 1.4 Because the Head of Legal Services is also the Council's Monitoring Officer, there is a legal requirement that the full Council approves the termination of his employment by reason of redundancy. Similarly full Council is required to appoint a Monitoring Officer and recommendations in that regard will be the subject of a further report to this Committee to enable continuity of the performance of the Monitoring Officer role. This will need to be put before Council meeting on 26<sup>th</sup> May (or 14<sup>th</sup> July).

## 2. **RECOMMENDATIONS**

- 2.1 That the full Council approves the termination of employment of the Head of Legal Services and Monitoring Officer by reason of redundancy in the light of the implementation of the shared legal service.

## 3. **IMPLICATIONS**

- (a) **Financial Implications:** Redundancy costs will be met in accordance with the City Council's scheme,
- (b) **Staffing Implications:** Recruitment is under way for a Head of Legal Practice for the Shared Service.
- (c) **Equality and Poverty Implications:** None
- (d) **Environmental Implications:** Nil.
- (e) **Procurement:** None
- (f) **Consultation and communication:** Statutory employment consultations have been followed.
- (g) **Community Safety:** None.

**BACKGROUND PAPERS:** Reports to Strategy and Resources Committee on 13 July 2015 on shared services.

These documents are available to inspect on the City Council's website at <http://democracy.cambridge.gov.uk/ieListDocuments.aspx?CId=159&MId=2872&Ver=4>

Report file:

Date originated: 05 April 2016  
Date of last revision: 05 April 2016

## EMPLOYMENT (SENIOR OFFICER) COMMITTEE

**22 March 2016**  
(4.00pm – 6.25pm)

**Present:** Councillors Bick, Blencowe, Herbert, Price and C Smart

<b>FOR ADOPTION BY THE COUNCIL</b>
------------------------------------

### 16/19/ESOC Future Management Restructuring

The committee received a report from the Head of Human Resources relating to the future management structure of the Council and the redundancy of the post of Director of Environment.

**Resolved** (unanimously)

- i. That the full Council approves the payment of the exit costs that arise on termination of employment of the Director of Environment by reason of redundancy.
- ii. To add an additional recommendation to full Council

The Council notes with regret that one consequence of the restructure of the council's management is that the Director of Environment will be leaving the Council's employment. The Council wishes to place on record it's thanks to Simon Payne for his 11 years of service to the Council and to the city, noting this is but a small part of 41 years' dedicated service to local government.

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## CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Human Resources

TO: Employment (Senior Officer) Committee 22/3/2016

WARDS: None directly affected

### **FUTURE MANAGEMENT RESTRUCTURING**

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#### **1 INTRODUCTION**

- 1.1 The Chief Executive consulted on changes to the future management structure of the Council in November/December 2015 and published an outcomes report following this consultation in January 2016.
- 1.2 The proposals included the restructure of the senior management structure of the Council and the deletion of two existing Director roles; Director of Environment and Director of Business Transformation. Two new Strategic Director roles have been created.
- 1.3 Under this new structure the post of Director of Environment for Cambridge City Council has become redundant. The current post holder has indicated that he does not wish to be considered for the new posts of Strategic Director.
- 1.4 Because the total cost of the exit payments in relation to the current Director of Environment would be in excess of £100,000 there is a requirement that the full Council approves the payment of the exit costs which will arise on termination of his employment by reason of redundancy. This is set out in the terms of reference for the Employment (Senior Officer) Committee and the Council's Pay Policy Statement which is approved by Full Council each year.
- 1.5 The cost of the exit package is made up of two parts:
  - The estimated capitalised cost of early retirement which is payable to the Pension Scheme for early release of pension (after 55 years

- of age but before normal retirement) - £76,560. This payment is made to Cambridgeshire County Council and not the employee.
- The redundancy payment of £51,230. This is payable to the employee in accordance with the Cambridge City Council's redundancy payment arrangements and the statutory redundancy scheme. The payment is based on years of local government service, age and actual weeks pay.
  - The total cost is: £127,790.

## 2. **RECOMMENDATIONS**

- 2.1 That the full Council approves the payment of the exit costs that arise on termination of employment of the Director of Environment by reason of redundancy.

## 3. **IMPLICATIONS**

- (a) **Financial Implications:** Redundancy and capitalised pension costs will be met in accordance with the City Council's scheme.
- (b) **Staffing Implications:** This report relates to exit payments on termination of employment. Recruitment will commence for the vacant Strategic Director role.
- (c) **Equality and Poverty Implications:** None
- (d) **Environmental Implications:** Nil.
- (e) **Procurement:** None
- (f) **Consultation and communication:** Statutory employment consultations have been followed.
- (g) **Community Safety:** None.

## **BACKGROUND PAPERS:**

Consultation document on the future management structure (November 2015)

Outcomes report on the future management structure (January 2016)

Terms of Reference – Employment (Senior Officer) Committee

Pay Policy Statement 2016

Report file:



Date originated: 05 April 2016  
Date of last revision: 05 April 2016

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