



AYLESBURY VALE DISTRICT COUNCIL Democratic Services

Please ask for: Chris Ward; cward@aylesburyvaledc.gov.uk;
Switchboard: 01296 585858
Text Relay: Prefix your telephone number with 18001

31 August 2018

LICENSING COMMITTEE

A meeting of the **Licensing Committee** will be held at **10.00 am** on **Monday 10 September 2018** in **The Olympic Room - Aylesbury Vale District Council**, when your attendance is requested.

Contact Officer for meeting arrangements: Chris Ward; cward@aylesburyvaledc.gov.uk;

Membership: Councillors: J Brandis (Chairman), T Mills (Vice-Chairman), M Hawkett, A Huxley, S Lambert, L Monger, S Morgan, G Powell, S Renshell, B Russel and Sir Beville Stanier Bt (ex-Officio)

AGENDA

1. APOLOGIES

2. TEMPORARY CHANGES TO MEMBERSHIP

Any changes will be reported at the meeting.

3. MINUTES (Pages 3 - 4)

To approve as a correct record the Minutes of the meeting held on 2 July 2018.

4. DECLARATIONS OF INTEREST

Members to declare any interests.

5. UPDATE ON TAXI UNMET DEMAND SURVEY (Pages 5 - 8)

For Members to consider the attached report.

Contact officer: Simon Gallacher 01296 585083

6. UPDATE ON GAMBLING POLICY CONSULTATION (Pages 9 - 68)

For Members to consider the attached report.

Contact officer: Simon Gallacher 01296 585083

7. NEW ANIMAL WELFARE LICENSING REGIME (Pages 69 - 72)

For Members to consider the attached report.

Please note: An appendix to the Animal Welfare Licensing regime report with details of the new fees proposed for animal licensing, that will need to be introduced as a result of the changes to legislation, will be published in a separate supplementary agenda.

Contact officer: Simon Gallacher 01296 585083

Licensing Committee

2 JULY 2018

PRESENT: Councillor J Brandis (Chairman); Councillors P Cooper (In place of A Huxley), M Hawke, L Monger, G Powell, S Renshell, B Russel and Sir Beville Stanier Bt (ex-Officio)

APOLOGIES: Councillors T Mills, S Lambert and S Morgan

1. MINUTES

RESOLVED –

That the Minutes of the meeting held on 16 May 2018 and 21 May 2018 be approved as a correct record.

2. PRE-CONSULTATION ON DRAFT GAMBLING POLICY 2019-22

Section 349 of the Gambling Act 2005 required all licensing authorities to publish a statement of principles that they propose to apply in discharging their functions under the Act. The statement of licensing policy or principles had to be republished every three years. A new version must be published in January 2019 so AVDC were now due to review their current principles. This had to be done following consultation with a number of prescribed persons and organisations which included the Gambling Commission, Thames Valley Police, Head of Planning at AVDC and the Buckinghamshire Safeguarding Children Board at BCC. Statute prescribed the general content of the policy and procedure to be followed when formulating, adopting and publishing the policy.

The Committee had received a copy of the draft policy document as part of the report and were asked for their comments prior to the statutory consultation. Following the meeting, it was proposed that AVDC would run the eight week consultation from 9 July to 31 August 2018. Responses would be collated and reported to Licensing Committee on 10 September 2018. Comments would also be sought from Environment & Living Scrutiny Committee at their meeting on 25 September 2018 prior to Full Council approval on 24 October 2018.

A standalone, add-on to the policy was 'Local Area Profiles' which was a statistical document that raised awareness of local risks to the licensing objectives in Aylesbury Vale. This document, drafted in conjunction with partner agencies, allowed AVDC to better serve the community by identifying local risks, providing clarity to the operators and improving local decision making. Operators would be expected to refer to the Local Area Profiles when submitting their risk assessments, and the Licensing Authority would seek to restrict gambling facilities in areas it felt vulnerable persons would be put at potential risk of harm. Nonetheless, all applications would be decided on merit and applicants would have the opportunity to demonstrate how concerns in the local area would be overcome.

Members sought more information on the policy consultation and were advised:-

- i. It was not possible to put a numerical limit on betting shops within certain areas due to legislation. Also numbers of existing betting shops could not be taken into account when considering new applications. There was the possibility of Development Management 'clustering' locations but this was outside the remit of Licensing Committee.

- ii. The Gambling Act 2005 Licensing Policy followed a statutory structure which contained localised information.
- iii. Inspections of gambling premises were held annually and lasted 2-3 hours. No warning was provided to the premises when the inspections would take place. The inspections investigated compliance of policy and logging of safeguarding intervention. Premises also needed to have a register of those who had self-excluded.
- iv. Neighbourhood Plans did not have a bearing on Licensing Policy, however evidence collated during the Neighbourhood Plan drafting could be utilised in Local Area Profiles.

The Committee saw the benefit in suggesting the following:-

- Licensing, Development Management and Neighbourhood Planning had scope to work closer together.
- A closer relationship should be harnessed between Licensing and Social Services beyond the consultation period.
- It would be useful for Members to attend an inspection of a Licensed Gambling premises to aid further understanding.

The Committee recognised the importance of the Local Area Profile given that applicants would have to refer to it and considered whether this should also be submitted to Full Council for consideration along with the Gambling Policy. However they were advised this may not be practical given the fluid nature of Profile so on balance Members agreed that it should be presented back to Committee when they next meet in September 2018.

RESOLVED –

That the Committee support the commencement of the consultation and the drafted Gambling Act 2005 Licensing Policy 2019-2022.

REPORT ON THE COUNCIL'S LIMITATION POLICY IN RESPECT TO AYLESBURY TOWN

1 Purpose

- 1.1 For Members to consider deferring an unmet demand survey in respect to the Council's hackney carriage limitation policy for Aylesbury town.

2 Recommendations/for decision

- | |
|---|
| 2.1 For Members to agree to defer carrying out an unmet demand survey in respect to the Council's hackney carriage quantity control policy for Aylesbury town for the reasons set out in this report. |
|---|

3 Supporting information

- 3.1 The number of hackney carriages (taxis) serving Aylesbury town is currently limited to 50. They are identifiable as black, purpose built taxis displaying a white plate on the rear. Outside the town in the rural district the Council do not limit the number of taxis.
- 3.2 Section 16 of the Transport Act 1985 permits the Council to limit the number of taxis in respect of which licences are granted, if but only if the Council is satisfied that there is no significant demand which is unmet.
- 3.3 According to the Department for Transport Taxi and Private Hire Licensing: Best Practice Guidance dated March 2010, licensing authorities are encouraged to review quantity restriction policies every three years. The Department regards no quantity restrictions as best practice but acknowledges that ultimately what matters is what is in the interests of the taxi travelling public. This involves balancing the benefits and disadvantages of continuing to limit against those for removing it. So whilst the legal requirement to maintain a quantity restriction is unequivocally based on unmet demand, once established Members can also consider what is in the interests of the taxi travelling public.
- 3.4 The last full and detailed survey was carried out in 2014 and agreed in 2015. The survey concluded that there was no significant unmet demand. If the current Department for Transport Best Practice is to be strictly applied, demand should have again been surveyed in 2017.
- 3.5 In September 2017 the Licensing Committee agreed to defer carrying out an unmet demand survey to give hackney carriage vehicle proprietors the opportunity to upgrade their vehicles in accordance with the pending revised vehicle specifications. Members felt it was important that the availability of a fleet of new vehicles should be taken into account when considering demand for taxis. Due to commitments to other Licensing Service priorities, a new hackney carriage specification is yet to be finalised.
- 3.6 Arguably more significantly, access to ranks continues to be a contentious issue in Aylesbury town centre. Bucks County Council have implemented a number of changes to parking and traffic arrangements in Aylesbury Town Centre, which includes the installation of parking meters and removal or relocation of some ranks. Representatives from the taxi trade continue to report that these changes are causing them financial hardship and adversely affect their ability to serve travelling members of the public.
- 3.7 The Licensing Committee agreed on 21 May 2018 to again to defer the decision to carry out an unmet demand survey in respect of AVDC's hackney

carriage quantity control policy for Aylesbury Town Centre. As discussed at the meeting of 21 May 2018, the Principal Licensing Officer has continued to liaise with the BCC Parking Manager, and the Parking Manager has also attended AVDC's Taxi Working Group to discuss the matter with Council Officers and trade representatives of the local taxi and private hire vehicle operators.

- 3.8 The Parking Manager has reported that the parking situation in Aylesbury Town Centre is now a top priority in their work programme. Work has been ongoing to regularise and correct historic errors in the existing parking arrangements across the county. This work has necessitated further consultations to formalise current Experimental Traffic Orders which are required to be made permanent before further amendments can be made. A final consultation will be carried out in September, ending 8 October 2018, to regularise the current existing parking arrangements. Feedback from this consultation will then be considered when work begins on a further review of town centre parking arrangements, including consideration of the location of the town centre taxi ranks. The Parking Manager is keen to work with the Aylesbury town centre hackney carriage drivers and has offered to have further meetings with their representative. It is anticipated that consultation on future arrangements parking arrangements in Aylesbury will be ready for consultation in early December 2018 and consultation is likely to take at least three months. The Parking Manager has highlighted that this work is complex, with at least four different organisations within Bucks CC involved in ongoing strategic and planning decisions affecting traffic and parking arrangements.
- 3.9 As reported on 21 May 2018, until the long term provision of parking, ranks and traffic arrangements is established it will be difficult to conduct a meaningful unmet demand survey.
- 3.10 In the meantime the Parking Manager has reported that new signage has been ordered to help identify existing town centre ranks and clarify current parking restrictions. The county are also looking to trial new technological parking solutions which may be of benefit to taxi drivers, for example to identify when there is available parking on one of the ranks. Parking enforcement officers are also now deployed working late at night to assist with unauthorised parking in taxi ranks.
- 3.11 To date there are no further updates relating to the DfT 'Task and Finishing Group', the Statutory Guidance or Best Practice Guidance referred to at the meeting of 21 May.
- 3.12 As discussed at the meeting of 21 May 2018, officers have liaised with colleagues in planning about the potential redevelopment of the Courthouse in Aylesbury town centre. To date there has been no planning application, or pre-planning applications.

4 Options considered

- 4.1 None.

5 Reasons for Recommendation

- 5.1 In order to maintain a quantity restriction in respect to hackney carriages for the town of Aylesbury the Council are required to carry out an unmet demand survey. Current best practice guidance recommends that the imposition of a limit be reviewed every three years. However there are several factors that

potentially affect the outcome of a demand survey, specifically the introduction of new, higher specification vehicles, unresolved rank and parking provision and pending Department for Transport recommendations to Government and new guidance and best practice for Licensing Authorities.

6 Resource implications

6.1 The cost of the survey will be covered by income from taxi licensing fees.

Contact Officer
Background Documents

Simon Gallacher (01296) 5855083
Names of Background documents

This page is intentionally left blank

REVIEW OF THE COUNCIL'S GAMBLING ACT 2005 LICENSING POLICY

1 Purpose

- 1.1 To inform members of the Licensing Committee on the outcome of the consultation in respect of the new Licensing Policy in respect to the Gambling Act 2005 and provide members the opportunity to consider and comment on the content of the Local Area Profile referred to in the new Gambling Policy.

2 Recommendations/for decision

- | | |
|-----|--|
| 2.1 | For Members to consider the outcome of the consultation concerning AVDC's draft new gambling policy in respect to the Gambling Act 2005. |
| 2.2 | For Members to consider the content of the proposed Local Area Profile. |

3 Supporting information

- 3.1 Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Act. The statement of principles or licensing policy must be reviewed and republished every three years. The Council's policy is now due for revision and a new version must be published in January 2019.
- 3.2 A new draft policy containing a number of proposed revisions was presented to the Licensing Committee at its meeting on 2 July 2018. The main changes relate to the preparation and publication of a Local Area Profile and expansion of the sections referring to risk assessments and licensing objectives. There has also been some minor changes to other sections with the policy. A copy of the new revised policy is shown as Appendix 1.
- 3.3 In accordance with legal requirements, the draft new policy was distributed for consultation and a copy of the policy was published on AVDC's website. The consultation period ran for 8 weeks, between 9 July and 31 August 2018. A wide range of potential stakeholders were consulted, which included:
- Responsible authorities under the Gambling Act
 - Local organisations working with those potentially vulnerable to gambling related harm.
 - Premises licence and permit holders within the District
 - Organisations representative of gambling businesses.
 - District and Borough Councillors.
 - Parish Councils and neighbouring Districts
- 3.4 The Council's Licensing Service received only one response to the consultation from GamCare. GamCare's comments and the Licensing Service's response is shown as Appendix 2.
- 3.5 In accordance with legal provisions, final approval of the policy must be dealt with by Full Council. It is intended that the new policy will be presented to the Environment and Living Scrutiny for comment on 25 September 2018, prior to referral to Full Council for adoption on 24 October 2018.

- 3.6 As agreed, following discussions at the Licensing Committee meeting on 2 July 2018, it is intended that the Local Area Profile will be published as a separate document to the policy. The Local Area Profile is essentially a statistical document, with its content and its application governed by the policy. Given the fluid nature of the document it is considered more appropriate to publish the document separate to the policy to allow timely changes to be made without the requirement for full consultation and Council approval. The new draft Local Area Profile is shown as Appendix 3.

4 Options considered

- 4.1 No other options considered in terms of preparation and adoption of the policy as this is a statutory function with little discretion as to how the Council can proceed. It was considered whether or not to include the Local Area Profile within the policy document, however there is a statutory requirement to carryout a full consultation on any proposed amendments to the policy, with the final decision required by full Council. The purpose of Local Area Profile is to provide statistical information which will invariably change over time. It is therefore considered more appropriate to publish this document separate to the policy so timely changes can be made without the requirement for full consultation and Council approval.

5 Reasons for Recommendation

- 5.1 This is a statutory requirement.

6 Resource implications

- 6.1 Limited resource implications dealt with by licensing income.

7 Response to Key Aims and Objectives

- 7.1 Supports business and local communities.

Contact Officer
Background Documents

Simon Gallacher, Principal Licensing Officer
Gambling Act 2005, Gambling Commission Guidance to Licensing
Authorities.



Gambling Act 2005 Licensing Policy 2019-2022

**Gambling Act 2005
Licensing Policy for Aylesbury Vale District Council
2019-2022**

Contents

Item	Page
Part A – General Principles	
1. The Licensing Objectivities	3
2. Introduction	4
3. Declaration	4
4. Responsible Authorities	5
5. Interested Parties	5
6. Exchange of Information	6
7. Enforcement	7
8. Licensing Authority Functions	7
9. Electronic submissions and Communication	8
Part B – Premises Licences	
10 General	9
11. Decision-making	9
12. Definition of “premises”	9
13. Spilt premises	10
14. Premises “ready for gambling”	10
15. Risk assessments	10
16. Local Area Profiles	11
17. Planning	12
18. Duplication with other regulatory regimes	12
19. Licensing Objectives	12
20. Conditions	15
21. Door Supervisors	16
22. Adult Gaming Centres / Family Entertainment Centres	16
23. Casinos	17
24. Bingo Premises	17
25. Betting Premises	17
26. Tracks	18
27. Provisional Statements	18
28. Reviews	19
Part C – Permits / Temporary & Occasional Use Notices	
29. Unlicensed Family Entertainment Centre (FEC) Gaming Machine Permits	21
30. (Alcohol) Licensed Premises Gaming Machine Permits	21
31. Permits: 3 or more machines	22
32. Prize Gaming Permits	22
33. Club Gaming & Club Machine Permits	22
34. Temporary Use Notices	23
35. Occasional Use Notices	23
Appendices	
Appendix 1 – map of Aylesbury Vale	24
Appendix 2 – list of consultees	25

PART A

GENERAL PRINCIPLES

1. The Licensing Objectives

The Gambling Act 2005 regulates most forms of gambling in the UK, and places local control of gambling in the hands of local authorities. Aylesbury Vale District Council is the licensing authority for the District of Aylesbury Vale.

In exercising most of their functions under the Gambling Act 2005 (“the Act”), the licensing authority will have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives 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
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

While the term “vulnerable” is not defined in the Act, the Gambling Commission assumes for regulatory purposes that vulnerable people include those 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, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs. The licensing authority will make the same assumption when exercising its powers under the Act.

In making decisions under section 153 of the Act in relation to premises licences the licensing authority is bound to aim to permit the use of premises for gambling in so far as it thinks it:

- a) in accordance with any relevant code of practice issued by the Gambling Commission
- b) in accordance with any relevant guidance issued by the Gambling Commission
- c) reasonably consistent with the licensing objectives (subject to the above) and
- d) in accordance with the authority’s licensing policy (subject to the above).

The licensing authority will therefore pay close attention to the compliance of any proposal with each part of section 153. Applicants are strongly advised to provide such information as is necessary in the circumstances of each case as will enable the licensing authority to reach a confident conclusion as to the compliance of the proposal with section 153.

2. Introduction

Aylesbury Vale is situated in the County of Buckinghamshire, which contains four District Councils and one County Council in total. It is home to 193,113 people (ONS 2017) , with the area seeing a 10.4% increase since 2011, the fifth highest rate of growth of any local authority in Great Britain. While one third of this population lives in Aylesbury itself, the remainder is distributed sparsely across almost 350 square miles and 109 parishes. Attached as Appendix 1 is a map of the Council area.

Licensing authorities are required by the Act to publish a statement of the principles i.e. a policy, which they intend to apply when exercising their functions under the Act. That is the purpose of this policy. In summary this policy is divided into three sections. The first section deals with general principles relating to the implementation of the Gambling Act 2005. The second part concentrates

on premises licences and provides guidance on this authority's general approach in an effort to assist all parties involved in an application. The final section relates to permits under the Act. The policy must be published at least every three years. The policy must also be reviewed from "time to time" and any amended parts re-consulted upon. The policy must be then re-published.

The Act makes licensing authorities responsible for licensing premises for gambling e.g. gaming machine arcades, betting shops, casino gaming and bingo. The ability of the council to regulate gambling activities in the District provides an opportunity for the council and its partners to have more direct influence on the determination of licence applications. Residents who are, or who could be, affected by premises providing gambling facilities have an opportunity to influence decisions and the council is able to work with others to protect children and vulnerable people from being harmed or exploited by gambling activities.

The responsibility for regulating gambling is shared between the Gambling Commission and Local Authorities or Councils. The Gambling Commission is responsible for issuing operating licences to organisations and individuals who provide facilities for gambling and personal licences to persons working in the gambling industry. The Commission takes the lead role on ensuring that gambling is conducted in a fair and open way through the administration and enforcement of operating and personal licence requirements. The Commission is also responsible for remote gambling activities such as facilities provided via the Internet, television or radio. The Gambling Commission issues national guidance to licensing authorities, which authorities must take into account when exercising their own functions. The current edition of the guidance is the fifth edition, as updated in September 2016. The licensing authority has had regard to that guidance in preparing this policy.

The licensing authority has consulted widely upon this policy before finalising and publishing it. A list of those persons the authority has consulted with is provided as Appendix 2. The Gambling 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;
- 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.

Consultation took place between _____ and _____ and the reviewed policy was approved at a meeting of the Full Council on _____. The full list of comments made and their consideration by the Council of those comments is available by request to the Licensing Service

The policy was approved at a meeting of the Full Council on (Date to be inserted) and was subsequently published via our website. Copies were placed in the public libraries of the area as well as being available from the Council Office. Should you have any comments as regards this policy statement please send them via e-mail or letter to the following address:

Aylesbury Vale District Council
Licensing Services, Customer Fulfilment, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF
licensing@aylesburyvalcdc.gov.uk

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each

will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3. Declaration

In producing the final statement, the licensing authority declares that it had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Responsible Authorities

For the purpose of the Gambling Act 2005, the following are responsible authorities in relation to premises:

- A licensing authority in whose area the premises are wholly or partly situated
- The Gambling Commission
- Thames Valley Police
- Bucks Fire and Rescue
- Head of Planning, Aylesbury Vale District Council
- Environmental Health, Regulatory Services, Aylesbury Vale District Council
- Buckinghamshire Safeguarding Children Board, Bucks County Council
- HM Commissioners of Customs and Excise

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.

The licensing authority designates the Buckinghamshire Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at:

www.aylesburyvaledc.gov.uk

5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. To be an 'interested party' a person must meet one of the following criteria:

- live sufficiently close to the premises to be likely affected by the gambling activities
- have business interests that might be affected by the gambling activities
- represent persons in either of these two groups for example residents' and tenants' associations, trade unions and trade associations, partnerships, charities, community groups, faith groups, medical practices, Assembly Members, Councillors and MPs.

When considering whether a person lives sufficiently close to the premises, the Licensing Authority will take into account:

- 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, for example the number of customers and routes likely to be taken by those visiting the establishment
- the circumstances of the complainant

In considering 'likely affected', the Licensing Authority recognises that there is a broad context in which people may possibly be affected by premises providing gambling facilities in their vicinity. The Licensing Authority will maintain an open-mind when considering the circumstances presented in any representation.

Having a 'business interest' will be given the widest possible interpretation and include community and voluntary groups, schools, charities, faith groups and medical practices. The Licensing Authority will consider the following factors relevant when determining whether a person's business interests may be affected:

- the size of the premises
- the catchment area of the premises, for example how far people travel to visit the premises
- whether the person making the representation has business interests in the affected catchment area

The Licensing Authority will not take into account representations that are:

- repetitive, vexatious or frivolous
- from a rival gambling business where the basis of the representation is unwanted competition
- moral objections to gambling
- concerned with expected demand for gambling
- anonymous

Details of applications and representations referred to a licensing sub-Committee for determination will be published in reports that are made publicly available and placed on the council's website in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details will however be redacted from representations in the final website version of reports.

Names and addresses of people making representations will be disclosed to applicants and only be withheld from disclosure to the applicant on the grounds of personal safety where the Licensing Authority is specifically asked to do so.

6. 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, and the 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 licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information, and the provisions of the applicable data protection legislation. The licensing authority will also have regard to guidance from the Gambling Commission on this matter.

7. 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 the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

The licensing authority's principles are that it will be guided by advice contained in national guidance and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As the national guidance advises, the licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible. The licensing authority will adopt a risk-based approach to enforcement based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission
- The principles set out in this statement of licensing policy

The licensing authority will also have regard to the Regulators' Code issued by the Better Regulation Delivery Office.

The purpose of the Code is to promote proportionate, consistent and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate. The Code also aims to promote efficient and effective approaches to regulatory inspection and enforcement, improving the outcome of regulation without imposing unnecessary burdens.

The main enforcement and compliance role for the licensing authority under the Act is to ensure compliance with the premises licences and other permissions which it authorises. In circumstances where the Licensing Authority is made aware of possible illicit gambling activities at premises within the Council's area, the Licensing Officers will carry-out investigations and take robust enforcement action where evidence of offences is established.

The Gambling Commission is the enforcement body for 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.

8. 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 which wish to undertake certain gaming activities, by 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, endorse and, if necessary, determine Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on information exchange)
- Maintain registers of the permits and licences that are issued under these functions.

Local licensing authorities are not involved in licensing remote gambling; this is the responsibility of the Gambling Commission through operating licences. Remote gambling means gambling in which persons participate by the use of the internet; telephone; television; radio or any other kind of electronic or other technology for facilitating communication.

9. Electronic submissions and Communication

The Licensing Authority welcomes the use of electronic communication. The use of electronic communication, such as email, is not only considered more efficient in terms of time and effort, it brings about greater cost savings. The Licensing Authority will accept applications, notices and representations submitted via email, or by other electronic means available, to the Licensing Service. Further information and application forms are available on the Council's web site, www.aylesburyvaldc.gov.uk

PART B

PREMISES LICENCES

10. General

Premises licences will be 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 appropriate.

11. Decision-making

The Licensing Authority aims to permit the use of premises for gambling in accordance with the requirements of the Act. The Licensing Authority considers it important to emphasise that “aim to permit” does not create a “presumption to grant”. The Licensing Authority will allow premises to be used for gambling in so far as it considers it:

- In accordance any relevant code of practice or guidance 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.

The ‘aim to permit’ framework provides wide scope for the Licensing Authority to impose conditions on a premises licence, reject, review or revoke premises licences where there is a potential conflict with the relevant codes of practice, relevant Guidance issued by the Commission, the licensing objectives or the licensing authorities own statement of policy.

The general approach expressed in this policy does not override the right of any person to make an application and to have that application considered on its merits.

As far as is possible the Licensing Authority will avoid duplication with other regulatory regimes., such as planning and building control regulations.

The Licensing Authority will avoid taking into account demand for gambling premises when making decisions.

The Licensing Authority will not take into account representations based on moral objections.

12. Definition of “premises”

In the Act, "premises" is defined as including "any place" and Section 152 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. In considering whether it is lawful to licence part of a building, the Licensing Authority will take into account national guidance issued by the Gambling Commission.

In deciding whether a proposed licence for a part of a premises is consistent with the licensing objectives, the licensing authority will pay special heed to the need to protect children. As advised by the Gambling Commission, children should be protected not only from taking part in gambling, but also 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.

13. Split premises

The Licensing Authority will always give the closest consideration to whether a sub-division has created separate premises meriting a separate machine entitlement.

The Authority will not automatically grant a licence for sub-divided premises even if the mandatory conditions are met, particularly where the Authority considers that this has been done in order to sidestep controls on the number of machines which can be provided in a single premises. The Authority will consider if the sub-division has harmed the licensing objective of protecting the vulnerable. The Authority may also take into account other relevant factors as they arise on a case-by-case basis.

14. Premises “ready for gambling”

The Guidance states that a licence 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 are outstanding construction or alteration works at a premises, the authority will determine applications on their merits, applying a two stage consideration process:-

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

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

More detailed examples of the circumstances in which such a licence may be granted can be found at Part 7 of the guidance.

15. Risk assessment

From 6 April 2016 gambling operators, such as those operating betting shops and adult gaming centres, are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises.

Local risk assessments must take into account the relevant matters identified in the Licensing Authority’s statement of licensing policy.

Risk assessments should take into account the risks presented by the local landscape, such as the premises’ exposure to particular vulnerable groups and crime.

Operators are required to conduct or update a risk assessment when:

- applying for a new premises licence
- applying for a variation to a premises licence
- significant changes in the local environment or at the premises warrant a risk assessment to be conducted again.

It is the operator's responsibility to identify when significant changes require their existing risk assessment to be reviewed. To assist, the Licensing Authority will notify licensed operators when changes are made to the 'local area profile', see 'Local Area Profiles'. The characteristics identified in the local area profiles are not exhaustive and operators may identify other significant factors that they need to take into account. Operators are expected to take a proactive approach in reacting to significant changes to the local environment and they should not wait to be notified by the Licensing Authority before reviewing their risk assessment to account for a change in local circumstances.

Operators will need to review their risk assessment when changes occur at their premises, arising for example from changes to layouts or working practices.

The Council expects risk assessments to be structured in a manner that offers sufficient assurance that a premises has suitable controls and procedures in place. These controls should reflect the level of risk within the particular area, which will be determined by local circumstances.

Risk does not necessarily relate to events that have happened but also to events that could happen. Risk is related to the probability of an event happening and the likely impact of that event on one or more of the licensing objectives.

The Licensing Authority will challenge an operator's risk assessment where it can be evidenced that there are local risks that the operator has failed to take into consideration or the proposed control measures are deemed inadequate.

Licensees are required to share their local risk assessments with licensing authorities when applying for a premises licence, applying for a variation to an existing premises licence or otherwise at the request of the licensing authority. We therefore consider it appropriate for operators to hold premises risks assessments on the premises. Doing so can also save considerable time and expense, as well as increasing the confidence of those agencies as to the operator's awareness of their obligations.

Information provided in respect of risk assessments may be used by the Licensing Authority when determining applications for new licences, variations, provisional statements and reviews.

Operators are strongly encouraged to refer to the sections on 'Local Area Profiles' and 'Licensing Objectives' when formulating or reviewing their risk assessments.

16. Local Area Profiles

The Licensing Authority believes Local Area Profiles provide significant benefits in raising awareness of local risks to the licensing objectives in an area. They enable the Licensing Authority to better serve the local community by: identifying the risks within it, providing greater clarity for operators, improving decision making and encouraging a proactive approach.

The Licensing Authority, in conjunction with partner agencies, will produce and publish a Local Area Profile which will be made available on the Council's website and on request from the Licensing Service. The profile will provide geographical information, associated with key characteristics, which have been identified as representing higher levels of risk to one or more of the licensing objectives.

The Licensing Authority expects operators of licensed premises to utilise the latest Local Area Profile information when formulating and reviewing their risk assessments. Operators are expected to establish whether the site of their gambling premises is in, or in the vicinity of, a high risk area. Operators will be expected to clearly show that they have fully considered the potential impact of the operation of gambling facilities at their premises on the promotion of the licensing objectives in the local area.

The Licensing Authority will refer to the latest Local Area Profile information when considering all licence applications.

The Licensing Authority will seek to restrict facilities for gambling in areas where it feels its vulnerable persons will be put at potential risk of harm. However, each case will be decided on its merits and new and existing operators will always be given the opportunity to demonstrate how they might overcome Licensing Authority concerns in this area prior to determination of any licence application.

17. Planning

The licensing authority will not take into account the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

Further, when dealing with a premises licence application for finished buildings, the licensing authority will 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.

The licensing authority will, however, consider whether compliance with a planning or building regulation consent would interfere with compliance with licence conditions or the licensing objectives.

18. Duplication with other regulatory regimes

The licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including health and safety and fire regulation.

19. Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered Part 5 of national guidance, and will generally exercise its functions having regard to it. Some particular comments are made below.

19. 1 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

Licensees and applicants will be expected to demonstrate through their risk assessment that they have given careful consideration to preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime and appropriate control measures are in place.

Licence applications, including review applications, in areas with higher levels of crime and/or disorder associated with gambling premises will receive particular attention by the Licensing Authority.

The Licensing Authority will expect licence holders and applicants to demonstrate they have robust control measures in place to tackle crime and disorder issues. In circumstances where the Licensing Authority considers that the proposals are inadequate, additional conditions may be imposed.

Appropriate control measures that may be considered include (but are not limited to):

- Provision of comprehensive CCTV, including details of areas covered and arrangements for operation, monitoring and maintenance.
- Conspicuous warning signs in appropriate places relating to use of CCTV, zero drug tolerance policies, zero staff abuse policy.

- The layout of the premises so that staff can have an unobstructed views of customers, machines, entry points and access to toilets.
- Use of fixed/secured furniture.
- Minimum staff levels and arrangements for securing staff safety.
- The location of gaming machines and gaming machine design.
- Robust incident reporting procedures.
- Provision of SIA registered door supervisors at key times or days of the week.
- Use of a search policy.
- Strategically placed panic buttons, burglar alarms, personal alarms
- Barring procedures and alerts systems.
- Active participation in Bet Watch or similar schemes.
- Encourage customers to report crime and disorder issues.
- Appropriate lighting levels.
- Arrangements for monitoring the immediate vicinity of premises.
- Measures to prevent street drinking, urinating in the street, begging, drug taking, litter and obstruction of the public highway associated with the premises.
- Liaison with local police with regard to local crime trends.
- Provision of toilets, with suitable maintenance and monitoring arrangements in place.
- Comprehensive staff training including incident reporting, spotting signs of drug use, crime scene preservation, CCTV and conflict resolution.
- Removal of gambling facilities at certain times or days associated with high risk of crime and disorder.
- Use of security counter screens.

In circumstances where the Licensing Authority considers that the risk to the crime and disorder objective cannot be sufficiently mitigated by either the proposed control measures or additional conditions, then an application may be refused or licence revoked in the case of a review application.

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

Generally the integrity of operators of licensed gambling premises will be vetted by the Gambling Commission. Operating and personal licences issued by the Gambling Commission need to be in place prior to licensed premises becoming operational. The Licensing Authority will therefore not normally need to be concerned with ensuring gambling is conducted in and a fair and open way as this will have been addressed by the Gambling Commission.

The provision of unauthorised facilities for gambling can be deleterious to the fairness and transparency objective. Examples of unauthorised activity include the provision of illegal gaming machines, unlicensed betting syndicates and “underground” card schools. The Licensing Authority will take robust enforcement action where it is established unauthorised gambling is taking place at premises within Aylesbury Vale.

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

The Gambling Act defines ‘child’ as those persons under 16 years of age and ‘young persons’ as those persons aged 16 or 17 years of age. For the purposes of this policy, the Licensing Authority considers “children” to refer to all persons under 18 years old.

The term ‘vulnerable persons’ is not defined, however the Gambling Commission does offer some guidance:

- 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.

The Licensing Authority believes that ‘vulnerable persons’ include the above persons but this list is not exhaustive. The Licensing Authority is aware that the impact of gambling is complex, it is not just the gambler who may be vulnerable to harm or exploitation but also their friends, family, customers and staff at gambling facilities and the wider society. The Licensing Authority will consider what constitutes a vulnerable person on a case-by-case basis, taking into account the local area.

What constitutes ‘harmed or exploited’ is not defined within the Gambling Act. There are potentially numerous issues associated with compulsive or problem gambling including physical, psychological and social harms. The Licensing Authority will consider what constitutes ‘harm’ and ‘exploited’ on a case-by-case basis, taking into account the local area.

Licensees and applicants will be expected to demonstrate through their risk assessment that they have given careful consideration to indications of deprivation in the local area and the impact of their gambling activities on young people, the homeless, the unemployed, those affected with mental health conditions, those on low incomes and those from identified vulnerable ethnic minority groups, who may be living in or visiting the local area.

Licence applications, including review applications, in areas of where there is a higher degree of concern because of increased risk of harm to or exploitation of children and/or vulnerable persons will receive particular attention by the Licensing Authority.

Licensees and applicants will be expected to demonstrate through their risk assessment that they have given careful consideration to protecting children and vulnerable persons from harm and exploitation and have robust control measures in place. In circumstances where the Licensing Authority considers that the proposals are inadequate, additional conditions may be imposed.

Appropriate control measures that may be considered include:

- Use of refusal logs to record failed proof of age ID checks.
- Conspicuous signage advertising proof of age policy.
- Use of till prompts to remind staff to implement proof of age policy.
- Leaflets offering assistance to problem gamblers prominently displayed on the premises.
- Notices displayed on the premises, in appropriate languages, to sign post support services for problem gamblers.
- Documented staff training, with regular refresher training, with a focus on identifying vulnerable persons and implementing appropriate strategies for action where necessary.
- Routine staff meetings to discuss and identify local vulnerability issues.
- Robust implementation of self-exclusion schemes, supported with signposting to appropriate sources of support and advice eg GamCare and Gamblers Anonymous.
- Windows and entrance displays designed not to entice passers-by in.

- Designing the layout, lighting and fitting out of the premises so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.
- Promotional material associated with the premises will be designed not to encourage the use of the premises by children or young people if they are not legally allowed to do so.
- Regular liaison with local support services to identify emerging trends and existing issues in respect of vulnerability.
- Avoidance of incentives to enter or loiter within shops, for example by not offering free food and drink or prohibiting customers from bringing their own refreshments.
- Active participation and support for local Bet Watch or similar schemes.
- Avoidance of loan working, particularly in high risk areas.
- Positioning gaming machines so they are not visible to passers-by.
- Daily staff diaries to record any issues of concern observed by staff or actions taken.
- The provision of SIA registered door supervisors.
- The use of floor walkers to interact with customers.
- Monitoring outside areas for signs of customer vulnerability for example alcohol and drug use, signs of homelessness, begging, children congregating outside or children of customers left outside unsupervised.
- Effective staff support systems.
- Prohibit ATMs on the premises.

This list not is by no means exhaustive and is provided as a guide. Operators and applicants should also be aware that there are extensive conditions attached to operating and personal licences issued by the Gambling Commission.

In circumstances where the Licensing Authority considers that the risk to children and other vulnerable persons being harmed or exploited cannot be sufficiently mitigated by either the proposed control measures or additional conditions, then an application may be refused or licence revoked in the case of a review application.

For multi-occupied premises consideration should be also be given to the arrangements for controlling access to children and the compatibility of the activities of the occupants. In many cases separate and identifiable entrances may be required so that people do not drift inadvertently into a gambling area.

Children are not permitted to use Category C or above machines and in premises where these machines are available and children are permitted on the premises, the Licensing Authority will require:

- all Category C and above machines to be located in an area of the premises which is separated from the remainder of the premises by a physical barrier to prevent access other than through a designated entrance
- adults only admitted to the area where these machines are located
- adequate supervised access to the area where the machines are located
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
- prominent notices displayed at the entrance to, and inside, any such areas there indicating that access to the area is prohibited to persons under 18

20 . Conditions

Licensed premises are subject to a variety of conditions. Premises licences, granted by the Licensing Authority, are subject to mandatory, default as well as additional conditions imposed by the licensing authority. Furthermore they are subject to conditions and codes of practice by virtue of operating licences and personal licences issued by the Gambling Commission.

When considering application, the Licensing Authority can attach conditions to any licence if it believes that the imposition of conditions will ensure that the operation of the premises is reasonably consistent with the licensing objectives. The Licensing Objectives section in Part 2 of this policy provides further guidance on suggested control measures which may form the basis of the types of conditions imposed by the Licensing Authority. The suggested measures are not exhaustive and they may be other types of conditions considered necessary dependant on the particular circumstances. Conditions will be attached to individual licences on the basis of their merits.

Any conditions attached to a licence 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;
- related to the scale and type of premises; and
- reasonable in all respects.

Certain matters are set out in the Act that may not be the subject of conditions:

- conditions which prevent compliance with an operating licence condition;
- conditions relating to gaming machines categories, numbers or method of operation;
- conditions requiring membership of a club or body in respect of any part or activity at the premises;
- conditions on limits of stakes, fees, winnings or prizes..

21. Door Supervisors

The Gambling Commission advises in its Guidance to Licensing Authorities 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) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a condition on the premises licence to this effect.

22. Adult Gaming Centres / Family Entertainment Centres.

The licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Accordingly, the licensing authority will give specific consideration to the following control measures:

- Implementation of proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Location of machines
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

- Staff training
- Measures to recognise and deal with children, including truants.

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

23. Casinos

The licensing authority 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 this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council. At present, no such resolution is necessary because the Act gives the licensing authority no power to issue casino licences in any event.

24. Bingo premises

As advised by national guidance, the licensing authority will satisfy itself that bingo can be played in any bingo premises for which it issues 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 licensing authority considers that the ability for children to enter bingo premises poses a particular risk in terms of access to gaming machines. The licensing authority expects applicants to propose robust procedures to ensure that no such access occurs.

25. Betting premises

Betting premises are the most common form of premises licensed by the Licensing Authority for gambling in Aylesbury Vale. Holders of betting premises licences may make available for use up to four gaming machines of category B, C or D. Regulations state that category B machines at betting premises are restricted to sub-category B2, B3 and B4 machines; the most common form of gaming machine in licensed betting premises, Fixed Odd Betting Terminals (FOBTs), fall under this category. Children are not permitted to enter, or be employed at, any premises with a betting premises licence.

Licensed betting premises are subject to a variety of conditions. Premises licences, granted by the Licensing Authority, are subject to mandatory, default and possible additional conditions imposed by the licensing authority. Furthermore they are subject to conditions and codes of practice by virtue of operating licences and personal licences issued by the Gambling Commission.

Licensed betting premises are only permitted to offer gambling facilities between 7am and 10pm (default condition), unless the Licensing Authority has granted a variation application to extend these hours. The Licensing Authority is concerned that later/earlier opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions. The Licensing Authority also has concerns that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer. As a consequence although applications will be considered on merit, the Licensing Authority will expect applicants to demonstrate that robust measures will be in place to protect the vulnerable and the additional hours are not being sought to take advantage of the gaming machine entitlement.

The Licensing Authority has the power to restrict the number of betting machines (bet receipt terminals), their nature and the circumstances in which they are available for use by way of conditions. Essentially betting machines allow customers to place bets in the same way that they

can at the betting shop counter without the need for staff interaction. When considering imposing conditions the Licensing Authority will take into account, among other factors:

- the size and physical layout of the premises
- the number of counter positions
- the ability of staff to monitor the use of machines by children or vulnerable people, people under the influence of drink or drugs and those involved in criminal activity, for example 'money laundering'.

26. Tracks

This licensing authority 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.

The licensing authority 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.

It is noted that children 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 authority will therefore expect the premises licence applicant to risk assess the proposed operation and demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

Control measures may include:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

This list is neither mandatory nor exhaustive, and is merely indicative of example measures.

27. Provisional Statements

Developers may wish to apply to this authority 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.

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

- expects to be constructed;

- expects to be altered; or

- 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 to have a right to occupy the premises in respect of which their provisional application is made.

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

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

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

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

28. Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the licensing authority to decide whether the review is to be carried out.

This will be on the basis of whether the request for the review is relevant to the matters listed below.

- 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 policy.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review. The decision by the Licensing Authority to accept a formal review application is in no way a pre-judgement of the outcome.

The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

The 'aim to permit' framework provides wide scope for the Licensing Authorities to review premises licences where there is a potential conflict with the Gambling Commission's codes of practice, the Gambling Commission's Guidance to Licensing Authorities, the licensing objectives or this statement of policy.

The licensing authority will endeavour to engage with operators of licensed premises prior to discharging its powers to instigate a review. As part of this engagement process, the Licensing Authority will expect operators to make their local risk assessment available. The Licensing

Authority may exercise its right to instigate a review if the operator's local risk assessment does not offer reasonable measures to address and mitigate the risks.

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C

Permits / Temporary & Occasional Use Notice

29. Unlicensed Family Entertainment Centre (FEC) gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. In accordance with national guidance, given that the premises may be likely to appeal particularly to children, the licensing authority will give weight to matters relating to protection of children from being harmed or exploited by gambling.

Also in accordance with national guidance, the licensing authority may ask applicants to demonstrate:

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

The licensing authority 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, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

30. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1)) Automatic entitlement: 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. If the person ceases to be the holder on the on premises alcohol licence the automatic entitlement to the two gaming machines also ceases. Whoever applies for the new premises licence alcohol licence will also need to apply under S 82 (2) notifying the licensing authority of their intention to make the gaming machine available for use and paying the prescribed fee. If the alcohol licence ceases to have effect because it is suspended then the gaming machine can not be used.

The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of either section 279 or section 282(1) of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice

issued by the Gambling Commission about the location and operation of the machine has been complied with);

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

31. Permit: 3 or more machines

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

The licensing authority will consider each application on its merits, but generally the authority will have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and so will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Such measures may include the ability to supervise the machines from the bar, or by supervisory staff specifically trained for that purpose. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It should also be noted that the holder of a permit must comply with the code of practice for gaming machines in clubs and premises with an alcohol licence issued by the Gambling Commission.

32. Prize Gaming Permits

The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

The licensing authority will apply the following principles. The applicant should set out the types of gaming that he or she is intending to offer and be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- clear policies that outline the steps to be taken to protect children from harm.

33. Club Gaming and Club Machines Permits

Members clubs and miners’ welfare institutes (but not commercial clubs) may apply for a club gaming permit. The permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in the regulations.

Members clubs, miner’s welfare institutes and commercial clubs may apply for a club machine permit. The permit will enable the premises to provide gaming machines (3 machines of categories B, C or D but only one B3A machine). NB commercial clubs may not site any category B3A gaming machines offering lottery games in their club.

The provision of equal chance gaming must comply with the Gambling Commission’s code of practice for equal chance gaming in clubs and premises with an alcohol licence; while the provision of gaming machines must comply with the code of practice for gaming machines in clubs and premises with an alcohol licence issued by the Gambling Commission.

In considering applications for permits under these provisions, the licensing authority will have regard to Part 25 of the national guidance issued by the Gambling Commission.

34. 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.

Regulations 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.

If objections are received to a Temporary Use Notice, the objections will be considered at a hearing, unless all parties agree that a hearing is unnecessary. The principles applied by the licensing authority will be those under section 153 of the Act.

35. Occasional Use Notices:

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

Gallacher, Simon

From: Catherine Sweet <catherine.sweet@gamcare.org.uk>
Sent: 06 July 2018 16:54
To: Licensing Mailbox
Cc: Gallacher, Simon
Subject: RE: Gambling Act 2005 - Policy review 2019-22
Attachments: GamCare Local Authorities Brochure 2018 (web-version).pdf; GamCare Training Brochure 2017.pdf

Hello,

Thank you for your email, we appreciate your interest in our work.

While we do not have the resources available to allow us to personally respond to each Local Authority which contacts us regarding their refreshed Statement of Principles, we have compiled a list of the issues or factors which we think it would be helpful to consider below, more information is available via the [Gambling Commission](#).

The function of the Statement is to reflect locally specific gambling concerns and to reflect the Council's wider strategic objectives. The active use of the Statement is one means by which you can make clear your expectations of gambling operators who have premises in your area. This allows operators to respond to locally specific requirements and adjust their own policies and procedures as required.

- A helpful first step is to develop a risk map of your local area so that you are aware of both potential and actual risks around gambling venues. A useful explanation of area-based risk-mapping has been developed with Westminster and Manchester City Councils, which gives some guidance on those who may be most vulnerable or at-risk of gambling-related harm. For more information please see www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our-understanding-of-risk/
- Consider that proposals for new gambling premises which are near hostels or other accommodation or centres catering for vulnerable people, including those with learning difficulties, and those with gambling / alcohol / drug abuse problems, as likely to adversely affect the licensing objectives set out by the Gambling Commission. This is also relevant regarding the proximity to schools, colleges and universities.
- A detailed local risk assessment at each gambling venue – pertinent to the environment immediately surrounding the premises as well as the wider local area – is a good way to gauge whether the operator and staff teams are fully aware of the challenges present in the local area and can help reassure the Local Licensing Authority that appropriate mitigations are in place.
- Does the operator have a specific training programme for staff to ensure that they are able to identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported appropriately?
- Does the operator ensure that there is an adequate number of staff and managers are on the premises at key points throughout the day? This may be particularly relevant for premises situated nearby schools / colleges / universities, and/or pubs, bars and clubs.
- Consider whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.
- Consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.

We would suggest that the Local Licensing Authority primarily consider applications from [GamCare Certified operators](#). GamCare Certification is a voluntary process comprising an independent audit assessment of an operator's player protection measures and social responsibility standards, policy and practice. Standards are

measured in accordance with the GamCare Player Protection Code of Practice. If you would like more information on how our audit can support Local Licensing Authorities, please contact mike.kenward@gamcare.org.uk

For more information on GamCare training and other services available to local authorities, as well as recommended training for gambling operators, please see the attached brochures.

If there is anything else we can assist with please do let us know.

Kind regards,

Catherine

Catherine Sweet
Head of Marketing and Communications

T: 020 7801 7028

E: catherine.sweet@gamcare.org.uk



Click here to sign up to our free, monthly e-newsletter

From: Info

Sent: 06 July 2018 15:45

To: Catherine Sweet

Subject: FW: Gambling Act 2005 - Policy review 2019-22

From: Gallacher, Simon <sgallacher@aylesburyvaledc.gov.uk>

Sent: 06 July 2018 12:50

Subject: Gambling Act 2005 - Policy review 2019-22

This Message originated outside your organization.

Gambling Act 2005
Licensing Policy Review 2019-22

We are interested to hear from you if you have any views on premises based gambling in Aylesbury Vale. Premises based gambling includes betting shops, bingo, adult gaming centres and the provision of gaming machines in pubs and clubs.

The Council, acting as Licensing Authority, together with the Gambling Commission and providers of gambling facilities, have responsibility for promoting the following 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
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Council's policy sets out the principles that will be applied when exercising its functions under the Gambling Act 2005. The policy must be reviewed at least every three years, with the latest version due to be published by January 2019. A draft version of the revised policy is available on the Council's web site:

<https://www.aylesburyvaledc.gov.uk/gambling-policy-review>

The revised policy emphasises the importance of risk assessments and the promotion of the above objectives. Operators of licensed gambling premises are required to carry out a local assessment to determine whether in light of their activities additional steps need to be taken to help promote the above objectives. In order to assist with this assessment the Council intends to prepare and publish a Local Area Profile (LAP) to highlight local risk factors.

The Council welcomes any comments you wish to make about the content of the draft policy or the proposed Local Area Profile. You can respond by e-mailing to licensing@aylesburyvaledc.gov.uk or writing to us at the above address. Please be aware that due to legal restraints there are certain matters that we can not consider when formulating policy, which includes objections to gambling facilities on moral, economic or planning grounds.

The deadline for comments is the **31 August 2018**.

Please forward this correspondence to other individuals or organisations that you feel may wish to contribute to this consultation.

Yours sincerely


Simon Gallacher
Principal Licensing Officer
Aylesbury Vale District Council
The Gateway
Gatehouse Road
Aylesbury
HP19 8FF
Tel: 01296 585083
E-mail: sgallacher@aylesburyvaledc.gov.uk



This email and any attachments are strictly confidential and for the exclusive use of the intended recipient(s). It may contain information which is privileged. If you are not the intended recipient, you must not use, disclose, forward, copy, print or take any action in reliance of this email or any attachments. If you have received this email in error, please delete it and notify the sender as soon as possible and note that confidentiality or privilege is not waived or lost.

The views expressed within this message are those of the individual sender and not necessarily those of Aylesbury Vale District Council.

The anti-virus software used by Aylesbury Vale District Council is updated regularly in an effort to minimise the possibility of viruses infecting our systems. This footnote confirms that this email message has been swept for the presence of computer viruses.



GamCare Training Services: Awareness and Prevention



Why choose GamCare?

GamCare is the UK's leading provider of information, advice, support and treatment for anyone affected by problem gambling. We also work to minimise gambling related harm through education and training.

Since 1997 GamCare has provided training for clinicians, researchers, educators, policy makers, the gambling industry and other professionals to increase understanding of problem gambling, its causes and consequences.

With 20 years of expertise, speaking daily to those affected by gambling problems, GamCare can work with many different organisations to raise awareness of problem gambling, and to educate those who might choose to gamble to do so responsibly.

This brochure is for anyone in a frontline role working with the public who believes they may come into contact with those affected by gambling related harm.

We deliver a comprehensive range of training products to suit your needs. Contact us today to discuss your requirements.

“The sessions Gamcare hosted have improved our knowledge and understanding of responsible gambling and the issues that can affect our customers.

This was an empowering session for all - our teams are now better equipped and more confident in dealing with more complex and sensitive matters.”



Contact GamCare:

020 7801 7000

info@gamcare.org.uk

www.gamcare.org.uk/training-and-certification

Awareness and Prevention

Problem Gambling Awareness

3 hours

15 max.

On-site or at our London office

Provides an understanding of problem gambling and gambling-related harm, including signs, symptoms and the impacts of problem gambling on an individual's life and those around them.

- Start to understand the psychology of gambling, why people gamble and what happens to the brain when we gamble.
- Understand the difference between gambling and problem gambling, indicators and how to signpost to appropriate services.

This course is for those working in frontline roles where they may encounter those affected by gambling-related harm, and who wish to gain a better understanding of the issue.

Problem Gambling - Identification and Brief Advice

3 hours (CPD)

15 max.

On-site or at our London office

Provides in-depth understanding of gambling-related harm, with a focus on key risk factors and how to identify the problem, how to use a brief gambling screen and a range of current referral sources.

- Understand problem gambling, how to screen for it and structure a brief conversation to elicit further detail.
- Attain knowledge of the support and advice available, including player protection tools as well as emotional and practical support.

This course is for those working in frontline roles where they may encounter those affected by gambling-related harm, such as gambling industry staff, primary care workers, clinicians, advisers support workers or other healthcare professionals.

It provides the skills and knowledge to manage concerns and direct individuals to specialist help and support.

Gambling Industry Training

Social Responsibility and Interaction

 **6 hours (3 CPD Hours)**

 **15 max.**

 **On-site or at our London office**

Enables gambling industry managers and employees to identify customers who may have an issue with gambling, to understand their behaviour and conduct sensitive, meaningful interactions with those customers at the right time and place to signpost to appropriate support services.

As well as helping teams to identify the behavioural characteristics of customers who may be at risk of gambling-related harm, this course gives an understanding of the psychology of gamblers in relation to interaction. It will encourage the development of skills to provide effective, motivational interactions and conversations with at-risk customers.

This course is aimed at those working across the gambling industry, who have responsible gambling interactions with customers in a frontline capacity, such as customer service teams or those working in land-based premises.

Social Responsibility, Communication and Motivating Behaviour Change

 **12 hours**

 **15 max.**

 **On-site or at our London office**

Provides staff with the knowledge and skills to have proactive interactions on the subject of responsible gambling with all customers, whether or not they are experiencing harm from their gambling.

This two-day course gives an in-depth understanding of how motivational communication works and includes opportunities for practice time, to improve confidence in handling interactions with social, at-risk or problem gamblers.

The course equips learners with the theoretical and practical skills for handling calls and conversations, with special focus on staying safe and self-care when dealing with more challenging situations.

This course is aimed at those working across the gambling industry dealing with escalated responsible gambling issues, who need to carry out proactive responsible gambling interactions.

Gambling Industry Training & Certification

GamCare Extra eLearning: Player Protection and Social Responsibility

 **1 hour**

 **eLearning**

Increase understanding of problem gambling and player protection.

Find out how to identify and respond to player activity that may indicate problem gambling, inform customers about responsible gambling and signpost to appropriate help and support.

Extra eLearning is a series of scenario-based multiple choice modules, aimed at those interacting with customers in the remote sector of the gambling industry.



GamCare Certification

We recognise the importance of acknowledging those organisations that achieve high standards of social responsibility and player protection. We also believe that it's important that players can identify companies that operate to these high standards.

GamCare Certification is a voluntary audit process, assessed against our Code of Practice, and we certify both remote and land based gambling companies that have successfully implemented player protection policy and practice relevant to their platform and gambling service.

For more information contact Daniel Reilly at daniel.reilly@gamcare.org.uk

“The Certification process certainly assisted us in understanding our role, as operators and product suppliers, regarding (the prevention of) problem gambling. Knowing our role is key to understanding our responsibilities.”

Awareness and Prevention

Young People and Problem Gambling Awareness

 **3 hours (CPD)**

 **15 max.**

 **On-site or at our London office**

Around 370,000 young people aged 11-15 gamble each week, and it's estimated that as many as 25,000 may already be problem gamblers (Gambling Commission, 2017).

Many more may also be affected by the gambling of a loved one.

Youth facing professionals such as teachers and youth workers are well placed to be able to minimise harm as part of a robust safeguarding, mental health and prevention agenda.

This training provides knowledge of the nature of young people's gambling, confidence when dealing with the issue and awareness about where to signpost young people to if they need further support.

This CPD Accredited course is suitable for anyone working with young people aged 11-19.

Identification and Brief Advice - For Universities

 **3 hours**

 **15 max.**

 **On-site or at our London office**

Student gambling issues are an increasing concern for universities. Provide your staff with the awareness, knowledge and skills to identify problems with gambling and advise students who are affected.

Attendees will gain practical communication skills to invite students to discuss their gambling and provide a brief screening of their gambling behaviour, and will leave equipped with the knowledge of which services they can signpost to for further support.

This training is relevant to all staff members at universities who interact with students - you may be working in the student finance department, or you may be a clinician or welfare worker.



Awareness and Prevention

Identification and Brief Advice - For the Criminal Justice System

 **3 hours**

 **15 max.**

 **On-site or at our London office**

Problem gambling is disproportionately prevalent amongst those in the criminal justice system. From arrestees to those on probation, there is compelling evidence that problem gambling is an issue which too often remains unidentified.

Provide your staff with the knowledge and skills to be aware of, understand and screen for problem gambling.

This training will enable staff to understand the complexities of the issue and will equip your team with the knowledge of which services they can signpost to for further support.

This training is for anyone working within the criminal justice system, at any stage.

Please note we offer reduced fees for charities and statutory sector organisations.

Identification and Brief Advice - For Sports Clubs and Organisations

 **3 hours**

 **15 max.**

 **On-site or at our London office**

This course raises awareness of problem gambling for professional sports players, academies and the sports industry, and promotes a responsible attitude to gambling among this at-risk group.

This training provides coaches and sports leaders with the knowledge and skills to screen for problem gambling. It will enable attendees to understand the complexities of the issue and will equip them with the knowledge of which services they can signpost to for further support.

This course is aimed at leaders in the sports industry who have a duty of care to their players.





The CPD Standards Office

CPD PROVIDER: 21518
2017 - 2019

www.cpdstandards.com



GamCare Local Authority Services

Page 42



Why choose GamCare?

GamCare is the UK's leading provider of information, advice, support and treatment for anyone affected by problem gambling. Our expert services are confidential and non-judgemental.

Our core support and treatment services are currently funded through grant agreements with GambleAware. We also work to minimise gambling related harm through awareness, education and outreach for groups who are identified as at-risk of gambling-related harm.

We also work with the gambling industry to provide training and Certification, aiming to ensure that operators who provide products in the UK understand more about problem gambling, social responsibility and appropriate customer interaction to minimise gambling related harm. We work to ensure players are protected and that employees know more about problem gambling so that they can support their customers.

Our education and awareness initiatives include work with young people and the frontline professionals supporting them, as well as police, prisons and probation services across the UK.

There is a gap between the number of people affected by problem gambling and those accessing support. GamCare currently supports around 1 in 10 problem gamblers. One of the challenges we face is that problem gambling support services, whilst funded, do not usually have a high profile in local areas.

Problem gambling can present a challenge to local authorities as it links to a range of services, such as licencing, community safety, children and families and housing/homelessness.

GamCare are uniquely positioned to support local authorities to develop an integrated strategy to address problem gambling, from promoting safer play through to targeting those with increasing risk and ensuring problem gamblers, and those affected by problem gambling, have access to effective support and treatment.

GamCare is able to work across local authorities to provide an holistic response to problem gambling in each local area. We have developed knowledge and expertise relevant to a range of stakeholders working in frontline roles across your area and have developed training for teachers, GP's, police and probation workers, youth workers and many more.

GamCare offers a pick and mix package of paid-for training, consultancy, auditing and engagement services, all underpinned by an expert advice and treatment service which is available completely free of charge across the country.

We are expert in problem gambling and understand its manifestation in context. We have developed a wide range of training programmes which provide:

- Awareness raising to highlight the issue of problem gambling, its nature and incidence, as well as impacts, and where to get support;
- Identification and Brief Advice for frontline staff who may come across problem gamblers (or 'affected others') in their everyday work;
- In-depth, pro-active behaviour change training aimed at those working with those affected in supportive capacities.

Impacts of Problem Gambling in Local Areas

It is estimated that problem gambling affects around 400,000 people in the UK, with around 2 million at risk of harm. It's also estimated that for every problem gambler, up to seven others are impacted. Problem gambling is a cross-cutting social issue with a wide range of impacts for individuals, families and communities.

Problem gambling disproportionately affects certain groups. Young people, those in the criminal justice system and homeless people are at increased risk. In 2016, the Institute for Public Policy Research estimated that the social cost of gambling to the UK economy could be up to £1.2bn¹. The range of gambling impacts cuts right across your borough; GamCare has services to address every one.



1. Community Safety

Domestic violence, criminal activity and crime committed at gambling premises.



2. Licensing

Licensing issues and enforcement costs linked to problem gambling & social responsibility failures.



3. Public Health

Alcohol and substance misuse, poor mental and physical health.



4. Housing

Debt from problem gambling, rent arrears, homelessness.



5. Children's Services

Family breakdown, impact on education, safeguarding concerns, domestic violence.



6. Adult Social Services

Unemployment, isolation, suicidal ideation, domestic violence.

GamCare's Local Authority Offer

Certification
Challenging operators to provide best in class social responsibility

Training
For frontline teams working with vulnerable / at risk groups

Data Insight
Helping Local Authorities understand the impact in their areas

Information & Advice
Free support via the National Gambling HelpLine

Outreach & Engagement
Targeted at priority groups across your communities

Free Treatment
Face to face and online interventions across Great Britain

GamCare Certification - Audit and Consultancy

We work with gambling operators to review their policies and procedures, audit their training and support them to embed a culture of social responsibility from the Boardroom to the Customer Service Team.

Our Certification and industry training products have shifted Social Responsibility and Player Protection from the margins to the centre of gambling industry strategy.

We can support your Licensing and Safer Communities teams, providing confidence that they are promoting safer gambling in the local area and working to minimise gambling related harm.

- Gambling industry staff are trained to the highest possible standards in the identification, interaction and signposting of individuals towards problem gambling support services.
- Staff understand the value of high quality personalised interactions, made in the right ways at the right times, making premises safer and keeping crime and vulnerability out.
- Operators have embedded a culture of responsible gambling, prioritise the minimisation of risks and harm, and practice a zero tolerance approach to profiting from problem gambling.
- Local authorities are supported to ensure GamCare Certification, benchmarking a level of social responsibility in local operators, is fully embedded in licensing Statement(s) of Principles.

Page 45



“The Certification process certainly assisted us in understanding our role, as operators and product suppliers, regarding (the prevention of) problem gambling. Knowing our role is key to understanding our responsibilities.”

GamCare Awareness Training

Problem Gambling Awareness



3 hours



15 max.



At a location to suit you



Contact us for a quote

Provides an understanding of problem gambling and gambling-related harm, including signs, symptoms and the impacts of problem gambling on an individual's life and those around them.

- Start to understand the psychology of gambling, why people gamble and what happens to the brain when we gamble.
- Understand the difference between gambling and problem gambling, indicators and how to signpost to appropriate services.

This course is for those working in frontline roles where they may encounter those affected by gambling-related harm, and who wish to gain a better understanding of the issue.

The CPD Standards Office
CPD PROVIDER: 21518
2017 - 2019
www.cpdstandards.com



Identification and Brief Advice



3 hours (CPD)



15 max.



At a location to suit you



Contact us for a quote

Provides in-depth understanding of gambling-related harm, with a focus on key risk factors and how to identify the problem, how to use a brief gambling screen and a range of current referral sources.

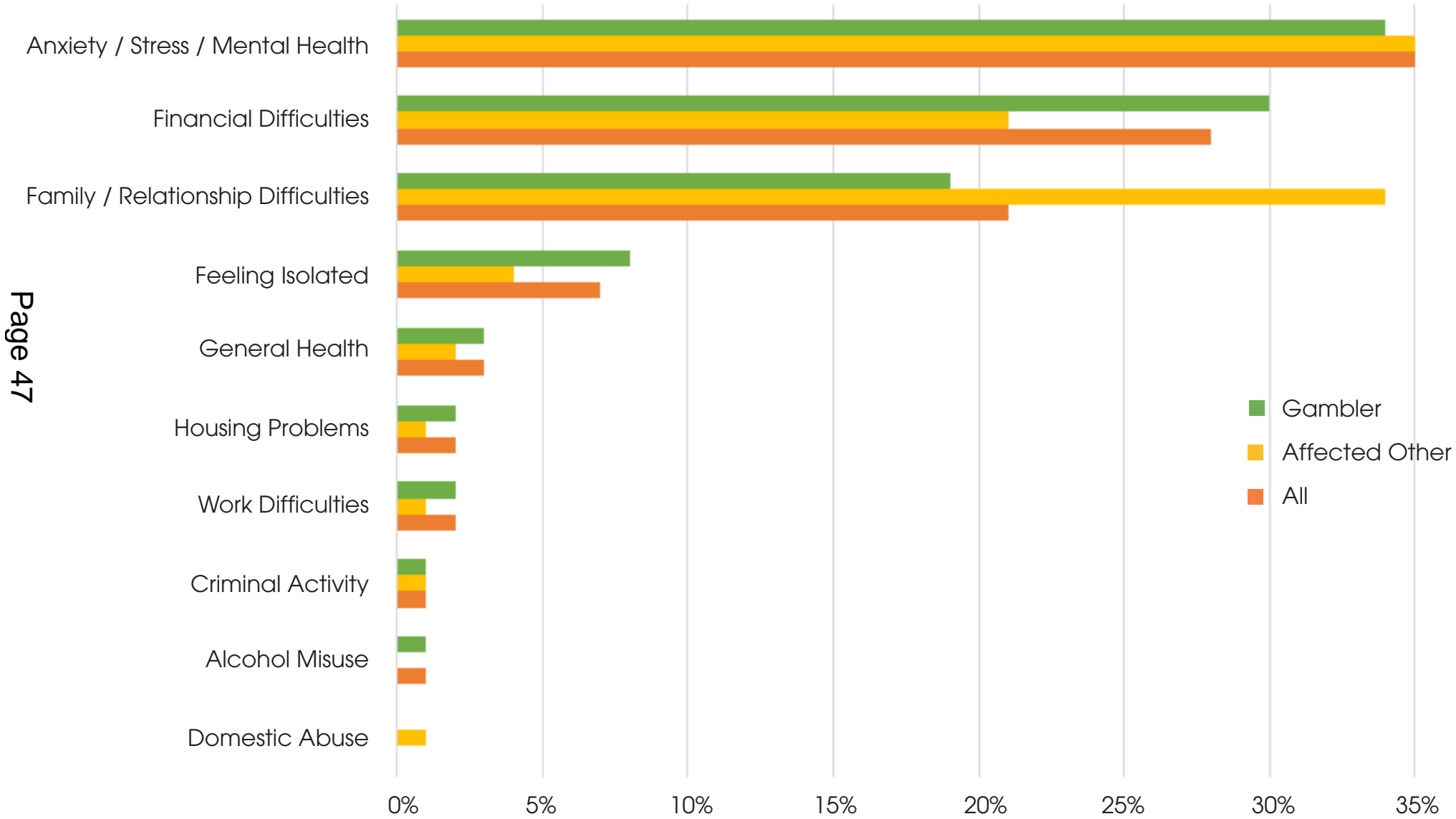
- Understand problem gambling, how to screen for it and structure a brief conversation to elicit further detail.
- Attain knowledge of the support and advice available, including player protection tools as well as emotional and practical support.

This course is for those working in frontline roles where they may encounter those affected by gambling-related harm, such as gambling industry staff, primary care workers, clinicians, advisers support workers or other healthcare professionals.

It provides the skills and knowledge to manage concerns and direct individuals to specialist help and support.

Data Insight

GamCare can provide local authorities with data about the number of calls we get from their area (by first part of postcode) and the impacts raised by these callers (where known). Nationally, the most common impacts disclosed in 2016/17 included:



Page 47

Information, Advice and Treatment

GamCare operates the National Gambling HelpLine; open every day from 8am to midnight, providing information, advice and support over the phone and via web chat to more than 30,000 callers each year.

This service is supported by face to face and online treatment, operating through GamCare and our network of partner agencies across England, Scotland and Wales, delivering expert one to one and group interventions.

These fully funded services are free to access, across your local authority area, right now:

- Telephone information and advice for problem gamblers and those affected by gambling-related harm;
- Brief and Extended Brief Interventions to reduce gambling-related harm;
- Face to face and online treatment;
- Signposting, dovetailed into local services;
- Aftercare and peer support, including GamCare's online Forum and Chatrooms;
- A source of local expertise on problem gambling and its impacts.

We can partner with local authorities to promote our services at no or low cost to improve the uptake of treatment and support and reduce the impacts of problem gambling in your area.

Engagement and Outreach

We understand how problem gambling develops in people's lives, and we understand how to intervene before things get out of control.

Our engagement teams work to proactively connect with the gambling industry, schools, police and probation services to provide a local signpost for all services in the community seeking expert help for gambling related harm.

Our engagement services will:

- Provide a specific gambling outreach service embedded within your local community;
- Engage with stakeholders across Local Authorities, operating a no-wrong door policy to ensure anyone, at any stage of the development of a problem can be supported;
- Operate from local authority or other desired premises;
- Link service users directly into the GamCare treatment network where further support is needed.

Contact GamCare



020 7801 7000



info@gamcare.org.uk



www.gamcare.org.uk



GamCare

1st Floor, CAN Mezzanine Old Street
49-51 East Road, London, N1 6AH

020 7801 7000

info@gamcare.org.uk

www.gamcare.org.uk

A Charitable Company Registered in England No. 3297914 | Charity No. 1060005

Response to GamCare

GamCare Recommendation	AVDC response
Develop a risk map of your local area so that you are aware of both potential and actual risks around gambling venues. A useful explanation of area-based risk-mapping has been developed with Westminster and Manchester City Councils, which gives some guidance on those who may be most vulnerable or at-risk of gambling-related harm.	A Local Area Profile document has been prepared and in accordance with the policy licence holders are expected to have regard to this document when preparing/reviewing their risk assessments. The risk factors identified in the work by Manchester and Westminster Councils was taken into account in the preparation of the revised policy.
Consider that proposals for new gambling premises which are near hostels or other accommodation or centres catering for vulnerable people, including those with learning difficulties, and those with gambling / alcohol / drug abuse problems, as likely to adversely affect the licensing objectives set out by the Gambling Commission. This is also relevant regarding the proximity to schools, colleges and universities.	These areas have been considered in the revised policy and referenced in the Local Area Profile.
A detailed local risk assessment at each gambling venue – pertinent to the environment immediately surrounding the premises as well as the wider local area – is a good way to gauge whether the operator and staff teams are fully aware of the challenges present in the local area and can help reassure the Local Licensing Authority that appropriate mitigations are in place.	This has been included in the revised policy, which sets out AVDC’s expectations. Operators are expected to keep copies of the risk assessment at each of their premises. Inspecting officers are tasked with reviewing risk assessments when carrying out inspections.
Does the operator have a specific training programme for staff to ensure that they are able to identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported appropriately?	This matter is addressed in detailed conditions (mandatory social responsibility codes) attached to the Operators’ Licence issued by the Gambling Commission.
Does the operator ensure that there is an adequate number of staff and managers are on the premises at key points throughout the day? This may be particularly relevant for premises situated nearby schools / colleges / universities, and/or pubs, bars and clubs.	The revised policy contains a raft of suggested control measures to help promote the licensing objectives, including reference to employing sufficient staff particularly in high risk areas. The policy directs licensees to have regard to these measures when formulating their risk assessments.
Consider whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.	This suggestion has been incorporated into the suggested control measures in section 91.3.
Consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.	This suggestion has been incorporated into the suggested control measures in section 91.3.
We would suggest that the Local Licensing	The GamCare certification scheme

<p>Authority primarily consider applications from GamCare Certified operators.</p>	<p>acknowledges compliance with measures that replicate certain mandatory conditions/social responsibility codes. The use of the word 'primarily' appears to be misplaced. The Licensing Authority has no such discretion to give priority consideration and all applications must be considered on their individual merit.</p>
--	---



Aylesbury Vale – Local Area Profile - DRAFT

Gambling Act 2005

August 2018

Introduction

Aylesbury Vale District Council in its role as Licensing Authority believes Local Area Profiles (LAP) provide significant benefits in raising awareness of local risks to the licensing objectives in Aylesbury Vale. They enable the Licensing Authority to better serve the local community by: identifying the risks within it, providing greater clarity for operators, improving decision making and encouraging a proactive approach.

This profile provides general geographical information, associated with key characteristics, which have been identified as representing higher levels of risk to one or more of the licensing objectives under the Gambling Act 2005.

The Licensing Objectives 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
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing Authority expects operators of licensed premises to utilise the latest LAP information when formulating and reviewing their risk assessments as required by the Gambling Commission's Licence Conditions and Codes of Practice. Operators are expected to establish whether the site of their gambling premises is in, or in the vicinity of, a high risk area. Operators will be expected to clearly show that they have fully considered the potential impact of the operation of gambling facilities at their premises on the promotion of the licensing objectives in the local area.

It is the operator's responsibility to identify when significant changes require their existing risk assessment to be reviewed. To assist, the Licensing Authority will notify licensed operators when changes are made to the Local Area Profile. The characteristics identified in the local area profiles are not exhaustive and operators may identify other significant factors that they need to take into account. Operators are expected to take a proactive approach in reacting to

significant changes to the local environment and they should not wait to be notified by the Licensing Authority before reviewing their risk assessment to account for a change in local circumstances.

The Licensing Authority will refer to information in the latest LAP when considering premises licence applications.

The Licensing Authority will routinely review information in the LAP to ensure the content is kept current.

Aylesbury Vale

Aylesbury Vale consists of 350 square miles of leafy, Buckinghamshire countryside, with Charming villages and market towns, stately homes, gardens, canals and the first class Aylesbury Waterside Theatre. It is home to 193,113 people (ONS 2017) , with the area seeing a 10.4% increase since 2011, the fifth highest rate of growth of any local authority in Great Britain. Located 40 miles west of London, 65 miles south east of Birmingham, it is within an hour's drive of Heathrow, Gatwick, Luton and Stansted airports. It is home to the world-famous National Spinal Injuries Centre at Stoke Mandeville hospital and Silverstone, the Formula One Grand Prix circuit and birthplace of the Paralympic movement.

The area will see significant development over the next few years and it is planned to build more than 27,000 new homes, including 16,000 in the Aylesbury town area.

The Council has prepared a new Local Plan (Vale of Aylesbury Local Plan or VALP) which sets out the long-term vision and strategic context for managing and accommodating growth within the district until 2033. The aim of the plan is to set out:

- Areas where development will take place.
- Areas that will be protected.
- Policies that will be used to determine planning applications.

The VALP has been submitted to the government and, following public examination in July 2018, it is hoped that the plan will be adopted by the end of 2018. The VALP contains a wealth of information about Aylesbury Vale and operators are advised to review its content for relevant information.

There are currently 17 licensed gambling premises in Aylesbury Vale: 14 betting offices, two bingo and one Adult Gaming Centre. Other than two betting offices in Buckingham, all licensed premises are located within the vicinity of Aylesbury Town Centre. Location plans are attached as **Appendix 1**.

More information about population statistics in Buckinghamshire and Aylesbury Vale is available from:

<https://www.buckscc.gov.uk/media/4510242/buckinghamshires-demography-2016-dec-17.pdf>

To read more about the history of Aylesbury Vale please see:

<https://www.aylesburyvaledc.gov.uk/history-aylesbury-vale>

Aylesbury Town Centre

Aylesbury, the County Town of Buckinghamshire, is a bustling market town. The town has very early origins dating back to Bronze and Iron age times and the market dates back to the 13th Century. The market is still very active today and trades on Wednesdays, Fridays and Saturdays (9am to 4pm).

Aylesbury Vale District Council together with Bucks County Council and Aylesbury Town Council take responsibility for looking after different service areas. For further information about these service areas please read:

<https://www.aylesburyvaledc.gov.uk/section/what-each-council-does>

Aylesbury Town is home to around 71,500 residents (Census 2011) and a University.

The town provides an array of entertainment and attractions for visitors and residents, both day and night. There are around 50 licensed premises including bars, pubs, restaurants and night clubs. Other attractions include two shopping centres, a cinema, the Waterside theatre, the Roald Dahl and Bucks County Museum. The town centre hosts regular events from small scale to large scale events attracting many thousands of visitors, such as Christmas Lights switch on and Whizz Fizz Festival.

The town has been awarded and successfully retained Purple Flag status for a number of years now in recognition of its safe and vibrant night time economy.

Aylesbury was awarded Garden Town status in January 2017, which offers a unique chance to ensure that as the town grows, Aylesbury and the surrounding area continues to be the best possible place to live work and visit.

Garden Town status will provide the support to better plan and develop new housing development, and ensure new and existing development within the town works well together. With a larger population comes a greater demand on services, from healthcare and transport, to leisure and retail. The Council therefore needs to make sure that the town is prepared to deal with growth, and that growth is delivered in a sustainable way. The Council will be working with service providers including the Clinical Commissioning Group (responsible for planning healthcare), educational establishments, utilities providers, businesses, landowners, and a wide range of other key community members to ensure the required planning is in place for the growth and change.

The Aylesbury Town Centre Plan has been developed by Aylesbury Vale District Council, Aylesbury Town Council and Buckinghamshire County Council to ensure future works and developments are co-ordinated to:

- Help preserve the town's history and heritage.
- Encourage sustainable, mixed-use development, attracting people of all ages to live, work and spend leisure time in the town centre.
- Create beautiful, flexible public spaces, suitable for events and for people to spend time in.
- Make the town centre easier to get to and around.

Further sources of information about Aylesbury are available from:

<https://www.visitaylesbury.co.uk/>

<https://www.aylesburyvaledc.gov.uk/section/visiting-and-tourism-0>

<http://www.aylesburytowncouncil.gov.uk/about-aylesbury/town-guide/>

Crime and Disorder

In the year ending December 2017, the crime rate in Aylesbury Vale was about the same as the average rate across similar areas and just below average for the Thames Valley Police region. Currently there is no specific data available that indicates an association between crime and disorder and gambling premises in the Aylesbury Vale District.

Annual summaries of notifiable offences in Aylesbury Vale are available from the Thames Valley Police website:

<https://www.thamesvalley.police.uk/about-us/publications-and-documents/aylesbury-performance-figures/>

Local crime maps showing monthly reported crimes since May 2015 are available for Aylesbury North, South and East and Aylesbury Town Centre:

<https://www.thamesvalley.police.uk/your-local-area/neighbourhood-crime-maps/>

The local crime maps also provide annual summaries of reported crimes in these four areas.

Deprivation

Buckingham is the among the least deprived county councils in England, while Aylesbury Vale is ranked 44th out of 326 according to the 2015 index of multiple deprivation (IMD)*. Within the District there is variation however and the most deprived areas are within the vicinity of the Aylesbury Town Centre area, including three areas which rank in the second most deprived decile.

The last published detailed statistical and mapping information relating to deprivation in Aylesbury Vale is shown as **Appendix 2** and is also available via the Bucks County Council website:

<https://www.buckscc.gov.uk/services/community/research/deprivation/>

*The IMD is the official measure of relative deprivation for small areas or neighbourhoods in England. It combines information from seven different measures of deprivation and combines them to produce an overall relative measure of deprivation. The seven measures are: Income Deprivation; Employment Deprivation; Education, Skills and Training Deprivation; Health Deprivation and Disability; Crime; Barriers to Housing and Services; Living

Environment Deprivation. There are 32,844 small areas used, called Lower-layer Super Output Areas, which area representing an average of 1,500 residents. The lower the ranking number the more deprived the area.

Underage Age gambling risks

Interactive mapping information showing the location of schools in Buckinghamshire is available via:

https://services.buckscc.gov.uk/school-admissions/schools?utf8=%E2%9C%93&phase_of_entry=All&view=map

Location of youth centres in Buckinghamshire can be found here:

<https://www.bucksfamilyinfo.org/kb5/buckinghamshire/fsd/results.action?familychannel=7-3-7>

See also location of support services used by vulnerable persons below.

Vulnerable person risks

Interactive mapping information showing the location of adult and community learning centres in Buckinghamshire is available via:

<https://www.bucksfamilyinfo.org/kb5/buckinghamshire/fsd/results.page?town=Aylesbury&familychannel=4>

Information about hostels and supported accommodation in the area is available via:

<https://www.aylesburyvaledc.gov.uk/hostels-and-supported-accommodation>

Location of support services used by vulnerable persons are listed below:

One Recovery Bucks (ORB) Integrated substance misuse service for Buckinghamshire	100a Walton Street, Aylesbury HP21 7QP
Young Addaction Buckinghamshire Substance misuse service working with young people up to the age of 18 and their families	Unit G, The Merlin Centre, Gatehouse Close, Gatehouse Industrial Area, Aylesbury, HP19 8DP
Buckinghamshire Child and Adolescent Mental Health Service (CAMHS)	Sue Nicolls Centre, Bierton Rd, Aylesbury HP20 1EG
Youth Justice Liaison and Diversion Service, NHS Support and signpost service young people and their families who come	Sue Nicolls Centre, Bierton Rd, Aylesbury HP20 1EG

into contact with the Police.	
Alcoholics Anonymous	<ol style="list-style-type: none"> 1. Unity House, 98 Walton St HP21 7QP 2. The Whiteleaf Centre, Bierton Rd, HP20 1EG 3. Church of the Holy Spirit, 71a Camborne Ave, Bedgrove. HP21 7UE 4. The Ark, 28 Risborough Rd, Stoke Mandeville HP22 5UT 5. St Mary's Church Centre, Church Lane, Wendover HP22 6NL 6. Parish Rooms, St Bernadines RC Church, Chandos Road, Buckingham MK18 1AL
Mind Buckinghamshire Charity working to support and represent people with mental health problems.	Ashton House, 14 Granville Street, Aylesbury HP20 2JR
Citizens Advice	<ol style="list-style-type: none"> 1. 2 Pebble Lane, Aylesbury HP20 2JH 2. Wheeldon House, Market Hill, Buckingha, MK18 1JX
Youth Concern Drop-in Centre, "Aylesbury Nightstop", and Counselling Service	The Uptown Coffee Bar, Whitehill Lane, Aylesbury HP19 8FL
Time to Talk	Aylesbury College, Oxford Road, Aylesbury HP21 8PD
Bucks Counselling Practice	115 Lower Road, Aylesbury HP21 9DR
Medical Practices	Aston Clinton Surgery, 136 London Road, Aston Clinton HP22 5LB
	Meadowcroft Surgery, Jackson Road, Aylesbury HP19 9EX
	Berryfields Medical Centre, Grantham Avenue, Aylesbury HP19 9AP
	Fairford Leys Surgery, 65 Kingsgate, Aylesbury HP19 8GG
	Poplar Grove Practice, Poplar Close, Aylesbury HP20 1XB
	Oakfield Surgery, Aylesbury HP20 1LJ
	Mandeville Surgery, Hannon Road, Aylesbury HP21 8TR
	Bedgrove Surgery, Brentwood Way, Aylesbury HP21 7TL
	Brill Surgery, 22 Thame Road, HP18 9SA
	Buckingham Community Hospital, High Street, Buckingham MK18 1NU
	The Swan Practice North End Surgery, High Street Buckingham MK18 1NU
	The Swan Practice, Verney Close,

	Buckingham MK18 1JP
	Edlesborough Surgery, 11 Cow Lane, Edlesborough LU6 2HT
	Haddenham Medical Centre, Stanbridge Road, Haddenham HP17 8JX
	Trinity Health New Chapel Surgery, 38 High Street, Long Crendon HP18 9AF
	Little Rothschild House Surgery, 71 Marsworth Road, Pistone LU7 9AX
	The Swan Practice, 2 Vicarage Lane, Steeple Claydon MK18 2PR
	Stoke Mandeville Hospital, Mandeville Road HP21 8AL
	Waddesdon Surgery, Goss Avenue, Waddesdon HP18 0LY
	Wendover Health Centre, Aylesbury Road, Wendover HP22 6LD
	Whitchurch Surgery, 49 Oving Road, Whitchurch HP22 4JF
	Whitehill Surgery, Whitehill Lane HP19 8EN
	Wing Surgery, 46 Stewkley Road, Wing LU7 0NE
	Norden House Surgery, Avenue Road, Winslow MK18 3DW
Aylesbury Jobcentre Plus	Heron House, 49 Buckingham Street, Aylesbury HP20 2LX

Food banks

The Oaks Community Coffee Shop,
3 Elm Court,
Aylesbury,
Buckinghamshire
HP21 7NQ

St Peter's Community Cafe,
Coventon Road,
Aylesbury,
Buckinghamshire
HP19 9ND

Southcourt Baptist Church
40 Penn Road,
Aylesbury,
Buckinghamshire
HP21 8HW

Aylesbury Vale GA05

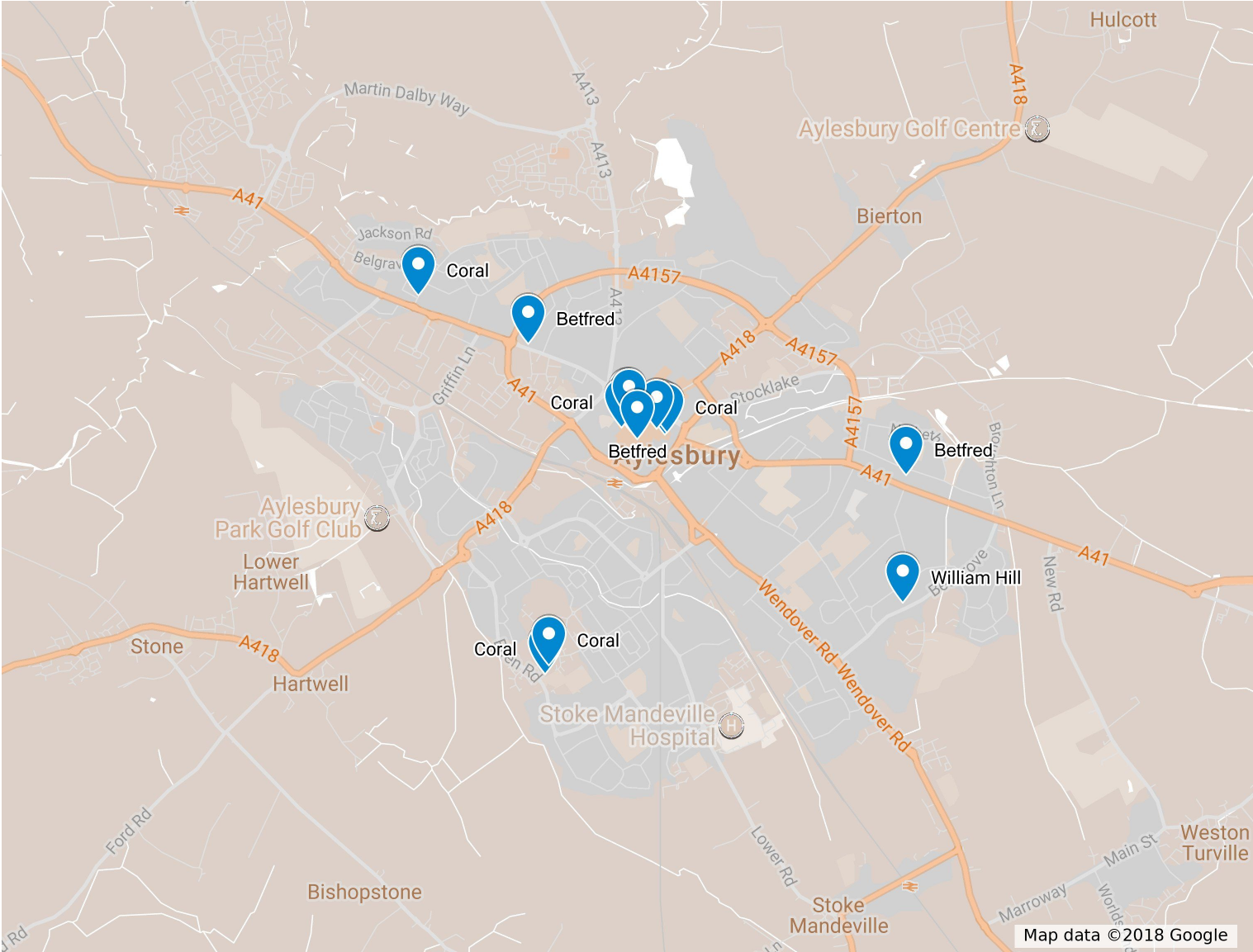
Appendix 1

AVDC Gambling Act licensed premises June 2018

 All items

Map of premises licensed under the Gambling Act 2005 Aylesbury Town Centre and surrounding area.

Page 59



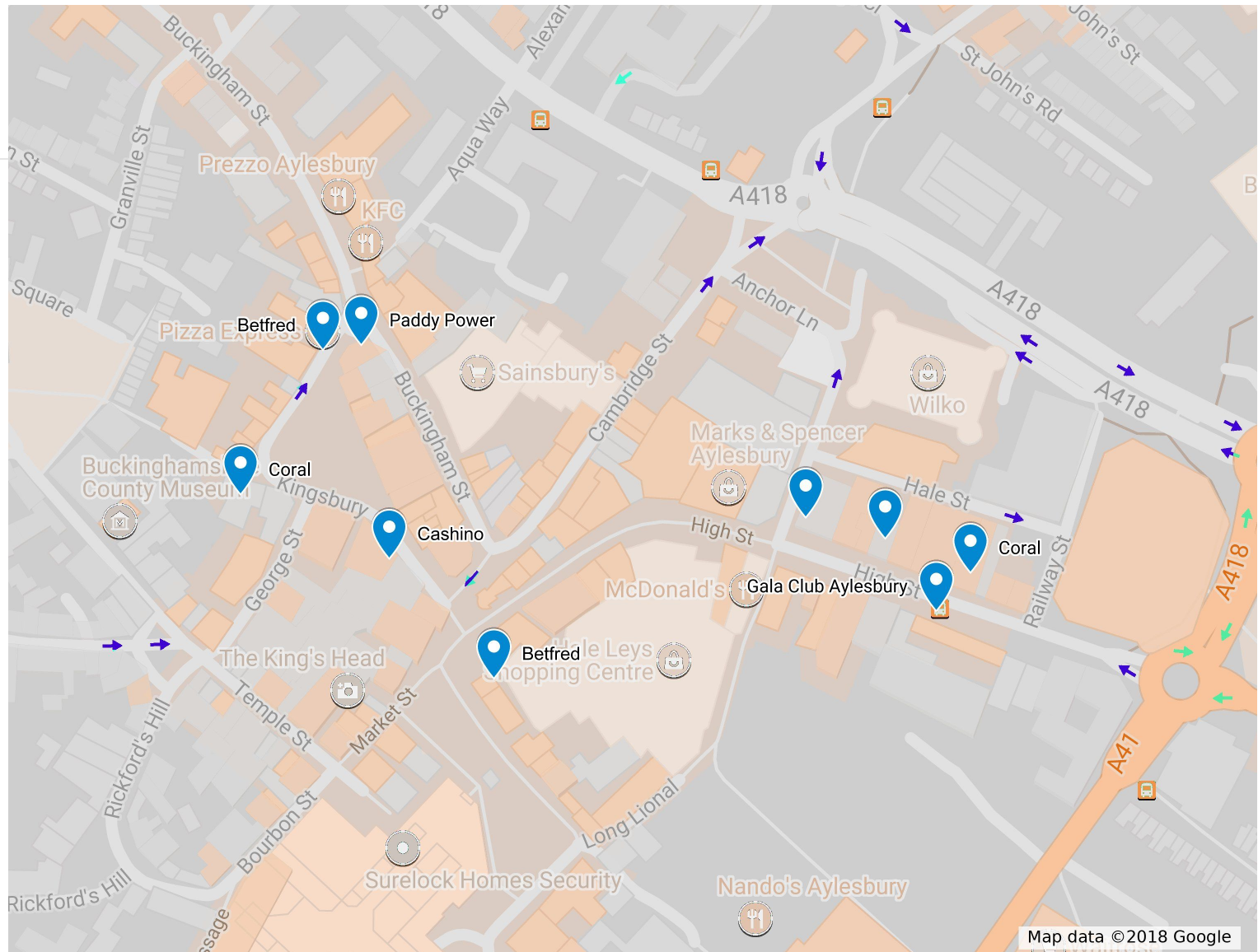
Aylesbury Vale GA05

AVDC Gambling Act licensed premises June 2018

 All items

Map of premises licensed under the Gambling Act 2005 in Aylesbury Town Centre.

Page 60

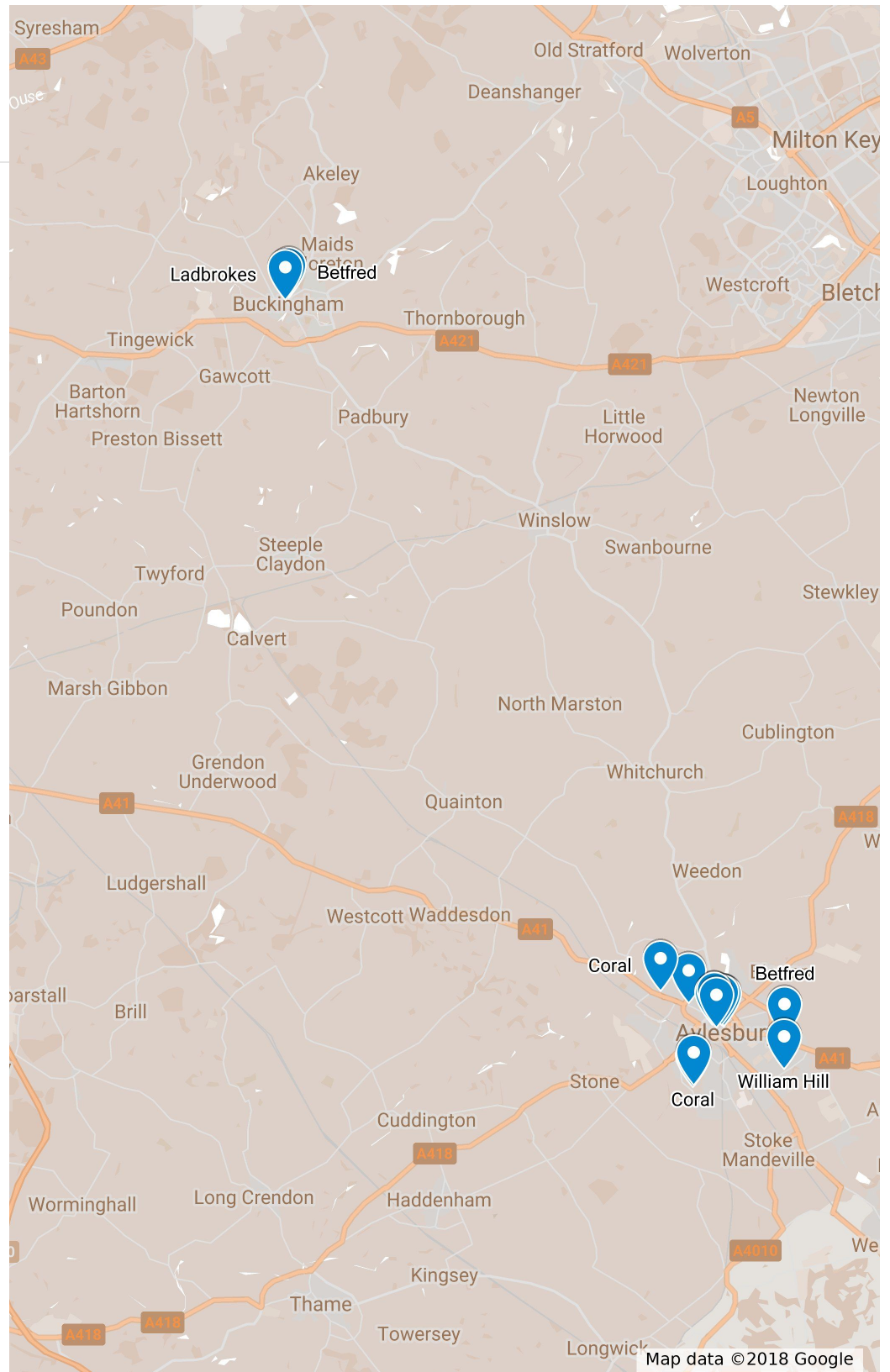


Aylesbury Vale GA05

AVDC Gambling Act licensed premises June 2018

 All items

Map of premises licensed under the Gambling Act 2005 in Aylesbury Vale



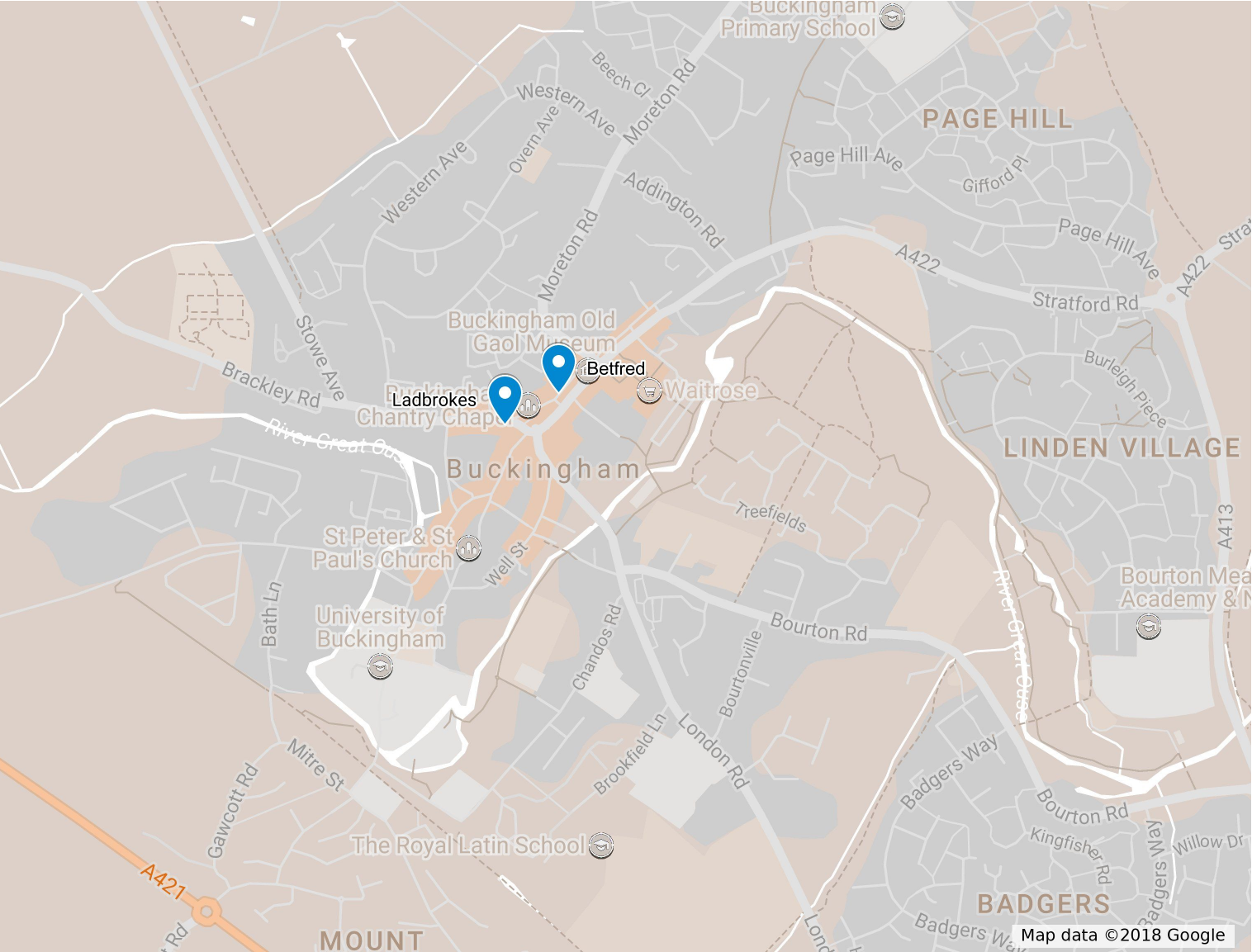
Aylesbury Vale GA05

AVDC Gambling Act licensed premises June 2018

 All items

Map of premises licensed under the Gambling Act 2005 in Buckingham.

Page 62



Deprivation in Buckinghamshire

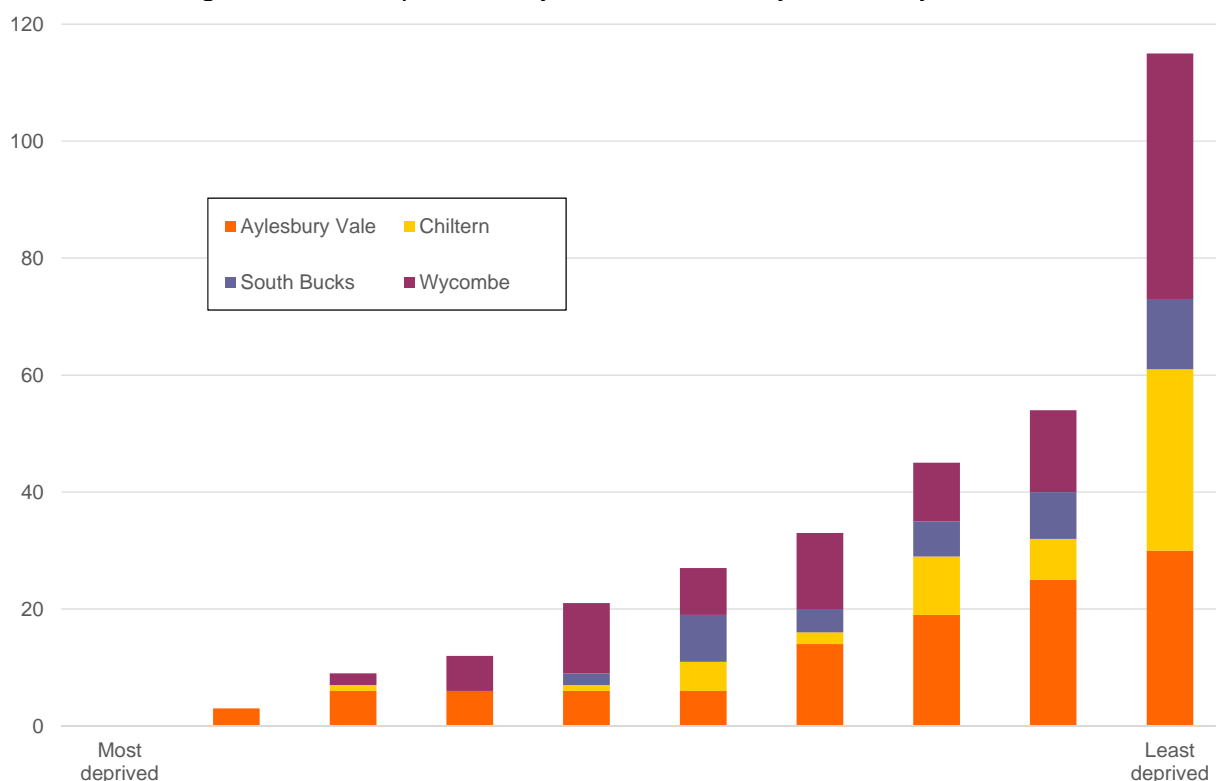
30 September 2015

Buckinghamshire is the least deprived Local Enterprise Partnership (LEP) and the second least deprived county council in England according to the 2015 index of multiple deprivation. At the district level, Chiltern is the third least deprived local authority in England (behind Hart in Hampshire and Wokingham) and the least deprived in Buckinghamshire, ahead of South Bucks (25th least deprived), Wycombe (34th) and Aylesbury Vale (44th).

Across the county, 86 per cent of lower level super output areas (LLSOAs) rank among the least deprived half of England (ie the five least deprived deciles), ranging from 96 per cent in Chiltern to 95 per cent in South Bucks and 81 per cent in both Aylesbury Vale and Wycombe. More than a third (36 per cent) of Buckinghamshire's LLSOAs rank in the least deprived decile, ranging from 54 per cent in Chiltern to 26 per cent in Aylesbury Vale.

While no part of Buckinghamshire falls into the most deprived decile in England on the index of multiple deprivation, three LLSOAs in Aylesbury Vale fall into the second most deprived decile, ranking in the 19th and 20th percentiles. Wycombe and Chiltern's most deprived LLSOAs fall in the third decile, while South Bucks' falls in the fifth.

Chart 1: Buckinghamshire's deprivation by national decile by LLSOA by district, 2015



Source: Indices of deprivation, DCLG, 2015

As well ranking as the least deprived LEP on the index of multiple deprivation, Buckinghamshire is least deprived on the health and education, skills and training domains, as well as ranking second least deprived on the income domain and third least deprived for employment and living environment. However, Buckinghamshire is only 8th least deprived (ie 31st most deprived) on the crime domain and 23rd least deprived (17th most deprived) on barriers to housing and services. The full results by district, county and LEP are presented in Table 1 below, with results by LLSOA in Table 2 and by ward in **Table 3**.

Table 1: Deprivation by rank of average rank by district, county and LEP (1=most deprived)

	Index of multiple deprivation	Income	Employment	Education, skills and training	Health deprivation	Crime	Barriers to housing and services	Living Environment
Aylesbury Vale	283 of 326	285 of 326	290 of 326	254 of 326	284 of 326	236 of 326	74 of 326	291 of 326
Chiltern	324 of 326	320 of 326	311 of 326	320 of 326	323 of 326	246 of 326	234 of 326	322 of 326
South Bucks	302 of 326	298 of 326	314 of 326	301 of 326	321 of 326	97 of 326	127 of 326	273 of 326
Wycombe	293 of 326	259 of 326	270 of 326	261 of 326	318 of 326	230 of 326	167 of 326	298 of 326
Buckinghamshire County	26 of 27	26 of 27	25 of 27	26 of 27	27 of 27	14 of 27	15 of 27	27 of 27
Buckinghamshire Thames Valley	39 of 39	38 of 39	37 of 39	39 of 39	39 of 39	31 of 39	17 of 39	37 of 39

Source: Indices of deprivation, DCLG, 2015

Table 2: Distribution of Buckinghamshire's LLSOAs by domain, % of LLSOAs by decile

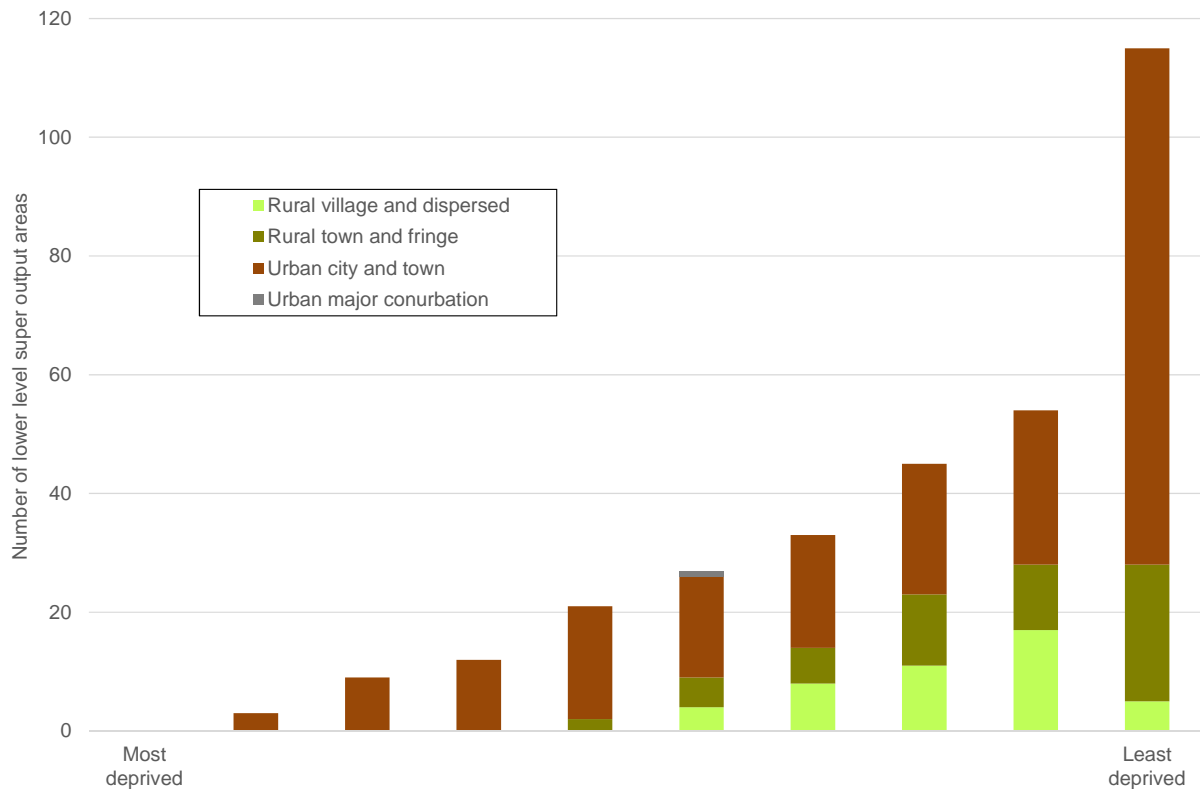
	Index of multiple deprivation	Income	Employment	Education, Skills and training	Health deprivation	Crime	Barriers to housing and services	Living environment
Least deprived	36.1	35.4	39.2	23.2	57.4	12.2	6.0	39.8
9th	16.9	13.2	16.9	22.6	19.4	16.9	9.1	17.6
8th	14.1	11.3	10.7	11.6	7.2	20.1	11.6	13.8
7th	10.3	9.4	7.5	8.8	7.8	13.8	11.9	7.5
6th	8.5	8.8	9.1	7.5	2.8	9.1	10.7	6.6
5th	6.6	9.7	6.0	6.0	2.2	9.7	10.0	6.3
4th	3.8	6.9	5.6	7.2	2.2	7.5	10.7	3.4
3rd	2.8	4.1	3.8	5.6	0.6	6.9	11.9	3.4
2nd	0.9	1.3	1.3	5.3	0.3	2.5	10.0	1.6
Most deprived	0.0	0.0	0.0	2.2	0.0	1.3	8.2	0.0

Source: Indices of deprivation, DCLG, 2015

Across the country, deprivation on the barriers to housing and services domain often occurs where scores on the other domains is comparatively low. Deprivation on this domain reflects local challenges such as low incomes in relation to local housing costs, household overcrowding and homelessness as well as distance from services (GPs, food shops, schools and post offices) which tends to affect more sparsely populated areas.

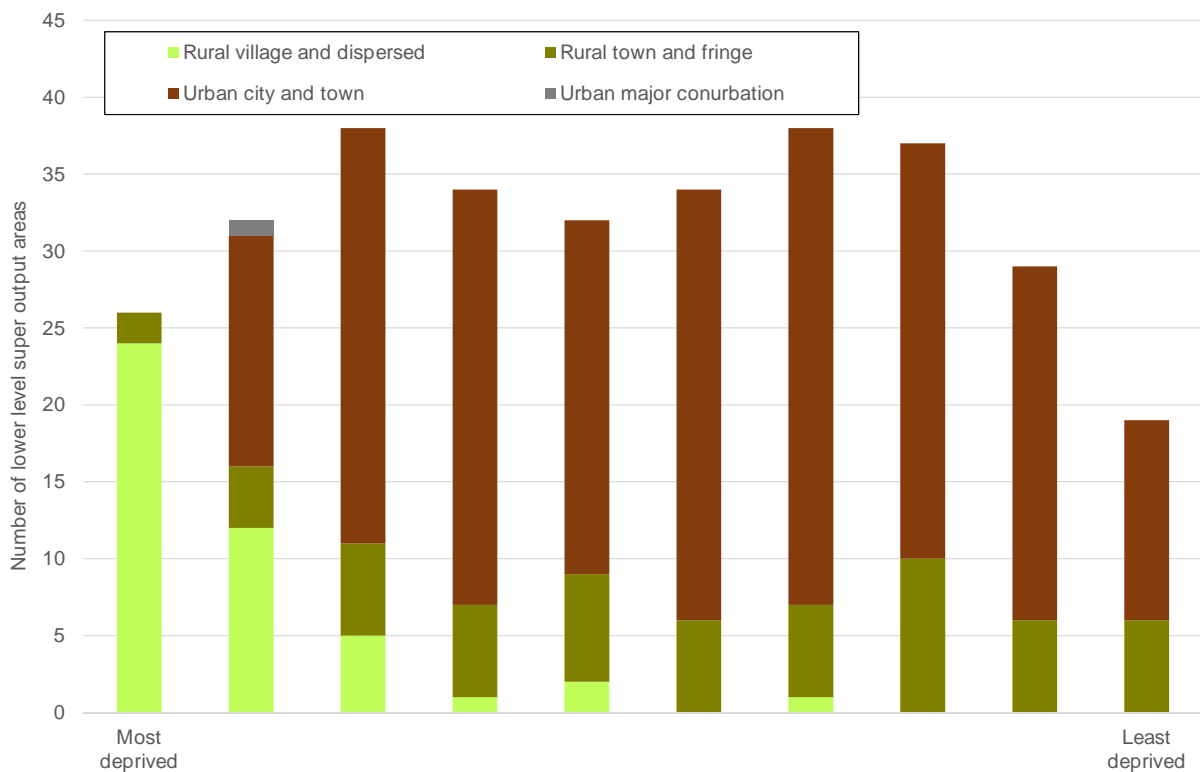
The most deprived parts of Buckinghamshire are in urban areas, with only one rural LLSOA ranking below the national sixth decile as shown in Chart 2. However, on the barrier to housing and services domain, 8 per cent of Buckinghamshire's LLSOAs are among England's most deprived decile, including 24 of Buckinghamshire's 45 LLSOAs classified as *rural village and dispersed* as shown in Chart 3.

Chart 2: Buckinghamshire's deprivation (IMD) by LLSOA by rural urban classification, 2015



Source: Indices of Deprivation, DCLG, 2015

Chart 3: Buckinghamshire's deprivation on the barriers to housing and services domain by LLSOA by rural urban classification, 2015



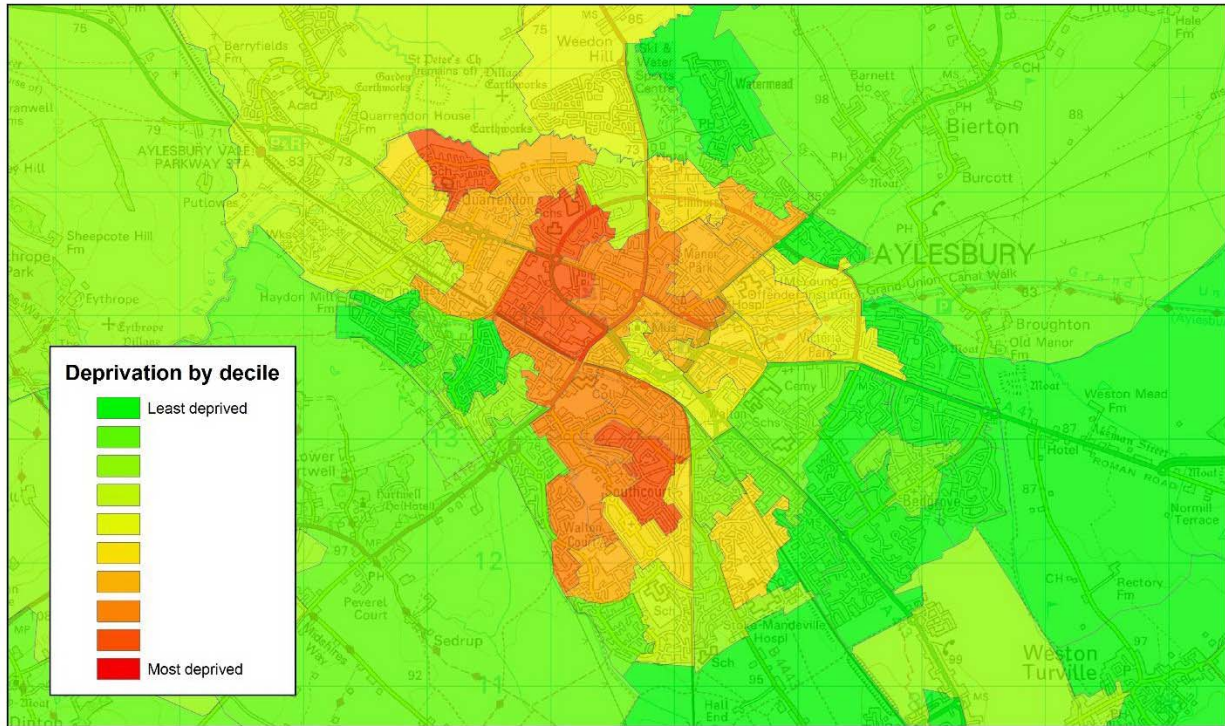
Source: Indices of Deprivation, DCLG, 2015

Table 3: Deprivation by ward (percent ranks of average rank), 2015

	Index of multiple deprivation	Income	Employment	Education, skills and training	Health deprivation	Crime	Barriers to housing and services	Living environment		
Aylesbury Vale	Bedgrove	98.3	96.7	93.0	75.9	91.4	82.0	82.9	88.0	
	Buckingham South	96.4	88.9	95.8	89.4	94.2	67.3	38.0	97.1	
	Aston Clinton	93.7	89.7	86.6	84.2	88.8	73.4	39.8	94.2	
	Edlesborough	92.0	91.3	96.7	92.0	90.3	80.0	20.8	57.3	
	Long Crendon	91.7	91.3	95.3	86.4	91.8	84.0	45.1	73.1	
	Wendover	91.7	83.2	87.9	79.4	89.8	70.3	57.6	90.6	
	Quainton	91.3	95.7	93.5	91.4	96.0	90.0	35.0	29.6	
	Newton Longville	91.1	73.8	76.5	72.0	76.1	65.1	76.4	97.7	
	Wing	89.9	77.2	79.1	64.5	71.5	58.5	91.5	92.5	
	Haddenham	89.8	90.0	88.3	85.3	84.3	78.8	40.4	86.1	
	Bierton	89.4	93.2	88.8	86.0	86.0	28.7	27.5	87.7	
	Pitstone	87.0	69.3	88.6	66.0	93.2	70.5	38.4	81.7	
	Great Horwood	85.5	95.9	97.1	93.5	93.0	37.9	28.6	25.7	
	Winslow	85.3	71.7	78.6	76.4	78.4	88.0	53.5	85.9	
	Waddesdon	84.4	79.7	89.9	83.0	76.1	78.4	52.1	58.1	
	Cheddington	82.6	87.8	91.6	90.9	87.8	85.8	20.4	54.4	
	Mandeville and Elm Farm	82.5	81.4	79.3	57.2	83.4	58.3	29.5	91.5	
	Buckingham North	81.4	70.4	85.3	68.9	72.3	47.9	55.9	84.2	
	Coldharbour	80.0	75.3	80.8	53.2	76.3	67.0	36.2	77.8	
	Steeple Claydon	79.0	78.3	85.8	58.2	84.5	45.1	33.7	76.2	
	Stewkley	78.3	90.3	89.8	91.8	94.7	93.4	5.1	66.1	
	Marsh Gibbon	77.8	90.8	96.6	84.8	96.1	92.4	9.4	44.4	
	Great Brickhill	72.9	76.2	85.8	88.4	75.4	30.9	21.4	67.5	
	Oakfield	72.4	68.4	62.1	46.8	74.6	48.2	70.8	70.4	
	Weedon	71.9	56.3	71.9	71.6	81.2	68.9	30.4	64.7	
	Wingrave	70.0	88.3	89.2	66.3	92.8	78.2	5.3	61.0	
	Tingewick	64.7	75.4	88.6	82.7	86.8	84.4	4.8	41.8	
	Brill	61.1	93.3	94.8	79.9	93.2	49.0	2.6	34.5	
	Luffield Abbey	55.2	97.7	95.2	80.5	98.2	85.9	0.6	15.1	
	Grendon Underwood	51.3	88.4	97.2	75.4	91.0	76.8	0.1	24.8	
	Elmhurst and Watermead	44.6	40.5	39.6	29.6	53.8	35.3	40.2	84.1	
	Walton Court and Hawkslade	44.4	37.6	42.7	18.6	46.8	32.2	48.7	98.7	
	Aylesbury Central	35.2	37.2	56.2	51.6	58.7	3.7	26.8	36.3	
	Quarrendon	30.1	17.3	26.2	8.8	38.3	39.4	69.9	95.7	
	Gatehouse	27.2	27.5	27.7	10.5	33.4	24.4	37.7	70.8	
	Southcourt	15.0	15.8	17.4	1.9	31.0	13.4	24.6	91.7	
	Chiltern	Seer Green	100.0	98.6	98.1	99.1	99.9	82.6	97.4	98.2
		Austenwood	99.9	99.9	99.8	99.9	99.9	87.7	66.9	98.9
		Chesham Bois and Weedon Hill	99.9	99.8	99.8	99.9	99.9	93.4	61.0	98.2
		Great Missenden	99.8	93.9	97.2	98.4	99.6	74.1	82.9	88.0
Amersham Common		98.5	93.8	89.4	96.1	96.7	77.9	63.2	95.0	
Chalfont St Giles		98.3	94.8	95.7	94.6	99.8	75.0	49.6	95.3	
Little Missenden		96.7	94.8	97.1	99.0	97.8	73.3	18.6	98.5	
Prestwood and Heath End		96.1	91.5	91.5	87.4	98.1	56.7	75.2	98.4	
Penn and Coleshill		95.8	99.4	99.6	98.3	99.9	81.4	13.6	95.3	
Holmer Green		95.3	87.9	91.2	78.6	90.9	57.6	64.3	98.7	
Central		95.2	85.4	82.8	84.9	89.3	48.1	97.0	89.8	
Amersham Town		94.9	86.1	89.7	93.9	98.6	76.3	26.4	89.8	
Little Chalfont		94.1	73.5	71.9	89.1	98.3	75.0	87.5	97.5	
Chalfont Common		94.0	90.5	72.0	96.0	84.4	49.3	87.5	98.7	
Hilltop and Townsend		93.2	87.0	86.1	82.8	95.0	63.5	69.9	75.0	
Gold Hill		92.6	68.1	69.3	81.0	98.1	37.2	94.7	95.8	
Ballinger, South Heath and Chartridge		87.4	99.4	97.8	97.1	99.7	76.7	6.8	53.6	
Amersham-on-the-Hill		82.3	53.2	60.0	86.7	88.7	43.9	87.1	93.2	
Ashley Green, Latimer and Chenies		79.2	95.2	95.2	92.9	99.1	60.1	7.0	39.9	
Cholesbury, The Lee and Chelington		77.3	99.1	96.5	97.9	99.9	65.9	3.8	37.3	
Asheridge Vale and Lowndes		73.6	59.2	57.5	61.2	87.1	39.4	60.6	97.4	
Newtown		73.4	53.8	54.4	50.3	87.5	59.2	84.0	77.5	
St Mary's and Waterside		51.0	38.3	35.9	39.5	81.5	34.0	48.7	76.5	
Vale		50.2	28.5	36.1	30.7	87.2	15.7	95.6	88.6	
Ridgeway		37.9	17.2	24.2	13.1	75.6	41.7	90.0	99.1	

	Index of multiple deprivation	Income	Employment	Education, skills and training	Health deprivation	Crime	Barriers to housing and services	Living environment	
South Bucks	Gerrards Cross North	98.6	97.4	96.3	99.9	98.9	52.6	66.6	63.7
	Beaconsfield North	97.9	94.7	96.5	97.9	97.2	49.0	68.5	81.7
	Beaconsfield West	93.7	87.2	90.1	75.9	97.6	38.0	84.1	78.5
	Farnham Royal	93.5	80.2	92.9	90.8	97.6	31.0	70.7	88.0
	Gerrards Cross South	92.1	88.7	99.3	99.2	99.7	87.1	9.7	87.4
	Gerrards Cross East and Denham South West	83.9	74.9	93.2	69.2	99.5	76.6	13.7	72.3
	Beaconsfield South	83.0	72.1	80.1	80.9	97.3	22.1	48.1	86.9
	Stoke Poges	82.1	84.4	81.4	82.3	93.6	29.5	37.4	83.7
	Denham North	76.9	52.1	61.9	62.4	64.9	68.4	64.0	92.7
	Dorney and Burnham South	74.1	95.1	94.7	82.8	92.7	2.6	26.2	59.5
	Taplow	73.4	98.4	98.7	93.8	97.6	13.8	11.5	27.1
	Iver Heath	72.0	65.2	80.4	48.3	84.9	45.3	35.3	62.1
	Burnham Church	69.7	64.2	67.4	74.4	80.0	8.5	73.6	77.1
	Denham South	69.6	79.1	85.9	59.8	95.7	24.9	14.0	65.0
	Burnham Lent Rise	67.1	55.1	54.3	43.4	76.7	32.9	85.5	62.9
	Iver Village and Richings Park	64.8	60.9	71.5	47.2	80.2	21.1	56.5	57.0
	Hedgeley and Fulmer	64.7	71.5	83.7	83.1	88.6	13.2	13.5	49.5
	Burnham Beeches	63.5	94.2	84.6	89.8	99.2	4.9	10.3	43.5
	Wexham and Iver West	40.5	60.6	65.7	34.2	89.7	4.2	10.7	50.6
	Wycombe	Hazlemere North	99.8	96.4	96.8	89.1	99.2	77.0	93.9
Greater Hughenden		99.6	99.1	99.2	95.3	98.7	88.5	54.2	94.3
Hazlemere South		99.6	92.3	97.7	87.7	97.8	76.5	87.0	96.9
Downley and Plomer Hill		98.5	90.9	89.1	84.2	96.2	80.2	65.9	97.5
Tylers Green and Loudwater		96.5	91.0	92.6	81.5	98.0	71.5	72.8	87.5
Lacey Green, Speen and the Hampdens		95.5	99.3	99.7	94.8	99.2	97.5	16.3	61.7
Greater Marlow		94.6	95.1	95.9	98.4	98.8	86.5	23.4	84.5
Bourne End-cum-Hedsor		94.4	87.3	89.1	84.9	95.5	85.4	77.5	78.3
Marlow North and West		93.4	81.5	91.4	82.0	96.8	66.0	81.6	88.5
Flackwell Heath and Little Marlow		93.4	89.9	90.0	80.1	94.6	59.4	76.9	85.2
icknield		88.4	89.0	96.6	93.6	99.5	62.8	16.7	75.7
Marlow South East		85.4	65.5	77.4	72.8	94.6	59.1	71.9	78.1
Stokenchurch and Radnage		85.2	79.8	85.5	50.2	97.3	66.8	58.3	71.3
Bledlow and Bradenham		85.0	97.1	98.6	99.5	99.9	93.9	3.9	61.2
The Risboroughs		84.9	72.0	68.2	62.7	88.5	69.6	52.7	98.0
The Wooburns		83.3	67.5	74.2	58.3	91.1	62.7	61.2	81.2
Abbey		74.8	57.3	69.4	70.1	88.0	42.8	41.2	70.4
Terriers and Amersham Hill		71.2	49.5	58.5	75.6	86.3	46.3	54.9	53.2
Chiltern Rise		68.9	69.3	69.8	54.8	88.0	47.5	36.6	50.7
Sands		61.1	42.8	51.8	36.2	87.4	30.7	67.2	70.1
Totteridge	57.2	35.4	51.1	28.5	75.1	51.3	57.7	90.7	
Hambleton Valley	56.8	99.6	99.8	98.5	100.0	76.3	0.7	8.0	
Disraeli	52.5	34.5	40.4	30.3	80.8	39.0	57.8	93.7	
Ryemead	51.7	35.6	57.6	52.5	87.0	36.3	25.9	46.5	
Booker and Cressex	47.7	37.0	35.8	38.9	57.6	34.2	34.8	93.9	
Bowden	42.9	24.0	31.8	28.5	75.2	42.9	46.7	83.5	
Micklefield	28.8	13.9	21.7	13.7	69.6	32.5	42.1	89.6	
Oakridge and Castelfield	22.2	14.7	19.8	9.2	52.0	26.7	40.7	63.0	

Source:BBF analysis of indices of deprivation, DCLG, 2015



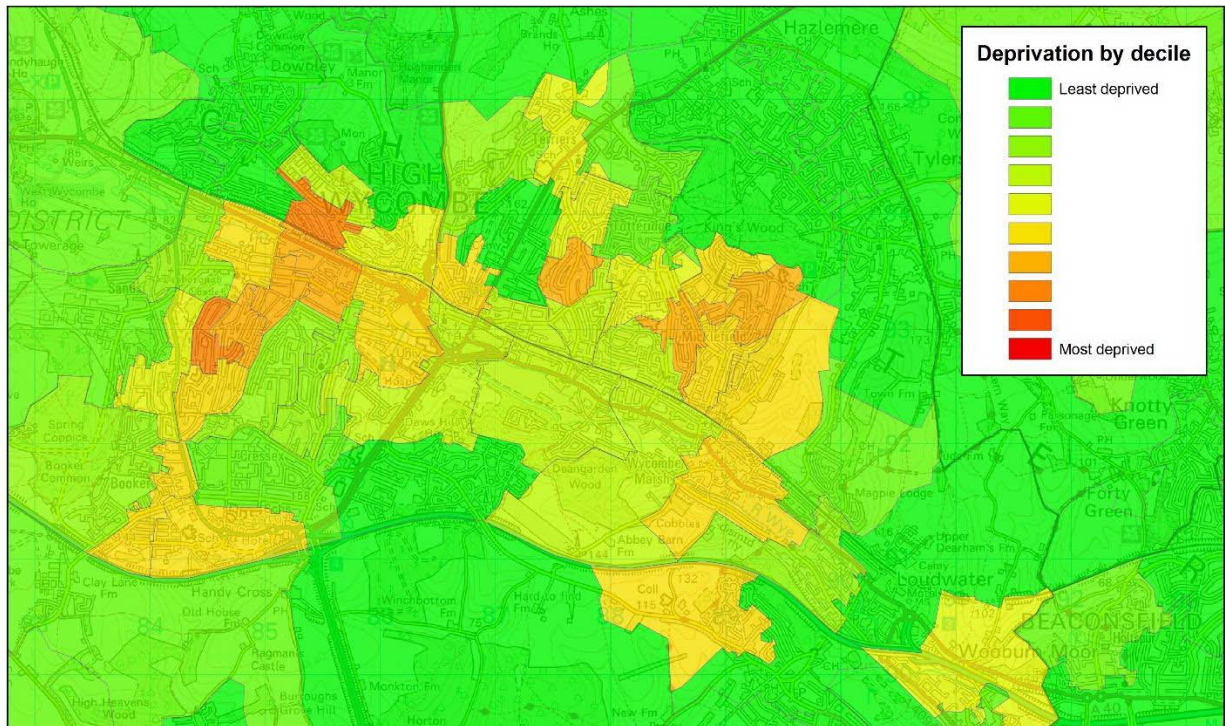
Scale: 1:35,000 at A4

The map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Copyright Ordnance Survey. Unauthorised reproduction infringes Ordnance Survey's copyright and may be prosecuted to the full extent of the law. Copyright Buckinghamshire County Council Licence No. 10021929 2015

mapbox.com

0 0.25 0.5 1 1.5 2 Kilometers

Deprivation in Aylesbury
Lower level super output area by English decile, 2015



Scale: 1:37,500 at A4

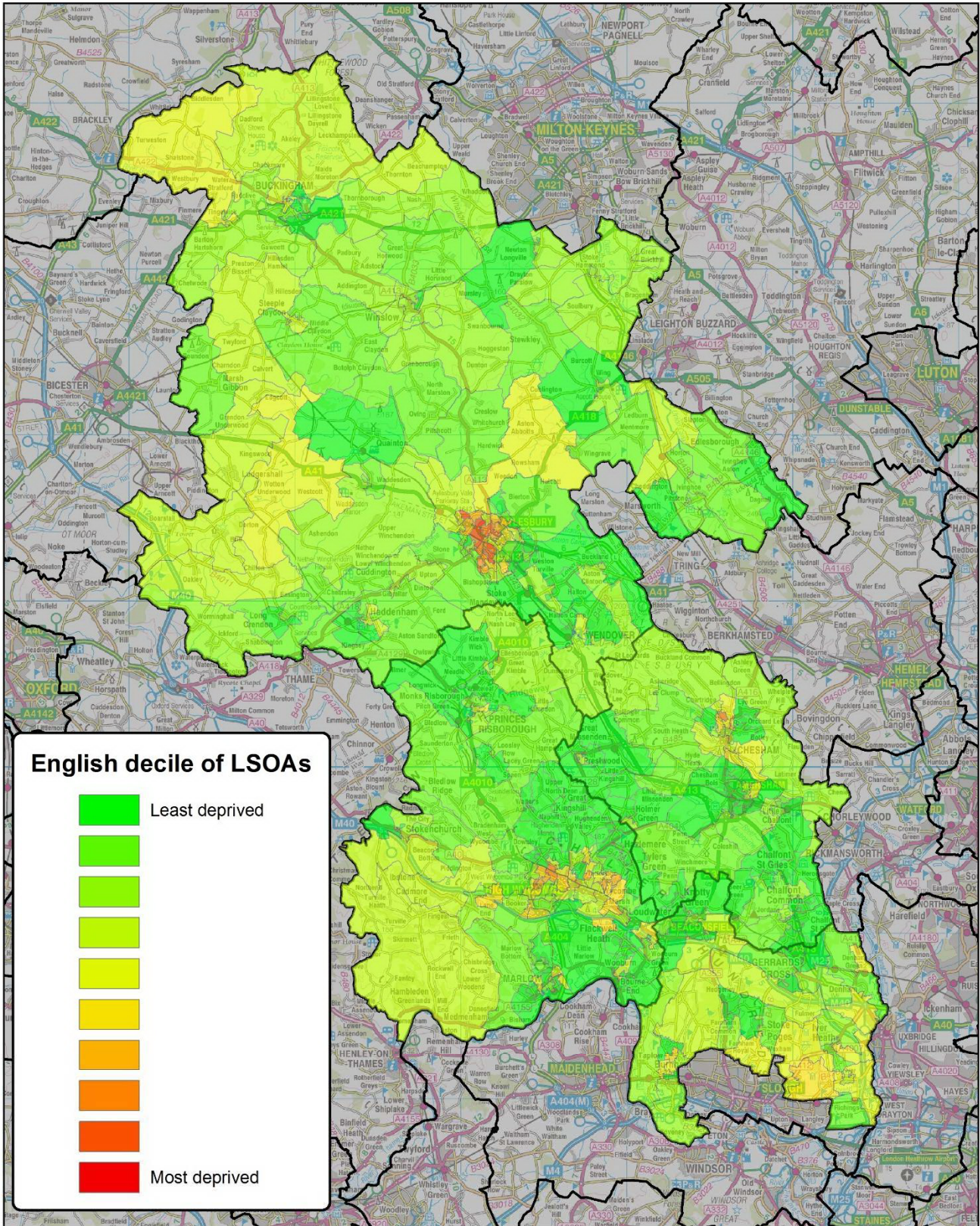
The map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Copyright Ordnance Survey. Unauthorised reproduction infringes Ordnance Survey's copyright and may be prosecuted to the full extent of the law. Copyright Buckinghamshire County Council Licence No. 10021929 2015

mapbox.com

0 0.25 0.5 1 1.5 2 Kilometers

Deprivation in High Wycombe
Lower level super output area by English decile, 2015





Deprivation in Buckinghamshire
 Lower level super output areas by English decile, 2015

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office; Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
 © Copyright Buckinghamshire County Council Licence No. 100021529 2010
 Imagery © GeoPerspectives.com



Produced by BBF
 30 September 2015

Scale: 1:300,000 at A4



REPORT ON THE COUNCIL'S ARRANGEMENTS FOR THE LICENSING OF ACTIVITIES INVOLVING ANIMALS

1 Purpose

- 1.1 For Members to consider the new arrangements for the licensing of activities involving animals and approve the revised fee levels..

2 Recommendations/for decision

- | | |
|-----|--|
| 2.1 | For Members to agree the new arrangements for the licensing of activities involving animals. |
| 2.2 | For Members to approve the implementation of revised fee levels |

3 Supporting information

- 3.1 The Animal Welfare Act was brought into force in 2006, and until this point it has had a minimal impact on animal licensing other than influencing licence conditions. The legislation aims to ensure that animals are not mistreated, and statutory guidance made under the legislation introduced the 5 freedoms of animal welfare which are:-
- For a suitable environment (place to live)
 - For a suitable diet
 - To be housed with or apart from other animals
 - To be protected from pain, suffering, injury and disease
 - To exhibit normal behaviour patterns
- 3.2 The Animal Welfare Act 2006 is the enabling legislation for new regulations that cover the licensing of activities involving animals. These regulations, called the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 were passed by Government in April 2018 and come into effect 1st October 2018.
- 3.3 These regulations repeal and amend a raft of legislative provisions that currently govern the Council's licensing activities in relation to animal establishments, such as:-
- Animal Boarding Establishments Act 1963
 - Breeding of Dogs Act 1973
 - Breeding of Dogs Act 1991
 - Pet Animals Act 1951
 - Performing Animals (Regulation) Act 1925
 - Riding Establishments Act 1964 Etc.
- (a full list can be found in Schedule 9 and 10 of the act.)
- 3.4 The new regulations provide for licensing by the Council of the following five activities involving animals:
- i. Selling animals as pets.

- ii. Providing for or arranging for the provision of boarding for cats or dogs (includes boarding kennels or catteries, home boarding for dogs and day care for dogs).
 - iii. Hiring out horses.
 - iv. Dog breeding.
 - v. Keeping or training animals for exhibition (to be transferred from County Councils to District Councils).
- 3.5 'Zoos' and 'Dangerous Wild Animal' establishments will continue to operate under their current respective licensing regimes.

Key Changes

- 3.6 All current licences will continue to be subject to the same restrictions until their relative expiry date. Other than current animal exhibition registrations, which will continue to be valid until 1 April 2019, and riding establishments which have unique expiry dates, all current licences affected are due to expire on 31 December 2018.
- 3.7 Licences will no longer be issued in accordance with the calendar year but will be issued for 12 months, or longer for a period up to 3 years.
- 3.8 A new risk rating system resulting in a 1-5 star score for the business will be implemented with businesses licence duration determined by the level of compliance and extent to which they meet or exceed the required standards. Each premises will require an inspection prior to determination of a new or renewal licence application.
- 3.9 Those carrying out inspections will be required to be suitably qualified. In addition inspections of new dog breeders will require a veterinarian to be present. Horse riding establishments will require a listed veterinarian to carry out an annual inspection.
- 3.10 Premises that meet higher standards (as defined within the statutory guidance), and are fully compliant, may be eligible for a licence to be granted for up to a 3 year duration, which provides a financial incentive to attain higher standards.
- 3.11 There is an appeal process for aggrieved applicants to appeal against a star rating decision. A person can appeal against the risk level determination; the appeal must be heard by a party other than the inspecting officer who carried out the risk assessment.
- 3.12 Licence holders will be required to display their licence number on any of their websites.
- 3.13 Businesses that fail to meet minimum standards in relation to animal welfare (as defined within the statutory guidance) will not be able to renew their licence. An operator who is aggrieved by the Council's decision to grant a licence can appeal to "The First Tier Tribunal" within 28 days.
- 3.14 Licensing Authorities are encouraged to publish a list of licensed business and star ratings on the Council's website.
- 3.15 All licences will be subject to new national standard conditions determined by the type of licensable activity. These will replace the Council's current licence conditions for any licence granted after 1st October 2018, including existing operators. For businesses providing multiple licensable activities, only one licence will be required.

- 3.16 At anytime the Council may suspend, vary or revoke a licence in the interests of protecting animal welfare by way of notice. The Council can consider representations from the licence holder submitted within 7days. An operator who is aggrieved by the Council's decision following representation can appeal to "The First Tier Tribunal" within 28 days.

Fees

- 3.17 The new licensing regime will necessitate additional work by the Council and accordingly a new fee regime should be implemented to ensure the Council covers its costs.
- 3.18 Regulation 13 helpfully sets out what the Council may charge fees for, as follows:
- i) The costs of considering an application and associated inspections.
 - ii) The reasonable anticipated costs associated with considering a licence holders compliance and associated additional inspections.
 - iii) The reasonable anticipated costs of enforcement in relation to any licensable activity or an unlicensed operator.
 - iv) The reasonable anticipated costs of providing statutory returns.
- 3.19 The licensing service is in the process of preparing a new fee schedule, which reflects the Council's anticipated costs in relation to the matters set out in paragraph 3.18. In preparing this fee schedule the Licensing Service has had regard to "Open for business: LGA guidance on locally set licence fees" and "BEIS Guidance for Business on the Provision of Service Regulations". It is intended that fee levels will be regularly reviewed to ensure that fees are kept to a minimum while ensuring Council costs are met. It is not proposed to change existing fees for Dangerous Wild Animal or Zoo licences.
- 3.20 The legislation does not provide any statutory requirements in terms of consulting on or publishing new fee levels prior to their adoption. The terms of reference within the Licensing Committee's constitution permit the committee to make decisions as to whether to charge fees in respect of the new licensing regime and determine what those fees will be.

Impact

- 3.21 The new licence conditions are largely reflective of the Council's current standards and it is anticipated that most operators are unlikely to have significant difficulties with compliance. However, those that have not updated their facilities may find that the renewal of their licence is refused.
- 3.22 All existing licence holders have been contacted to notify them of these changes and information will be displayed on the web site.
- 3.23 The number of inspections carried out will increase as all premises will require an inspection prior to granting of a licence or renewal of a licence The Council will have to train additional officers in order to carry out these inspections and consider the possibility of outsourcing some inspections to competent accredited individuals/bodies in order to meet demand
- 3.24 In accordance with the Council's constitution the Council officers have delegated responsibility to deal with issues of consents and undertake all aspects of enforcement action pursuant to the Council's statutory functions relating to animal welfare. In addition environmental health, licensing officers and enforcement officers have delegated authority to carry out enforcement activity under the Animal Welfare Act.

3.25 A review of administrative processes, forms and licence templates is currently being carried out.

4. Options considered

4.1 Implementation of the new licensing regime is a statutory requirement and no other options are available.

5. Reasons for Recommendations

5.1 To ensure compliance with statutory requirements placed on the Council, while keeping costs to business operators to a minimum.

6. Resource implications

6.1 The cost of implementing and operating the new licence regime will be covered by income from animal establishment licensing fees. It may be necessary to outsource some of the inspection work, in which case future fees may need adjustment to reflect this.

Contact Officer

Simon Gallacher (01296) 585083

Background Documents

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 – Procedural guidance notes for local authorities July 2018.

Open for business: LGA guidance on locally set licence fees” and “BEIS Guidance for Business on the Provision of Service Regulations”