



Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

Wednesday, 11 November 2015

TO EACH MEMBER OF GLOUCESTER CITY COUNCIL

Dear Councillor

You are hereby summoned to attend a **MEETING OF THE COUNCIL** of the **CITY OF GLOUCESTER** to be held at the Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP on **Thursday, 19th November 2015 at 7.00 pm** for the purpose of transacting the following business:

AGENDA

1. **APOLOGIES**

To receive any apologies for absence.

2. **MINUTES (Pages 9 - 18)**

To approve as a correct record the minutes of the Council Meeting held on 24 September 2015.

3. **DECLARATIONS OF INTEREST**

To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.

4. **PUBLIC QUESTION TIME (15 MINUTES)**

The opportunity is given to members of the public to put questions to Cabinet Members or Committee Chairs provided that a question does not relate to:

- Matters which are the subject of current or pending legal proceedings or
- Matters relating to employees or former employees of the Council or comments in respect of individual Council Officers.

5. **PETITIONS AND DEPUTATIONS (15 MINUTES)**

A period not exceeding three minutes is allowed for the presentation of a petition or deputation provided that no such petition or deputation is in relation to:

- Matters relating to individual Council Officers, or
- Matters relating to current or pending legal proceedings

6. **ANNOUNCEMENTS**

To receive announcements from:

- a) The Mayor
- b) Leader of the Council
- c) Members of the Cabinet
- d) Chairs of Committees
- e) Head of Paid Service

7. **MEMBERS' QUESTION TIME**

- a) Leader and Cabinet Members' Question Time (30 minutes)

Any member of the Council may ask the Leader of the Council or any Cabinet Member any question without prior notice, upon:

- Any matter relating to the Council's administration
- Any matter relating to any report of the Cabinet appearing on the Council's summons
- A matter coming within their portfolio of responsibilities

Only one supplementary question is allowed per question.

- c) Questions to Chairs of Meetings (15 Minutes)

ISSUES FOR DECISION BY COUNCIL

8. **POLLING DISTRICT AND POLLING PLACES REVIEW 2015 (Pages 19 - 70)**

To receive the report of the Returning Officer concerning the 2015 review of Polling Districts and Polling Places.

9. **REVISED STATEMENT OF PRINCIPLES - GAMBLING ACT 2005 (Pages 71 - 124)**

To receive the report of the Head of Public Protection concerning the outcome of a consultation exercise undertaken with stakeholders in relation to the 2016-2019 Gambling Act 2005 Statement of Principles and seeking formal approval and adoption by Council.

MOTIONS FROM MEMBERS

10. NOTICES OF MOTION

(1) MOVED BY COUNCILLOR HILTON

"This council notes with great disappointment the Cabinet Member for the Environment's decision to sanction the installation of advertising boards on roundabouts across the city.

This council believes these advertising boards are tacky and unsightly; blighting some well-kept roundabouts.

The council also believes these advertising boards could be a distraction to motorists and present an unnecessary hazard to motorcyclists.

This council, therefore, requests the Cabinet Member for the Environment to instruct officers of this council to have these advertising boards removed immediately from roundabouts within the city council boundaries."

(2) MOVED BY COUNCILLOR TOLEMAN

"This Council welcomes the proposal by the Government in the Cities and Local Government Devolution Bill to devolve responsibility for Sunday Trading hours to local government, but believes the current arrangements in Gloucester are widely accepted and work well and that no changes should be made unless there is strong support from business and the public."

(3) MOVED BY COUNCILLOR HAIGH

"That this Council recognises the positive contribution that trade unions and trade union members make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

This Council notes with concern the Trade Union Bill which is currently being proposed by the Government and which would affect this Council's relationship with our trade unions and our workforce as a whole. This Council rejects this Bill's attack on local democracy and the attack on our right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by Government in London.

This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and

easy to administer system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.”

(4) MOVED BY COUNCILLOR HAIGH

“Council notes that Small Business Saturday falls on 5 Dec 2015. In recent years the County Council have unilaterally suspended all on street parking charges to support city centre businesses. The City Council has responded in a limited way with some carparks free on the day but not all the carparks we own and operate. This Council believes it is in the interests of the City, businesses and residents, to fully support Small Business Saturday and calls upon the Leader to suspend all parking charges in Council owned and operated carparks on 5th Dec.”

(5) MOVED BY COUNCILLOR PATEL

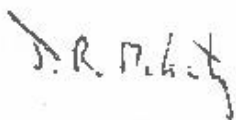
“This Council:

- believes that the Barton Street Conservation Area status has been helpful and beneficial to the enhancement of Barton Street since 2007, partly thanks to grants that were available a few years ago for building and shop frontage improvements;
- notes that Conservation Area status can result in additional costs and restrictions as well as benefits and should be reviewed regularly to ensure it remains appropriate;
- instructs Officers, as part of the development of a City Plan, to undertake a review the designated Conservation Area status in Barton Street and thereafter other conservation areas within the city, to assess the pros and cons that they bring and enables the Council to focus on the best of our heritage assets at a time of limited resources.”

11. WRITTEN QUESTIONS TO CABINET MEMBERS (Pages 125 - 126)

Written questions and answers. Only one supplementary question is allowed per question.

Yours sincerely



Jon McGinty
Managing Director

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or

- land in the Council's area and
- (b) either –
- i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

Access to Information

Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, tanya.davies@gloucester.gov.uk.

For general enquiries about Gloucester City Council's meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

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Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the Public and Press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

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If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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COUNCIL

MEETING : Thursday, 24th September 2015

PRESENT : Cllrs. Field (Mayor), Beeley (Sheriff & Deputy Mayor), James, Dallimore, Noakes, D. Norman, Organ, Porter, Haigh, Hilton, Gravells, Tracey, McLellan, Smith, Hobbs, Lugg, C. Witts, Hanman, Lewis, S. Witts, Llewellyn, Williams, Brown, Dee, Taylor, Toleman, Chatterton, Pullen, Etheridge, H. Norman and Pearsall

Others in Attendance

Jon McGinty, Managing Director

Martin Shields, Corporate Director of Services and Neighbourhoods

Ross Cook, Corporate Director

Shirin Wotherspoon, Solicitor

Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllrs. Bhaimia, Hansdot, Patel, Randle and Hampson

27. MINUTES

27.1 **RESOLVED** – That the minutes of the meeting held on 23 July 2015 be approved and signed by the Mayor as a correct record.

28. DECLARATIONS OF INTEREST

28.1 Councillor Dallimore (Deputy Leader of the Council and Cabinet Member for Communities and Neighbourhoods) declared a personal interest in Agenda Item 9(3), a notice of motion from the Conservative Group concerning the Syrian refugee crisis, as she was employed by the City MP Richard Graham.

28.2 Councillors Williams, Gravells and Tracey declared personal interests in Agenda Item 9(1), a notice of motion from the Labour Group concerning safety features installed at Kimbrose Triangle, as they were Gloucestershire County Councillors.

28.3 Councillor Toleman declared a personal interest in Agenda Item 9(2), a notice of motion from the Conservative Group concerning heritage projects as he was a trustee of Llanthony Secunda Priory.

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29. PUBLIC QUESTION TIME (15 MINUTES)

- 29.1 Mr Paul Soden, representing the Licensed Victuallers Association, acknowledged the success of the Rugby World Cup Fanzone, but asked the Leader of the Council whether he considered it fair for the Fanzone to remain open for the remainder of the tournament and continue taking business away from city centre venues that had invested in screens to attract customers during the World Cup because the original intention had been for the Fanzone to close after the group stages of the competition.
- 29.2 Councillor McLellan declared a personal interest as he had been appointed as a volunteer at the fanzone.
- 29.3 Councillor James (Leader of the Council and Cabinet Member for Regeneration and Economy) thanked Mr Soden for his question and praised the work of staff and volunteers in making the Fanzone a success. He stated that a commitment had been given to review the operation of the Fanzone after the group stages and that there were a number of factors to consider, including the impact of Docks residents, the financial impact and the interests of businesses across the City. A decision would be made in the best interests of the City's residents and economy after all of the facts had been considered.

30. PETITIONS AND DEPUTATIONS (15 MINUTES)

- 30.1 There were no petitions or deputations.

31. ANNOUNCEMENTS

Mayor

- 31.1 The Mayor offered the Council greetings from the Mayor of Metz, whom he had met during a civic visit to the Mirabelle Festival. He hoped that the Council would be return the kind hospitality by inviting the Mayor of Metz to visit Gloucester in the future.
- 31.2 The Mayor invited Members to attend the Civic Service on 18 October 2015 at 3pm at Gloucester Cathedral and the Mayor's Ball on 19 March 2016 at Kingsholm Stadium.
- 31.3 The Mayor reported that he and Councillor Noakes (Cabinet Member for Culture and Leisure) had attended the opening of the Museum Sweet Shoppe at the Folk Museum and advised that Members and staff were entitled to a 10% discount on purchases.

Cabinet Members

- 31.4 Councillor James reported that, due to pressures on parking at North Warehouse following the success of the Regus contract, with effect from 28 September 2015 the parking order had been amended to allow enforcement officers to issue tickets to cars parked outside of the parking bays and/or to those not displaying the appropriate authorisation.

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- 31.5 Councillor D. Norman (Cabinet Member for Performance and Resources) announced that the six-week budget consultation had commenced on 14 September 2015 and encouraged Members to highlight it to constituents.
- 31.6 Councillor Noakes advised that the Invictus exhibition would open on 9 October 2015 at the City Museum, but that the Rodin sculpture would be on display from 6 October for anyone seeking an early viewing.

32. MEMBERS' QUESTION TIME

Leader and Cabinet Members' Question Time

- 32a.1 Councillor Chatterton asked the Leader of the Council whether, given the success and positive feedback regarding the Rugby World Cup Fanzone, he would consider keeping it open for the final five matches or the tournament.
- 32a.2 Councillor James advised that the Council would consider all of the options and take into account all relevant factors, including the views of Docks residents, the impact on businesses and what is happening elsewhere in the City. He noted that an offer of financial assistance had been made to make extending the opening of the Fanzone possible. He acknowledged that it would not be possible to please all affected parties.
- 32a.3 Councillor Chatterton noted that there had been few complaints from residents and that the security arrangements had been excellent and he asked the Leader to make a commitment to inform all Councillors of the decision by 30 September 2015.
- 32a.4 Councillor James agreed that organisation at the Fanzone had been good and that the impact on residents had been limited. He noted the need to take into account the fact that the Gloucester rugby team had a match at Kingsholm on the day of the RWC final, but gave a commitment to make a final decision on the Fanzone by the end of the month.
- 32a.5 Councillor Hilton asked the Cabinet Member for Regeneration and Economy whether he agreed that 67/69 London Road was suitable for conversion into much-need housing.
- 32a.6 Councillor James noted that he had no role in the planning process, but his personal view was that 67/69 London Road would be suitable for housing and that the Council was continuing to put pressure on the owners to bring the buildings back into beneficial use.
- 32a.7 Councillor Hilton asked the Cabinet Member whether he would consider exercising the Council's compulsory purchase powers to acquire the buildings.
- 32a.8 Councillor James explained that compulsory purchase order was expensive, time-consuming and with no guarantee of a positive outcome; therefore the power should be used cautiously and only as last resort. He advised talks with the owners would continue and he hoped progress could be made.

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- 32a.9 Councillor Chatterton asked the Leader of the Council what plans the Council had to mark the Queen's 90th birthday in June 2016.
- 32a.10 Councillor James advised that, as a royal-supporting City, the Council would seek to mark it in an appropriate manner.
- 32a.11 Councillor Hilton asked the Cabinet Member for Performance and Resources whether he agreed that it was too much for central government to ask local government for savings of up to 40%, which represented more than was required meet the deficit.
- 32a.12 Councillor D. Norman advised that there would be two stages to the savings process, with up to 20% being required in the first stage and potentially up to 40% in the second stage; however, the savings would be required over the life of the Parliament, not all in one year. He agreed that it represented a challenge, but that Councils could not spend money that they did not have.
- 32a.13 Councillor Hilton noted reports of a predicted overspend of £554,000 for 2015/16 and asked for assurances that it would resolved before the 2016/17 budget was set.
- 32a.14 Councillor D. Norman explained that at the end of Quarter 1, £554,000 of savings had not been achieved and that he was meeting fortnightly with the Head of Finance to monitor the situation. He stated that it was too early to tell whether all proposed savings would be achieved, but that fundamental cuts would be required if they could not be.
- 32a.15 Councillor Smith asked the Leader of the Council why the recent issue of City Life focused only on the Rugby World Cup and did not market any of the other events in the City?
- 32a.16 Councillor James explained that it was intended to be a one-off RWC commemorative issue and that other events were marketed in alternative ways.
- 32a.17 Councillor Smith asked the Leader to ensure that all events are appropriately publicised well in advance to give residents the opportunity to put dates in their diary.
- 32a.18 Councillor James reiterated that that the recent issue was a one off and events would continue to be marketed in City Life and using a variety of other methods.
- 32a.19 Councillor Brown asked the Leader of the Council if he shared concerns that advertising boards on roundabouts had the potential to distract motorists.
- 32a.20 Councillor James advised the sponsored roundabouts were commonplace and that as long as they had the appropriate planning consents and adhered to highways standards he did not have any concerns.
- 32a.21 Councillor Brown asked what financial gain the sponsored roundabouts provided to the City.

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- 32a.22 Councillor Porter (Cabinet Member for Environment) reported that the City Council received £10,000 per advert.
- 32a.23 Councillor Tracey asked the Cabinet Member for Communities and Neighbourhoods what the Council could do to tackle bicycle security issues in the city centre and help prevent thefts and vandalism.
- 32a.24 Councillor Dallimore reported that the number of bicycle crimes had in fact reduced, but acknowledged that it remained an important issue and that incidents should be reported to the police. She noted that there were a number of safe places to leave bicycles across the City and that educating cyclists about security was fundamental to reducing crime.
- 32a.25 Councillor Tracey stated that the police did not have time to deal with the number of incidents reported and asked what plans the Council had to help cyclists.
- 32a.26 Councillor Dallimore advised that the police took all incidents seriously. She highlighted the impact of the new CCTV network and improvements already made to bike racks and offered to explore the options further with Councillor Tracey.
- 32a.27 Councillor McLellan asked the Leader of the Council if he agreed that it was ironic for the Labour Group to encourage the marking of the Queen's 90th birthday given the republican views of the new Leader of the national Labour Party.
- 32a.28 Councillor James commented that he preferred to highlight consensus rather than focusing on differences.
- 32a.29 Councillor Hobbs asked the Cabinet Member Regeneration and Economy what plans were being made to improve the linkages between the Docks and the city centre in the run up to Christmas.
- 32a.30 Councillor James remarked that the pedestrian linkages for able-bodied individuals via the Kimbrose shared-space were good and that the more events that could be organised, the more people would flow between the two areas. He acknowledged that public transport links needed to be developed further and he welcomed any suggestions that would contribute to the formulation of a single cohesive plan for both areas.

33. PROGRESS REPORT ON DEVOLUTION PROPOSAL TO GOVERNMENT

- 33.1 Council considered a report of the Managing Director concerning a devolution proposal submitted to Government by Leadership Gloucestershire.
- 33.2 Councillor D. Norman moved the recommendations set out in the report and explained that cross-party support for the work of Leadership Gloucestershire in developing the proposals would be fundamental moving forward. He stated that the primary driver for the submission was achieving the best for the residents of Gloucester and that he considered that it offered the best outcomes for both the authority and residents. He thanked the Managing Director and all involved in the work to date and highlighted the role of the Members' Working Group in contributing

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to the process on behalf of their Groups. He advised that it was hoped that a decision on the proposal might be made as part of the Government's Autumn Spending Review.

- 33.3 Councillor James seconded the motion.
- 33.4 Councillor Hilton emphasised the importance of the proposal being locally-led and warned against the creation of unnecessary bureaucracy. He stated that many of the proposals could be achieved without devolution so it was important to be clear about the benefits and carefully consider the governance arrangements for a combined authority. He advised that he would support genuine devolution, but would not support any requirement for an elected Mayor or the erosion of district Councillors.
- 33.5 Councillor Smith noted that the proposals had to be developed quickly with little opportunity for cross-party involvement and that, moving forward, it would be essential for all Members to be kept informed. She highlighted concerns in relation to additional bureaucracy, local planning processes and the role of civic Mayors and emphasised the role of the Members' Working Group in scrutinising the proposals as they developed.
- 33.6 Councillor D. Norman gave assurances that all Members would be briefed as proposals developed and that the Council would ensure that the outcome would be in the best interests of the authority and residents before seeking to commit to it.
- 33.7 **RESOLVED –**
- (1) The devolution proposal be noted;
 - (2) The relevant Cross-Party Members Working Group continues to monitor the development of the devolution proposal, prior to any decisions being brought back to this Council.

34. NOTICES OF MOTION

(1) Notice of Motion from the Labour Group

- 34.1 Moved by Councillor Lugg and seconded by Councillor Chatterton:

“This Council notes the installation of 'safety features' in the shared space at Kimbrose triangle. These measures do not constitute a regulated zebra crossing and drivers and pedestrians are now confused as to whether the remaining section of road within the scheme is shared or not. The scheme has never worked as intended, due to poor design, and this tinkering with the layout is likely to lead to accidents.

This Council asks the Leader to enter discussions with the County Council to either install a proper pedestrian crossing or to take steps such as the installation of rumble strips and other cues to make the shared space more obvious to drivers and pedestrians.”

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- 34.2 Councillor James moved the following amendment which was seconded by Councillor Dallimore.

~~“This Council notes the installation of 'safety features' in the shared space at Kimbrose triangle. These measures do not constitute a regulated zebra crossing and drivers and pedestrians are now confused as to whether the remaining section of road within the scheme is shared or not. The scheme has never worked as intended, due to poor design, and this tinkering with the layout is likely to lead to accidents,~~ **and further notes that additional works including improved lighting are planned.**

This Council asks the Leader to enter discussions with the County Council ~~to either install a proper pedestrian crossing or to take steps such as the installation of rumble strips and other cues to make the shared space more obvious to drivers and pedestrians~~ **following an appropriate period of monitoring to review the operation of the scheme and identify any further works required.”**

- 34.3 Councillor Lugg rejected the amendment.

- 34.4 The amendment was put to the vote and was carried.

- 34.5 The following motion, as amended, was put to the vote and was carried:

“This Council notes the installation of 'safety features' in the shared space at Kimbrose triangle, and further notes that additional works including improved lighting are planned.

This Council asks the Leader to enter discussions with the County Council following an appropriate period of monitoring to review the operation of the scheme and identify any further works required.”

(2) Notice of Motion from the Conservative Group

- 34.6 Moved by Councillor H. Norman and seconded by Councillor Tracey:

“This Council:

Believes that the city's rich heritage must continue to be protected, enhanced and promoted as part of Gloucester's continuing regeneration;

Welcomes the ongoing generous support from the Heritage Lottery Fund for projects within the city;

Welcomes the establishment of the Heritage Forum to co-ordinate heritage projects Gloucester;

Enthusiastically endorses the support, both advisory and financial, given by the Council to the projects with Stage 1 HLF approval, which are working towards on their Stage 2 submissions - Llanthony Secunda Priory, Project Pilgrim at Gloucester Cathedral and Discover De Crypt.”

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34.7 Councillor Hilton moved the following amendment which was seconded by Councillor Brown.

“This Council:

Believes that the city's rich heritage must continue to be protected, enhanced and promoted as part of Gloucester's continuing regeneration;

Welcomes the ongoing generous support from the Heritage Lottery Fund for projects within the city;

Welcomes the establishment of the Heritage Forum to co-ordinate heritage projects Gloucester;

Enthusiastically endorses the support, both advisory and financial, given by the Council to the projects with Stage 1 HLF approval, which are working towards on their Stage 2 submissions - Llanthony Secunda Priory, Project Pilgrim at Gloucester Cathedral and Discover De Crypt.

Agrees that the City Council must do more to regenerate historic properties in its ownership for example the Fleece Hotel.”

34.8 Councillor H. Norman rejected the amendment.

34.9 The amendment was put to the vote and was lost.

34.10 The motion was put to the vote and was carried.

(3) Notice of Motion from the Conservative Group

34.11 Moved by Councillor James and seconded by Councillor Organ:

“This Council:

Recognises the extraordinary government contribution to funding aid to displaced Syrians in refugee camps in the region;

Notes that the government has committed to accepting up to 20,000 vulnerable refugees from Syrian camps;

Further notes that many residents will wish to help Syrian refugees that come to the UK;

Supports the MP for Gloucester's call for the government to provide matched funding for all donations specifically for Syrian refugees to the UK;

Encourages all citizens of Gloucester who want to help, in whatever way, to register their interest with Gloucestershire Action for Refugees and Asylum Seekers.”

34.12 Councillor Hilton moved the following amendment which was seconded by Councillor McLellan.

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“This Council:

Recognises the extraordinary government contribution to funding aid to displaced Syrians in refugee camps in the region;

Notes that the government has committed to accepting up to **just** 20,000 vulnerable refugees from Syrian camps **over the next five years**;

Agrees that the UK could do more and that this country should take its fair share of refugees now entering the European Union.

Further notes that many residents will wish to help Syrian refugees that come to the UK;

Supports the MP for Gloucester's call for the government to provide matched funding for all donations specifically for Syrian refugees to the UK;

Encourages all citizens of Gloucester who want to help, in whatever way, to register their interest with Gloucestershire Action for Refugees and Asylum Seekers.”

34.13 Councillor H. Norman rejected the amendment.

34.14 The amendment was put to the vote and was lost.

34.15 The motion was put to the vote and was carried.

35. WRITTEN QUESTIONS TO CABINET MEMBERS

35.1 Councillor C. Witts declared a personal interest in written question 4 as his son was employed as County Court bailiff.

35.2 As a supplementary question to written question 4, Councillor Haigh asked why the bailiffs used by the Council were not adhering to current LGA guidance and asked when processes would be brought into line with best practice.

35.3 Councillor Dallimore advised that she had recently met with the bailiffs in response to concerns raised and that they had been asked to provide further details of the principles and practices followed in order that comparisons could be made with best practice.

35.4 **RESOLVED** – That the written questions submitted and corresponding responses be noted.

Time of commencement: 7.00 pm hours

Time of conclusion: 9.40 pm hours

Chair

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Meeting:	Constitutional & Electoral Working Group	Date:	13 October 2015
	Council		19 November 2015
Subject:	Polling District and Polling Places Review 2015		
Report Of:	Returning Officer		
Wards Affected:	All Wards		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Kirsty Cox, Senior Elections Officer		
	Email: kirsty.cox@gloucester.gov.uk		Tel: 396203
Appendices:	1. Notice of Review		
	2. Recommendations		
	3. Maps of recommended Polling Districts		
	4. Responses to Consultation		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To outline the recommendations for the 2015 Polling District and Polling Places Review.

2.0 Recommendations

2.1 The Constitutional and Electoral Working Group is asked to

- (1) Consider the proposals for the 2015 Polling District and Polling Places Review and, subject to any amendments, **RECOMMEND** the proposals to Council for approval.
- (2) Put forward recommendations to the Returning Officer in respect of polling stations for Polling Districts AD3, B4, E5, G5, KW4.

2.3 Council is asked to **RESOLVE** that

- (1) The proposals for the 2015 Polling District and Polling Places Review be approved.
- (2) That the Returning Officer's decisions regarding polling station arrangements be noted, subject to final decisions being made in respect of Polling Districts BT5 and W3.

3.0 Background and Key Issues

3.1 The last review of Polling Districts and Polling Places took place in 2014 to comply with Section 17 of the Electoral Registration and Administration Act 2013 which provided that all local authorities must undertake and complete a review in the period of 16 months from the 1st October 2013. No changes were made as a result of that review. The next review was due to take place within five years; however, the Local Government Boundary Commission for England (LGBCE) published its final recommendations for the Gloucester City ward boundaries on 30 June 2015 following an electoral boundary review. The recommendations increase the number of Councillors to 39, create new wards and significantly change the boundaries of some existing wards, with effect from the elections in May 2016. As a result the Council now needs to amend the polling districts in some wards and, in some cases, the polling stations.

Review Process

3.2 It is the Council's responsibility to ensure that all electors have access to a polling station which is considered to be as suitable as possible for voting purposes. The local authority must take measures to ensure that, where possible, polling stations are accessible to disabled electors. Polling stations must be located in the polling district they are serving unless there are special circumstances. It should also be in a location which is easy for electors from all areas of the district to find.

3.3 The Council is required to publish any correspondence submitted in respect of this polling station review.

3.4 The Council must adhere to the following regulations whilst conducting the Polling District and Polling Places/Station Review:

- The authority must publish notice of the holding of a review (Appendix 2)
- The authority must consult the (Acting) Returning Officer in a constituency which is wholly or partly in its area
- The (Acting) Returning Officer must make representations to the local authority which must include information as to the location of polling stations (existing or proposed) within polling places (existing or proposed)
- The local authority must publish the (Acting) Returning Officer's representations within 30 calendar days of receipt, in such manner as is prescribed
- The authority must seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the returning officer's representations
- Any elector in a constituency situated in whole or in part of the authority's area may make representations
- Representations made by any person in connection with a review of polling places may include proposals for specified alternative polling places
- On completion of a review, the authority must give reasons for its decisions in the review and publish such other information as is prescribed.

3.5 As part of the review process, local authorities must:

- Seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
- Seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled, and
- When considering or reviewing the designation of a polling place, have regard for the accessibility needs of disabled persons.

3.6 Any changes made to the location of a polling station must adhere to the following rules:

- (a) the authority must seek to ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances;
- (b) the authority must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled;
- (c) the authority must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place.
- (d) the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate any area wholly or partly outside the district;
- (e) the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.

3.7 The timetable for the review is as follows:

Publication of Notice of the Review and Information Sheet	4 September 2015
Consultation period	4 September 2015 – 2 October 2015
Publication of the Returning Officers representations	within 30 days of receipt
Report to Constitutional and Electoral Working Group	13 October 2015
Submit to Council	19 November 2015
Implementation of report recommendations	from Register of Electors published on 1 December 2015, to take effect for the PCC, City Council and Parish elections expected to take place on 5 May 2016

3.8 List of Consultees:

The Returning Officer, Gloucester City Council
The (Acting) Returning Officer, Gloucester City Council (Gloucester Constituency)
The (Acting) Returning Officer, Tewkesbury Borough Council (Tewkesbury Constituency)
Gloucester City Councillors
Richard Graham MP (Gloucester Constituency)

Laurence Robertson MP (Tewkesbury Constituency)
Labour Party
Liberal Democrats
Conservative Party
Green Party
UKIP
TUSC
Disability and Mobility Groups via Gloshub Bulletin
All Polling Stations used in 2015

Proposals

- 3.8 Natural boundaries have been taken into consideration when looking at new polling districts. The Electoral Commission's (EC) maximum recommended number of electors per polling station has also been taken into account.
- 3.9 Some recommended polling districts are slightly larger than some of the existing districts. These are still within the maximum number set by the EC and cater for the fact that there will be an increase in the number of Presiding Officers required from 68 to 72. The Elections team has difficulty recruiting enough experienced and reliable Presiding Officers and the more polling districts the more difficult this will be.
- 3.10 Some polling districts are significantly smaller than others. This is where the county divisions are not coterminous with the city wards and as such small districts must be created to keep the divisions separate on the register.
- 3.11 It is recommended that we rename the Polling districts to reflect the Ward names to make the register easier to use.

4.0 ABCD Considerations

- 4.1 Not applicable. Polling District and Polling Place Reviews are governed by legislation.

5.0 Alternative Options Considered

- 5.1 There are no alternative options to holding a review; the review is required because of the changes to the boundaries.
- 5.2 The Constitutional and Electoral Working Group (CEWG) considered the proposals on 13 October 2015 and where there was more than one reasonable option in respect of polling stations, the Group discussed and agreed on a recommendation. The Group make a number of other amendments to the recommendations, which are reflected in the proposals contained in Appendix 2.
- 5.3 The CEWG agreed that to prevent confusion, wherever possible, electors should expect to vote in the same location at every type of election, irrespective of whether this resulted in polling stations being situated outside of the voting area for a particular election (this is relevant only for County Council elections).
- 5.4 The Group instructed officers to explore alternative options for the location of a number of polling stations and the outcomes are as follows:

- **Barnwood:** St Lawrence Church Centre – visit confirmed venue is suitable for accommodating two polling districts, including enough space to sufficiently separate them at County elections when the polling districts will be in different County divisions.
- **Barton and Tredworth:** a consultation response was received from Tredworth Junior School (Appendix 4) requesting that the school no longer be used as a polling station. Alternative options have been explored in previous years and ward Councillors have been consulted, however, options are limited and an alternative venue had not yet been identified. Members requested that officers visit the Trust Centre on Conduit Street to assess its suitability. The visit confirmed that the only room large enough to accommodate a polling station was on the 1st floor. There is disabled access to the building and a lift that goes directly into the room, but a decision will need to be made as to whether a 1st floor polling station is preferable to closing the school. Members of the CEWG and the relevant ward Councillors have been consulted and the Returning Officer will make the final decision.
- **Elmbridge, Kingsholm and Wotton:** St Peter’s Nursery – visit confirmed that venue is large enough to accommodate two small polling stations. Therefore there is no need to find an alternative venue for either polling district.
- **Grange:** Members preferred Murray Hall to Tuffley Community Association for the part of Grange that is also part of Quedgeley Parish – visit confirmed venue to be large enough to accommodate two polling stations.
- **Westgate:** W3 – Members requested that an alternative, more convenient, polling station be identified for this polling district. Visits to the Extra Care Village and Chinese Resource Centre conducted. Both venues have suitable rooms, however the Chinese Resource Centre is only accessible from behind a secured gate that could not be kept open, therefore the venue is not suitable. Use of the Extra Care Village is due to be discussed at a residents' meeting and the Returning Officer will make a final decision based on the outcome.

6.0 Reasons for Recommendations

- 6.1 Changes to polling districts and stations are required as a result of the changes to the ward boundaries and the proposed changes are considered to create the optimum arrangements and reflect the considerations required by the relevant legislation.

7.0 Future Work and Conclusions

- 7.1 The final decision on polling districts and polling places is made by the Council and the final decision on the situation of polling stations rests with the Returning Officer. Polling stations can be moved at any time through a decision of the Returning Officer and feedback and suggestions from Members in relation to polling stations is always welcomed. Decisions on polling stations for polling districts BT5 and W3 will be made by the Returning Officer in due course, as detailed in paragraph 5.4.
- 7.2 Once the Council has agreed the proposals, details of the new polling districts and polling places must be made available to the public. These should be made available at the local authority offices, in at least one conspicuous place in the constituency, and on the council’s website. The reasons for choosing a particular polling district and polling place must be given.

7.3 Along with the reasons for the final decision of the review, the following must also be published:

- All correspondence sent to the (Acting) Returning Officer in connection with the review
- All correspondence sent to any person whom the authority contacted because they had particular expertise in relation to access to premises or facilities for disabled people
- All representations made by any person in connection with the review
- The minutes of any meeting held by the authority to consider any revision to the designation of any polling districts or polling places within its area as a result of the review
- Details of the designation of polling districts or polling places within its area as a result of the review
- Details of the places where the results of the review have been published

7.4 The approved changes to polling districts will be implemented for the new Register of Electors published on 1 December 2015 and formally take effect from the elections in May 2016. The next review must take place by 1 December 2020.

8.0 Financial Implications

8.1 There may be a slight increase or decrease in polling station costs if new venues are used.

8.2 There will be an increase in polling districts, which will result in more staff being appointed at an election; this will lead to increased costs which will be met from existing budgets.

(Financial Services have been consulted in the preparation of this report)

9.0 Legal Implications

9.1 The legal implications are detailed in the body of the report.

(One Legal have been consulted in the preparation of this report)

10.0 Risk & Opportunity Management Implications

10.1 There are no risk management implications scoring 8 or above resulting from this report.

11.0 People Impact Assessment (PIA):

11.1 As part of the review process, local authorities must have regard to accessibility issues and must take measures to ensure that, where possible, polling stations are accessible to disabled electors.

11.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

12.0 Other Corporate Implications

Community Safety

12.1 There are no community safety implications resulting from this report.

Sustainability

12.2 There are no sustainability implications resulting from this report.

Staffing & Trade Union

12.3 There are no issues relating to trade unions arising from this report.

Press release drafted/approved

12.4 The public awareness strategy for the review is as follows:

Press release including details of consultation period and where to find information. Article to be printed in Gloshub Bulletin to consult Gloucestershire disability/mobility organisations	4 September 2015
Website updated – new page with full details and links to all reports and notices. Link on main home page. Update the Gloucester City Council Facebook and Twitter pages with link to website. All Member briefing note.	4 September 2015
Send letters to the consultees listed below	4 September 2015
Update website with submissions from consultees and Returning Officer	9 October 2015
Press release upon publication of final report	November 2015

Background Documents: None

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GLOUCESTER CITY COUNCIL

ELECTORAL ADMINISTRATION ACT 2006

The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006

I hereby give notice that Gloucester City Council will conduct a review of Parliamentary polling districts and places located within its boundary, commencing from the date of this notice, with regard to the above regulations.

Any person or organisation wishing to make a representation in respect of the arrangement of polling districts and polling places within the boundary of Gloucester City Council; must write to: Polling District Review, Electoral Services Office, Gloucester City Council, Herbert Warehouse, The Docks, Gloucester, GL1 2EQ or elections@gloucester.gov.uk by 2 October 2015.

The Council would welcome any person or body with expertise in access for persons with any type of disability to comment on the Acting Returning Officer's representations or on any other matter. Any comments should, if possible, give alternative places that may be used as polling stations

This review will require submissions to be made by the Acting Returning Officer for the Gloucester City Constituency and the part of the Tewkesbury Constituency within the Gloucester City Council authority area. These submissions will be published and available for inspection at Herbert Warehouse, The Docks, Gloucester, GL1 2EQ and at www.gloucester.gov.uk by 2 October 2015.

The closing date for comments on any proposals set out in the Acting Returning Officer's submission is 9 October 2015. The Council will then consider the Acting Returning Officer's recommendations together with any other representations made.

All submissions, correspondence, minutes and decisions relating to the review will be made public on the Council's website as the review progresses. It is intended that the Council will publish its final proposals after the Council meeting on 19 November 2015.

Jon McGinty
Electoral Registration Officer/Returning Officer
4 September 2015

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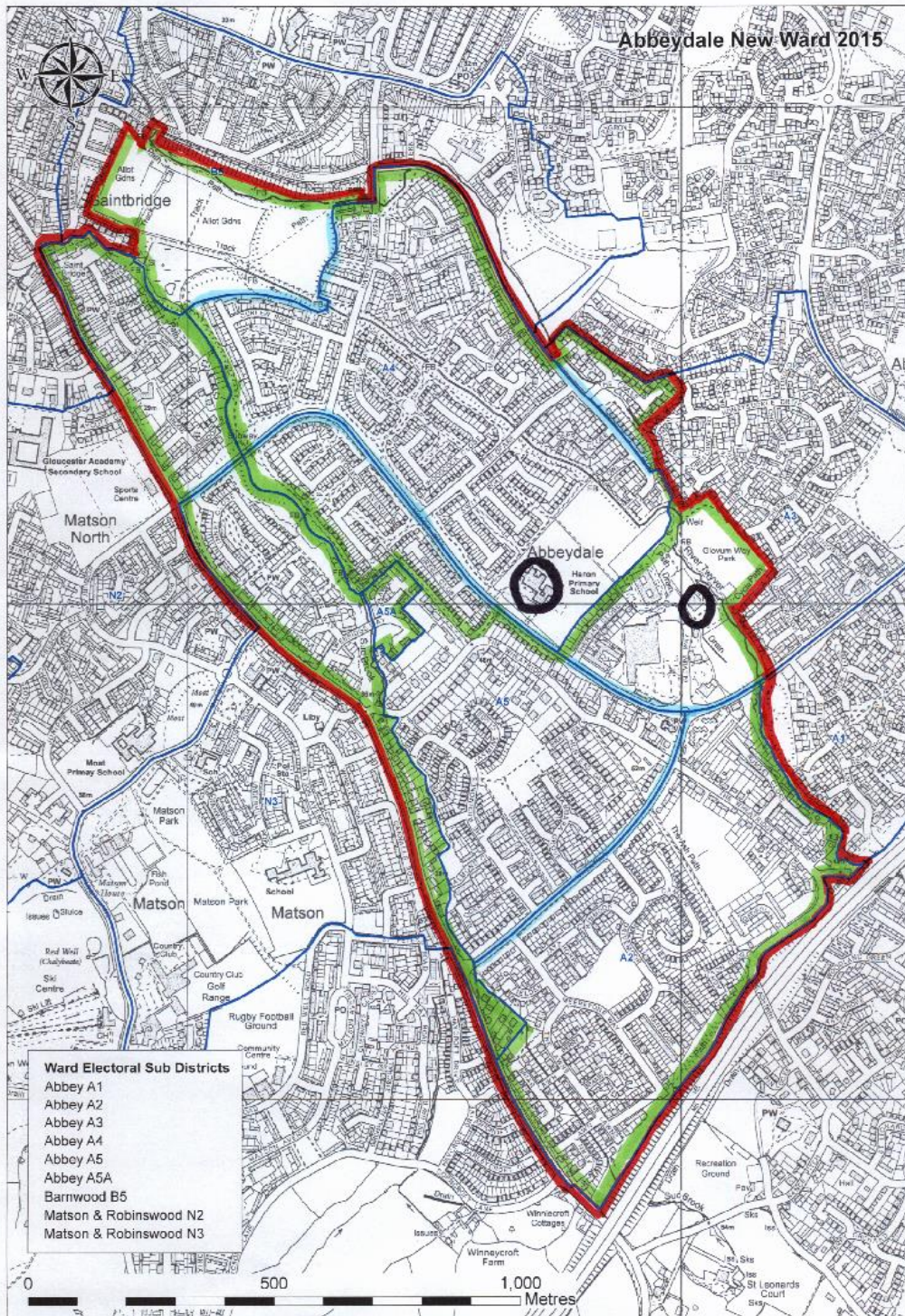
Recommendations.

	<u>Polling districts (PD) incorporated into new Ward (Old PD references and previous ward name if changed)</u>	<u>Existing Polling station (PS)</u>	<u>Recommendations for new Polling Districts (Electorate) – see attached maps for new PD recommendations</u>	<u>New Polling station</u>
Abbeydale (New Ward)	A2 (Abbey) A4 (Abbey) A5 (Abbey) A5A (Abbey) 2 streets from A3 (Abbey) Part of N2 (Matson) Part of N3 (Matson)	Abbeydale Sports and Community Centre Heron Primary School Heron Primary School Heron Primary School Abbeydale Sports and Community Centre The Phoenix Centre The Phoenix Centre	AD1 (2312) AD2 (2173) AD3 (918) – This is a smaller PD as it is in a different County Division	Abbeydale Sports and Community Centre Heron Primary School Heron Primary School
Abbeymead (New Ward)	A1 (Abbey) Majority of A3 (Abbey) F5 (Hucclecote) F6 (Hucclecote)	Abbeydale Sports and Community Centre Abbeydale Sports and Community Centre Abbeymead Primary School Abbeymead Primary School	AM1 (2397) AM2 (2479)	Abbeymead Primary School Abbeymead Primary School
Barnwood (No change to Ward name)	B1 B2 B3 B5A B5B	Wotton Hall Club St Lawrence Church Centre The Trefoil Centre St Oswalds Church Hall St Oswalds Church Hall	B1 (1438) B2 (1676) B3 (1380) B4 (668) – This is a smaller PD as it is in a different County Division	Wotton Hall Club St Lawrence Church Centre The Trefoil Centre St Lawrence Church Centre
Barton and Tredworth (No change to Ward name)	C1 C2 C3 C4 C5	Colwell Arts Centre St James Church of England Junior School Colwell Arts Centre Hatherley Infant School Tredworth Junior School	BT1 (875) BT2 (1509) BT3 (1527) BT4 (2125) BT5 (1584)	No Changes No Change No Change No Change Alternative 1 st floor room found – decision to be made on which venue is preferred.

	<u>Polling districts (PD) incorporated into new Ward (Old PD references and previous ward name if changed)</u>	<u>Existing Polling station (PS)</u>	<u>Recommendations for new Polling Districts (Electorate) – see attached maps for new PD recommendations</u>	<u>New Polling station</u>
Coney Hill (New Ward)	B4 (Barnwood) B5 (Barnwood)	St Oswalds Church Hall St Oswalds Church Hall	CH1 (1726) CH2 (982)	No Changes
Elmbridge (No change to Ward name)	D1 D2 D3 D4 Part of G4 (Kingsholm and Wotton)	Old Richians R.F.C. Sports & Social Club Old Richians R.F.C. Sports & Social Club Methodist Church Hall, Lonsdale Road Methodist Church Hall, Lonsdale Road St Peters under 5s, St Peters Primary School, Horton Road	E1 (870) E2 (1224) E3 (1187) E4 (1281) E5 (448)	No Change No Change No Change No Change No Change
Grange (No change to Ward name)	E1 E2 E3 E4 M1A	Tuffley Community Association Gloucester District Scout H.Q., Murray Hall St Georges Church Centre Tuffley Community Association Meadowside School, Elmore Lane East	G1 (1454) G2 (1030) G3 (943) G4 (1221) G5 (724) Must be kept separate as it is part of Quedgeley Parish.	No Change No Change No Change No Change Gloucester District Scout H.Q., Murray Hall
Hucclecote (No change to Ward name)	F1 F2 F3 F4	Hillview Primary School, Hillview Road Hillview Primary School, Hillview Road Hucclecote Community Centre Hucclecote Community Centre	H1 (1457) H2 (1514) H3 (1338) H4 (878)	No Changes
Kingsholm and Wotton (No change to Ward name)	G1 G2 G3 Part of G4	Abbey Business Lounge, Gloucester Rugby Club Abbey Business Lounge, Gloucester Rugby Club Abbey Business Lounge, Gloucester Rugby Club St Peters under 5s, St Peters Primary School, Horton Road	KW1 (1312) KW2 (1893) KW3 (1061) KW4 (813)	No Change No Change No Change No Change

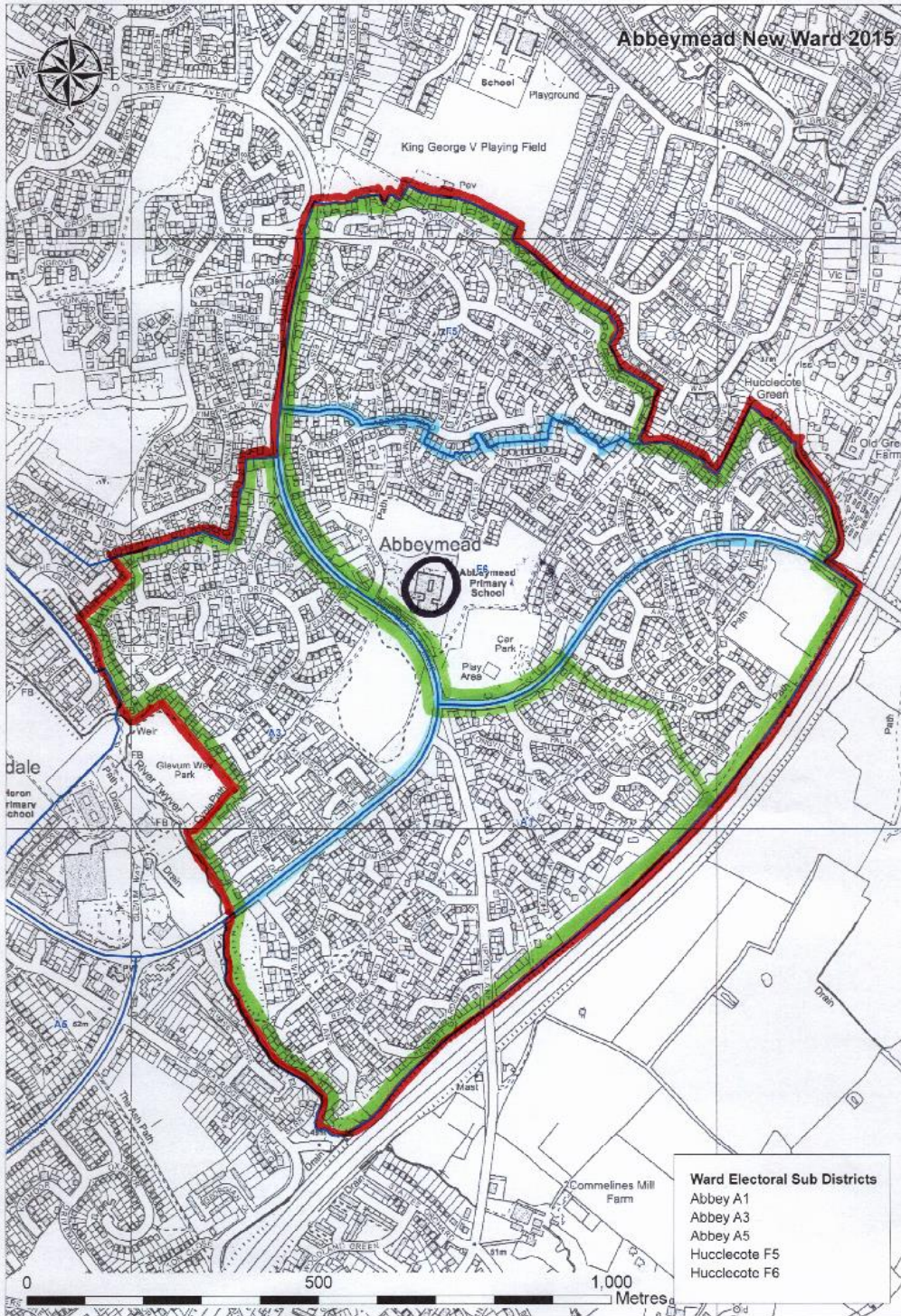
	<u>Polling districts (PD) incorporated into new Ward (Old PD references and previous ward name if changed)</u>	<u>Existing Polling station (PS)</u>	<u>Recommendations for new Polling Districts (Electorate) – see attached maps for new PD recommendations</u>	<u>New Polling station</u>
Kingsway (New Ward)	Most of L2 (Quedgeley Fieldcourt)	Kingsway Community Centre	K1 (2057) K2 (1999)	No Change
Longlevens (No change to Ward name)	H1 H2 H3 H4 H5 H6	Longlevens Rugby Football Club Holy Trinity Church Hall, Church Road Holy Trinity Church Hall, Church Road Holy Trinity Church Hall, Church Road Longlevens Rugby Football Club The Gala Club	L1 (1657) L2 (1225) L3 (1325) L4 (1306) L5 (1414) L6 (682)	No Changes
Matson and Robinswood (No change to Ward name)	N1 Most of N2 Most of N3 N4 N5	St Aldates Church, Reservoir Road The Phoenix Centre, Matson Lane The Phoenix Centre, Matson Lane Red Well Centre, Red Well Road St Aldates Church, Reservoir Road	MR1 (1765) MR2 (1118) MR3 (952) MR4 (1729) MR5 (1505)	No Changes
Moreland (No change to Ward name)	J1 J1A J2 J2A J3 J3A	St Pauls Primary School, New Street St Pauls Primary School, New Street Linden Primary School, Linden Road Linden Primary School, Linden Road Linden Primary School, Linden Road Linden Primary School, Linden Road	M1 (605) M2 (805) M3 (1064) M4 (713) M5 (1200) M6 (1427)	St Pauls Primary School, New Street St Pauls Primary School, New Street Linden Primary School, Linden Road Linden Primary School, Linden Road Linden Primary School, Linden Road Linden Primary School, Linden Road

	<u>Polling districts (PD) incorporated into new Ward (Old PD references and previous ward name if changed)</u>	<u>Existing Polling station (PS)</u>	<u>Recommendations for new Polling Districts (Electorate) – see attached maps for new PD recommendations</u>	<u>New Polling station</u>
	J3B J4 J5 J5A J6	Linden Primary School, Linden Road Parry Hall, Parry Road Linden Primary School, Linden Road Linden Primary School, Linden Road Linden Primary School, Linden Road	M7 (1280)	Parry Hall, Parry Road
Podsmead (No change to Ward name)	K1 K2	Podsmead Community Association (Ramblers Centre) Podsmead Community Association (Ramblers Centre)	P1 (989) P2 (1307)	No Changes
Podsmead Quedgeley Fieldcourt (No change to Ward name)	L1 Part of L2 L2A L3 L3A	Quedgeley Community Centre, School Lane Kingsway Community Centre Quedgeley Village Hall, Bristol Road Quedgeley Community Centre, School Lane Quedgeley Community Centre, School Lane	QFC1 (1576) QFC2 (1100) QFC3 (269) QFC4 (1556)	Quedgeley Community Centre, School Lane Quedgeley Community Centre, School Lane Quedgeley Community Centre, School Lane Quedgeley Community Centre, School Lane
Quedgeley Severn Vale (No change to Ward name)	M1 M2 M3 M4	Meadowside School, Elmore Lane East Meadowside School, Elmore Lane East Quedgeley Community Centre, School Lane Quedgeley Community Centre, School Lane	QSV1 (1350) QSV2 (1132) QSV3 (990) QSV4 (1336)	Meadowside School, Elmore Lane East Meadowside School, Elmore Lane East Quedgeley Village Hall, Bristol Road Quedgeley Village Hall, Bristol Road
Tuffley (No change to Ward name)	P1 P2 P3 P4	St Barnabas Parish Hall, Stroud Road St Barnabas Parish Hall, Stroud Road Court Community Association, Robert Raikes Avenue Court Community Association, Robert Raikes Avenue	T1 (1172) T2 (1243) T3 (1158) T4 (1073)	No Changes
Westgate (No change to Ward name)	Q1 Q2 Q2A Q3	Hempsted Village Hall St Mary De Lode Church Hall, Archdeacon Street St Mary De Lode Church Hall, Archdeacon Street Christ Church Hall, Montpellier	W1 (1826) W2 (1596) W3 (743) W4 (1439)	No Changes No Change Awaiting information from alternatives No Change



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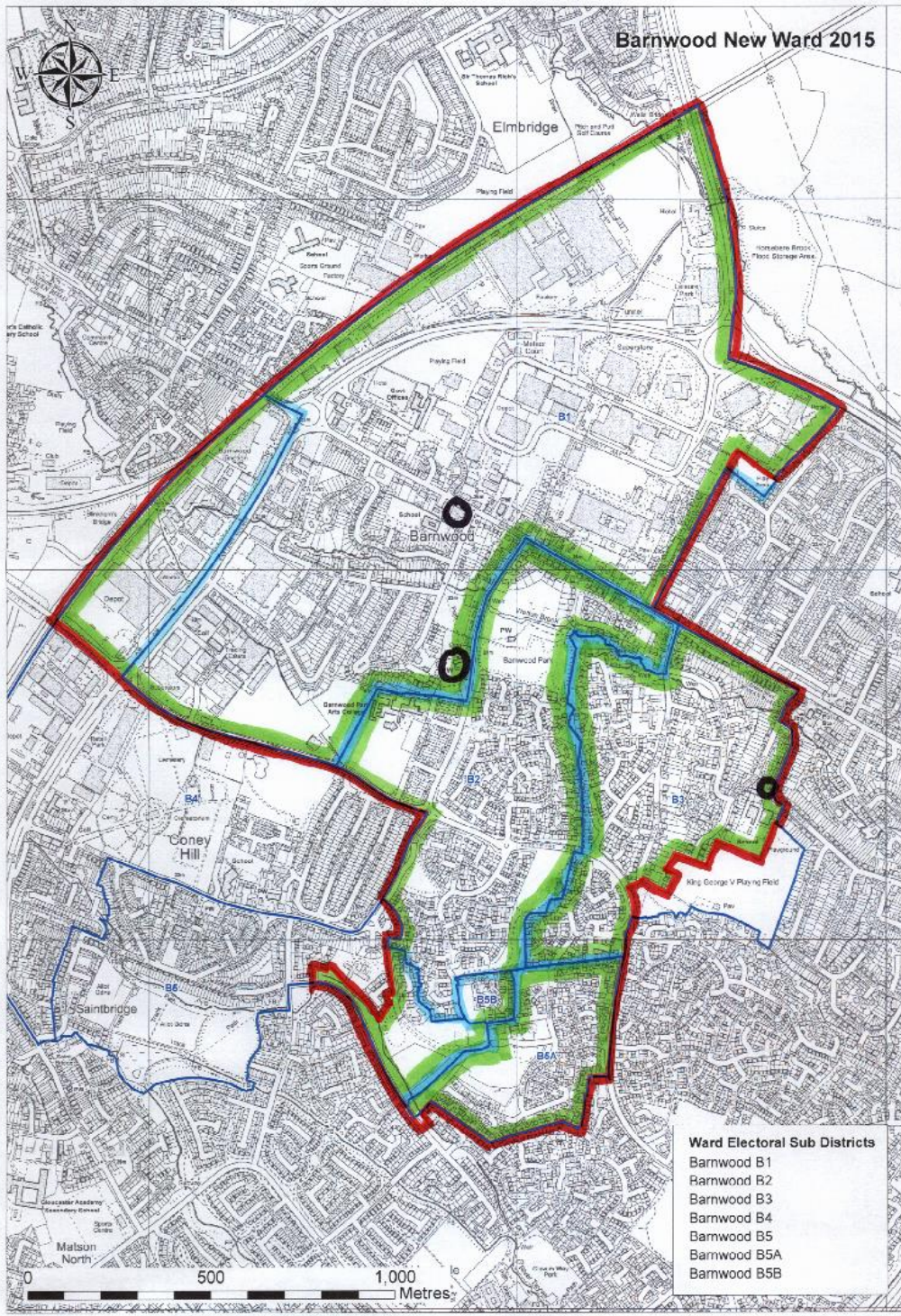
Abbeymead New Ward 2015



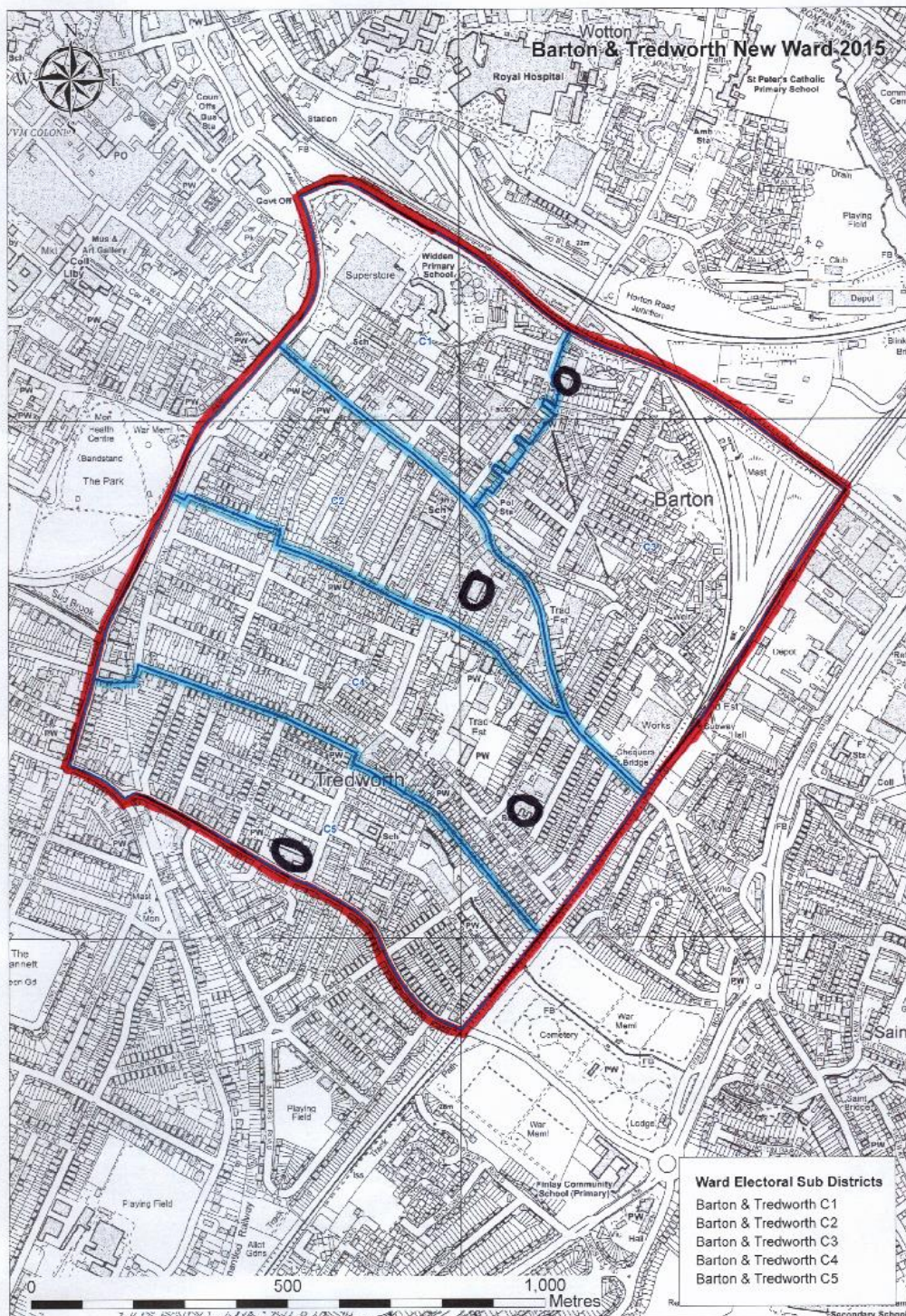
- Ward Electoral Sub Districts**
- Abbey A1
 - Abbey A3
 - Abbey A5
 - Hucclecote F5
 - Hucclecote F6

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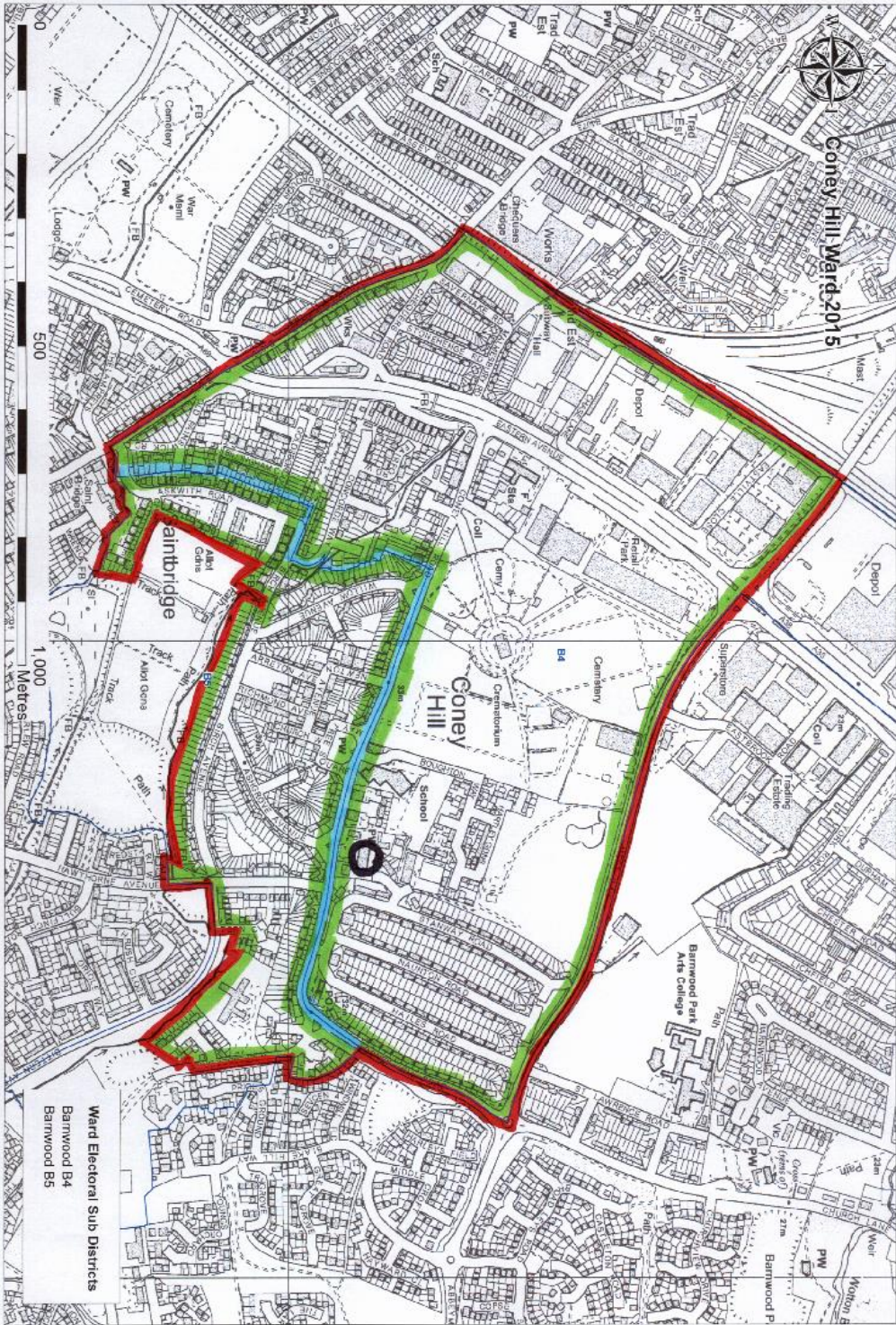


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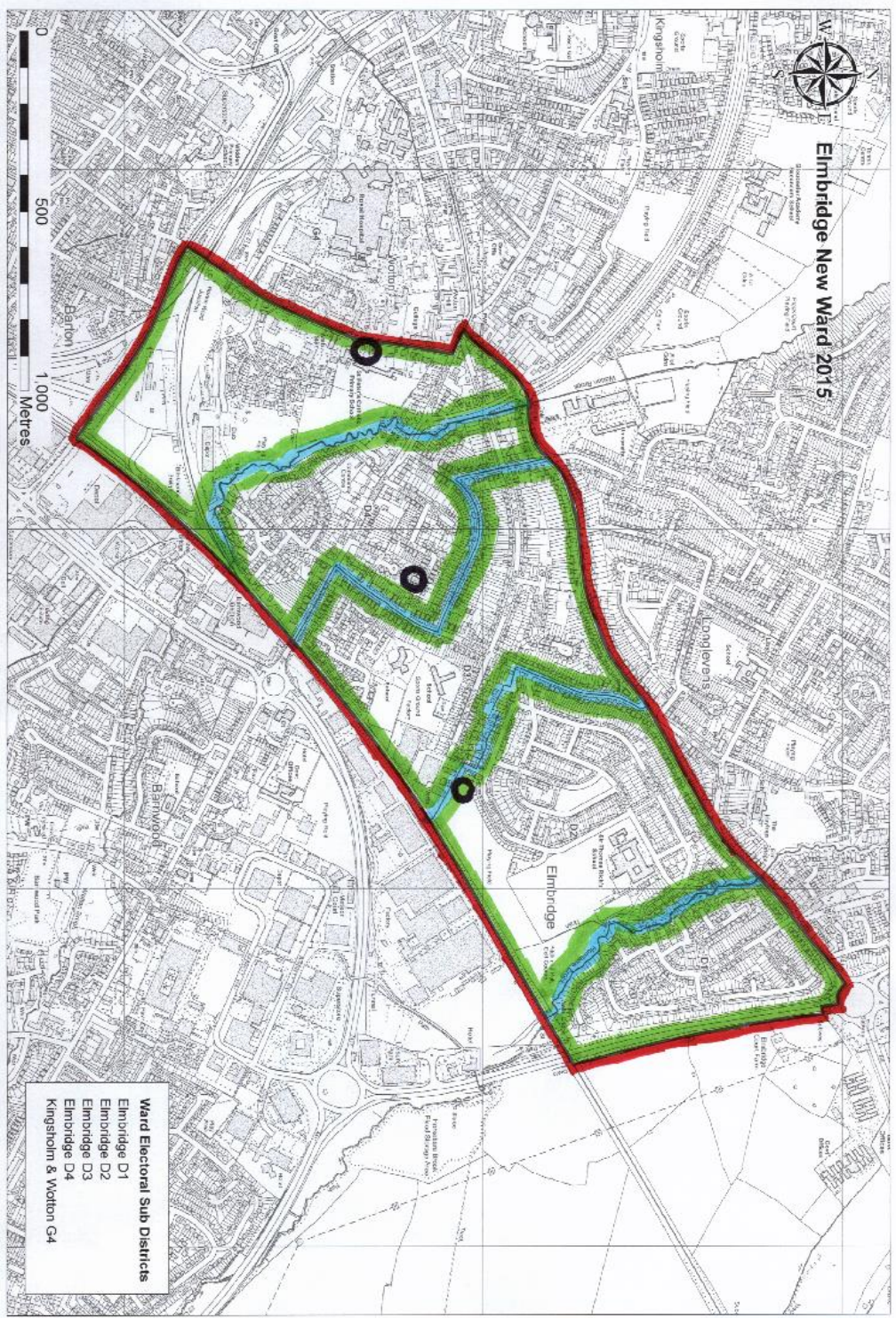


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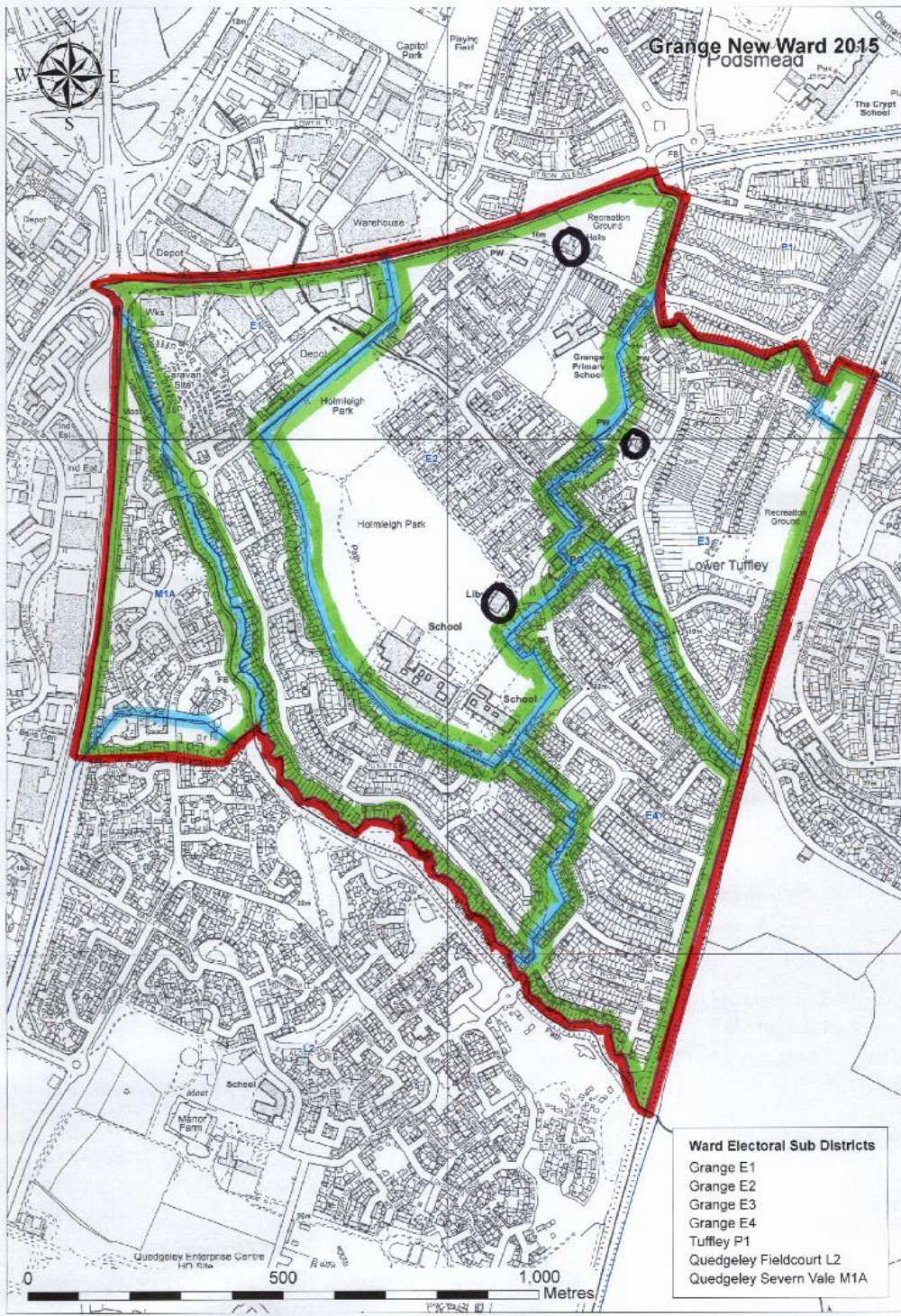


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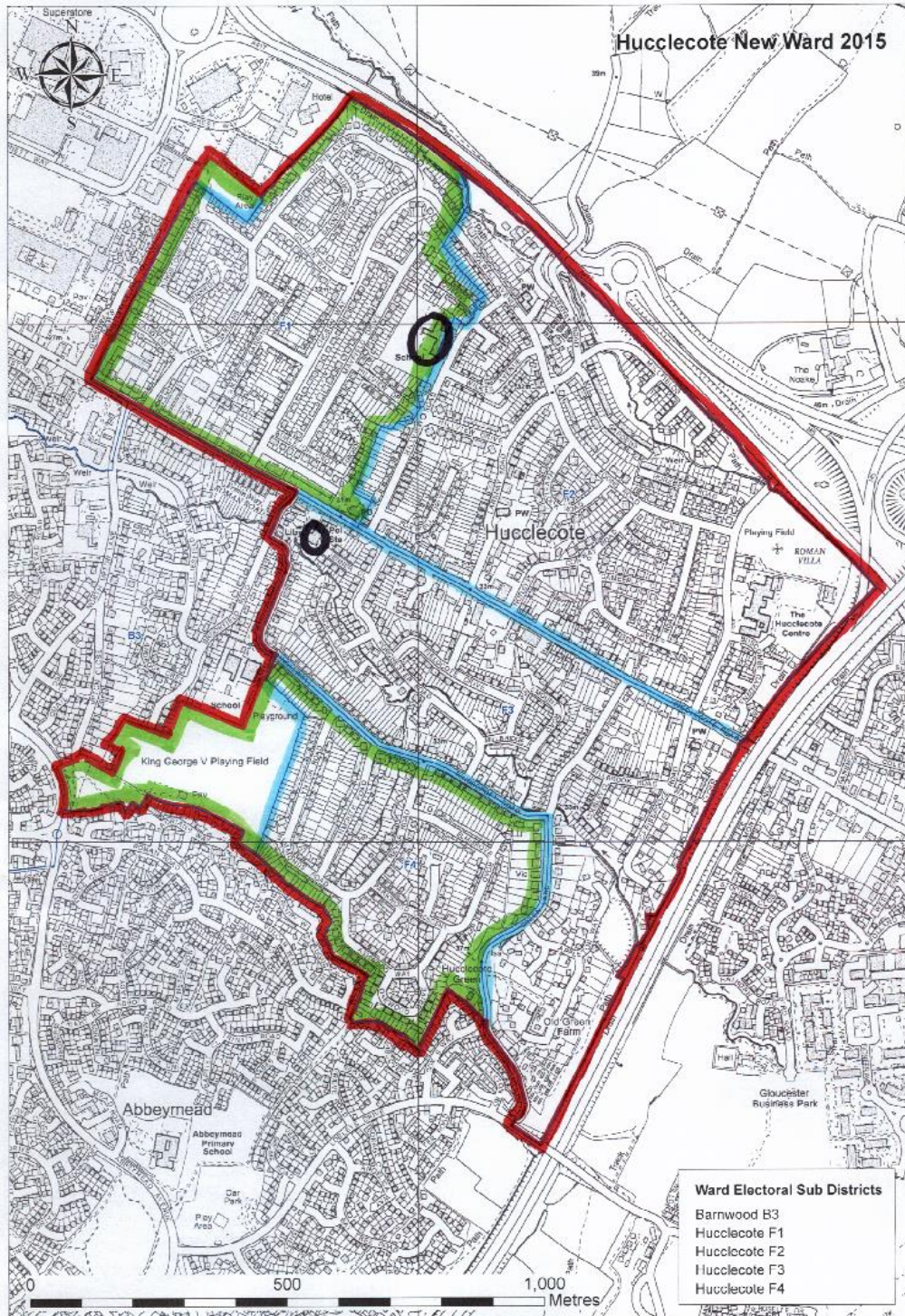


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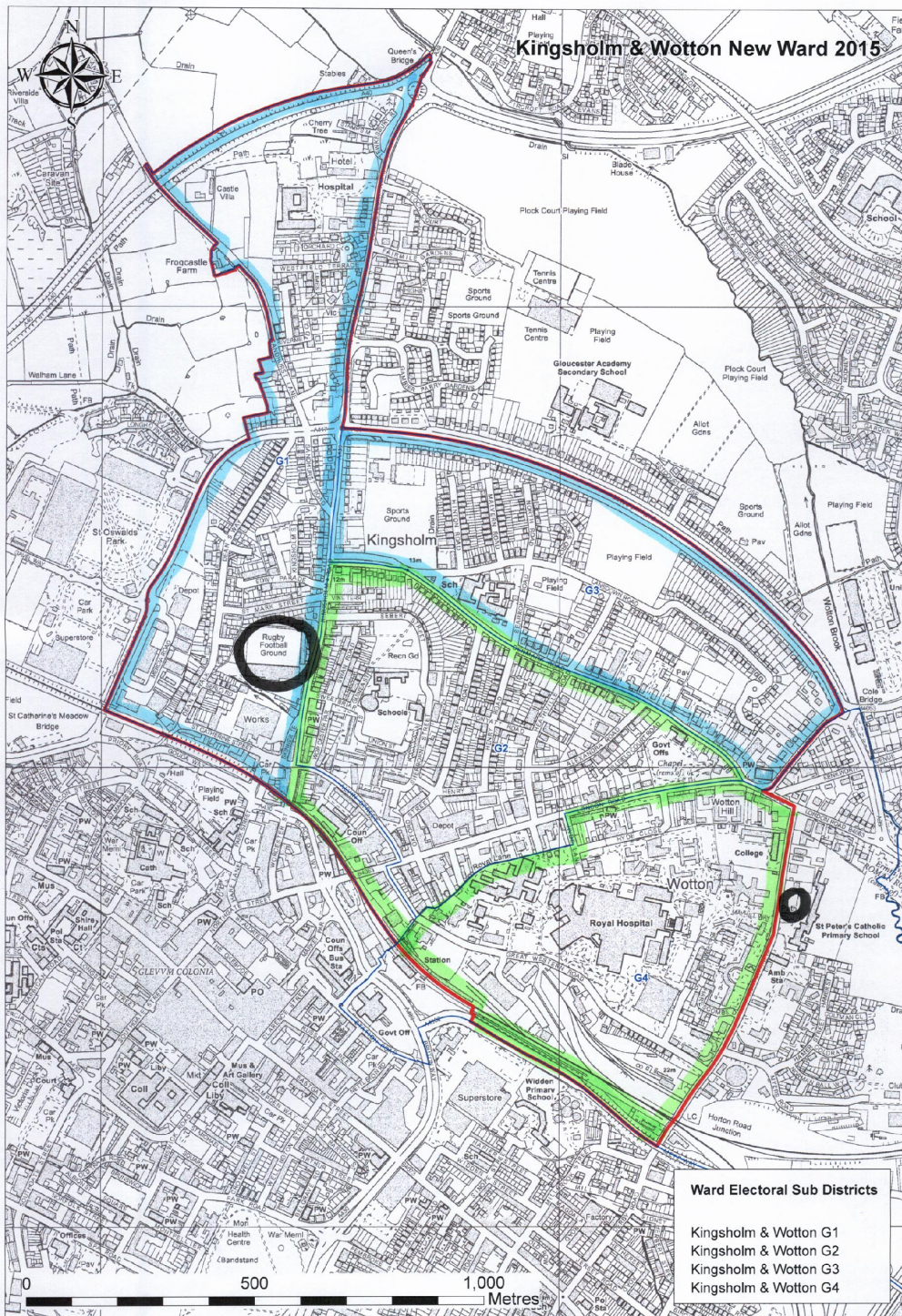
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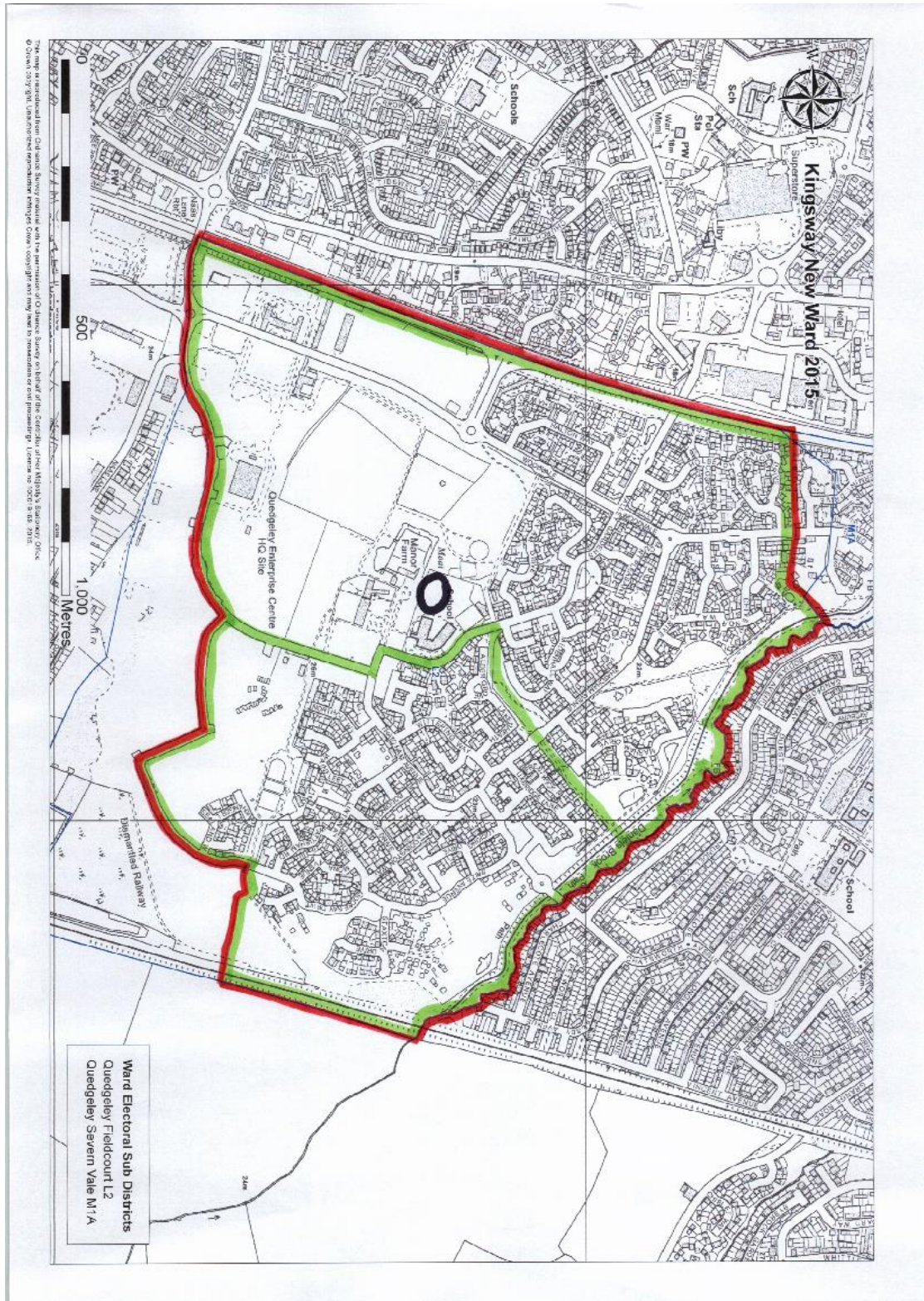
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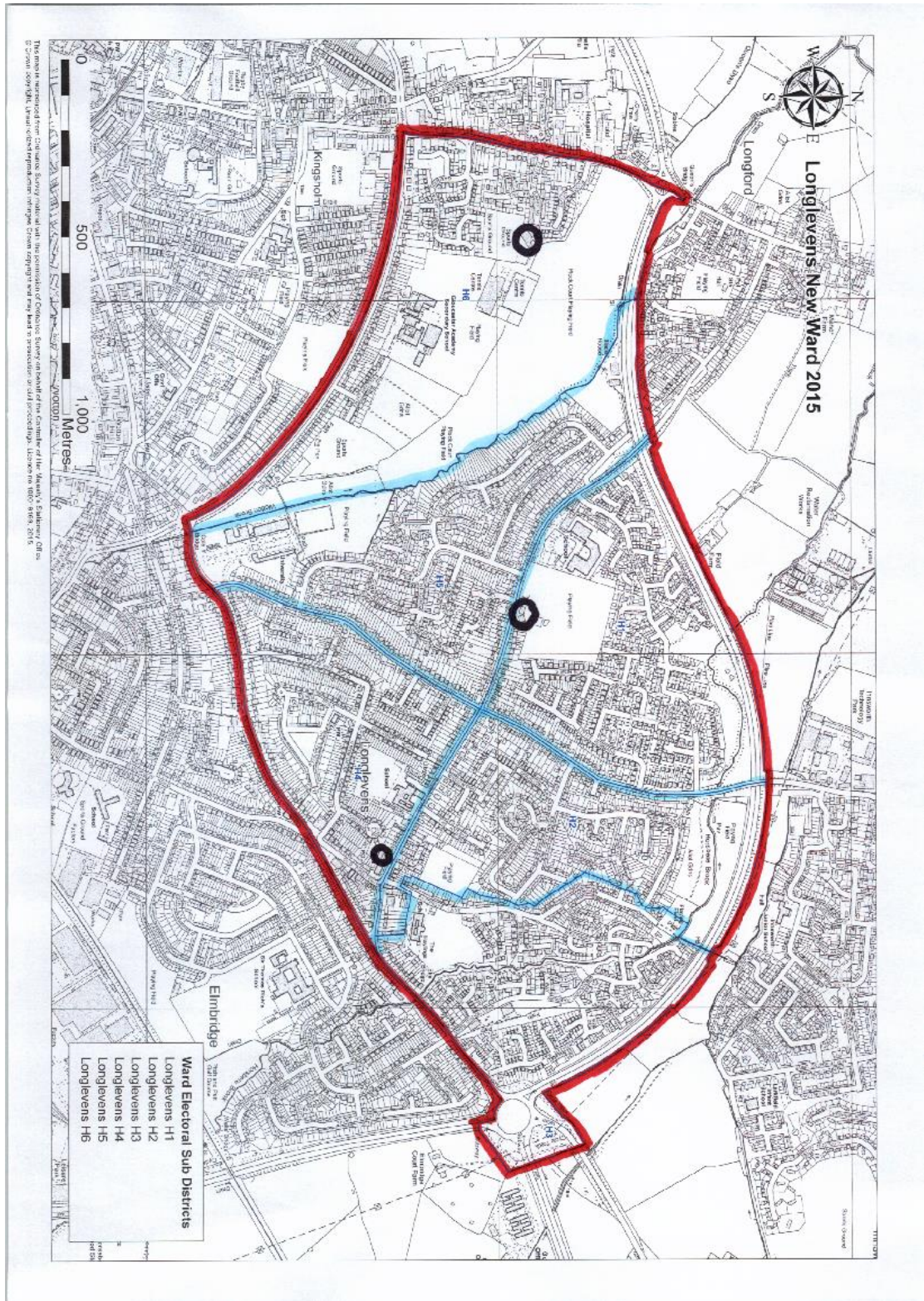
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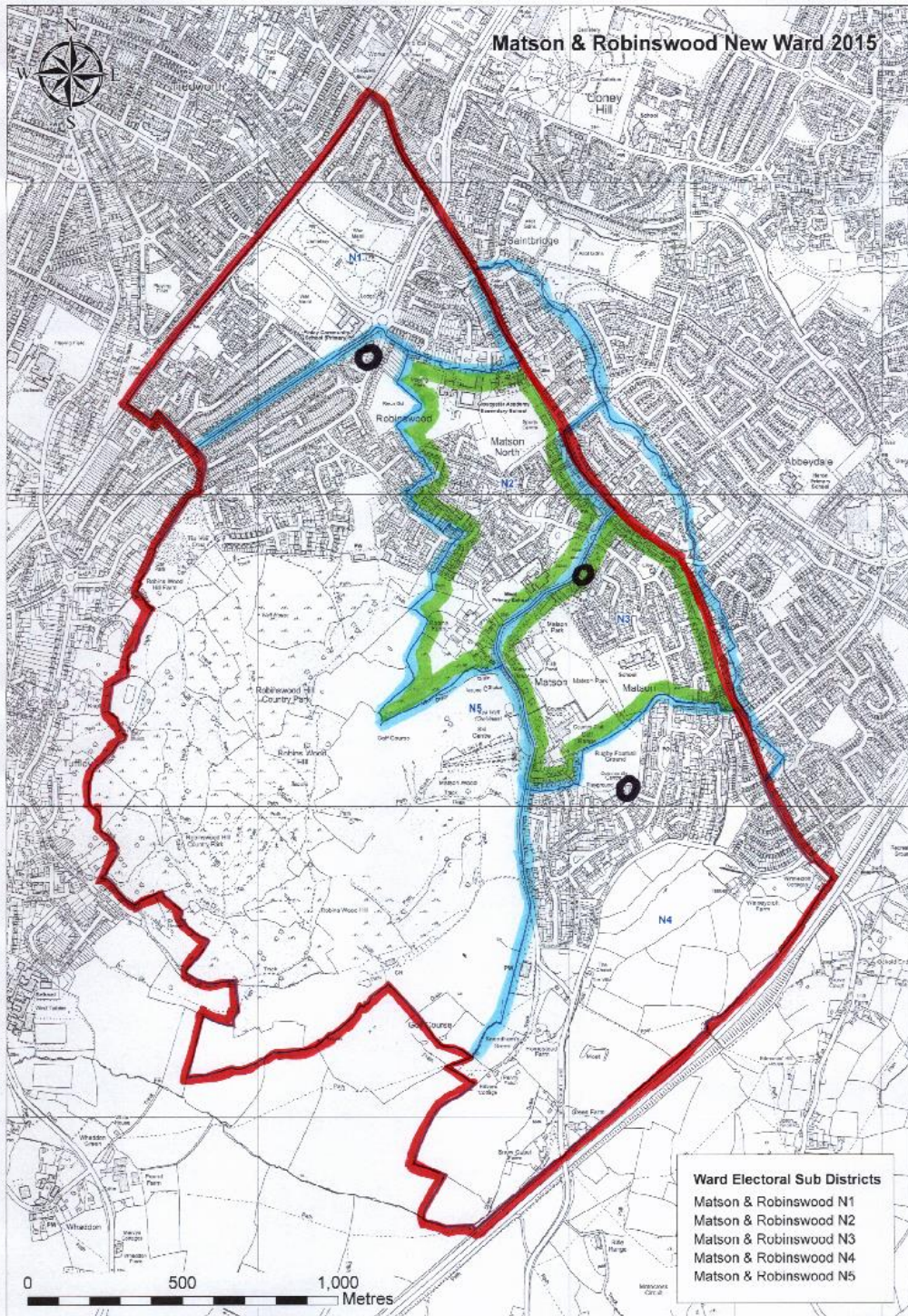
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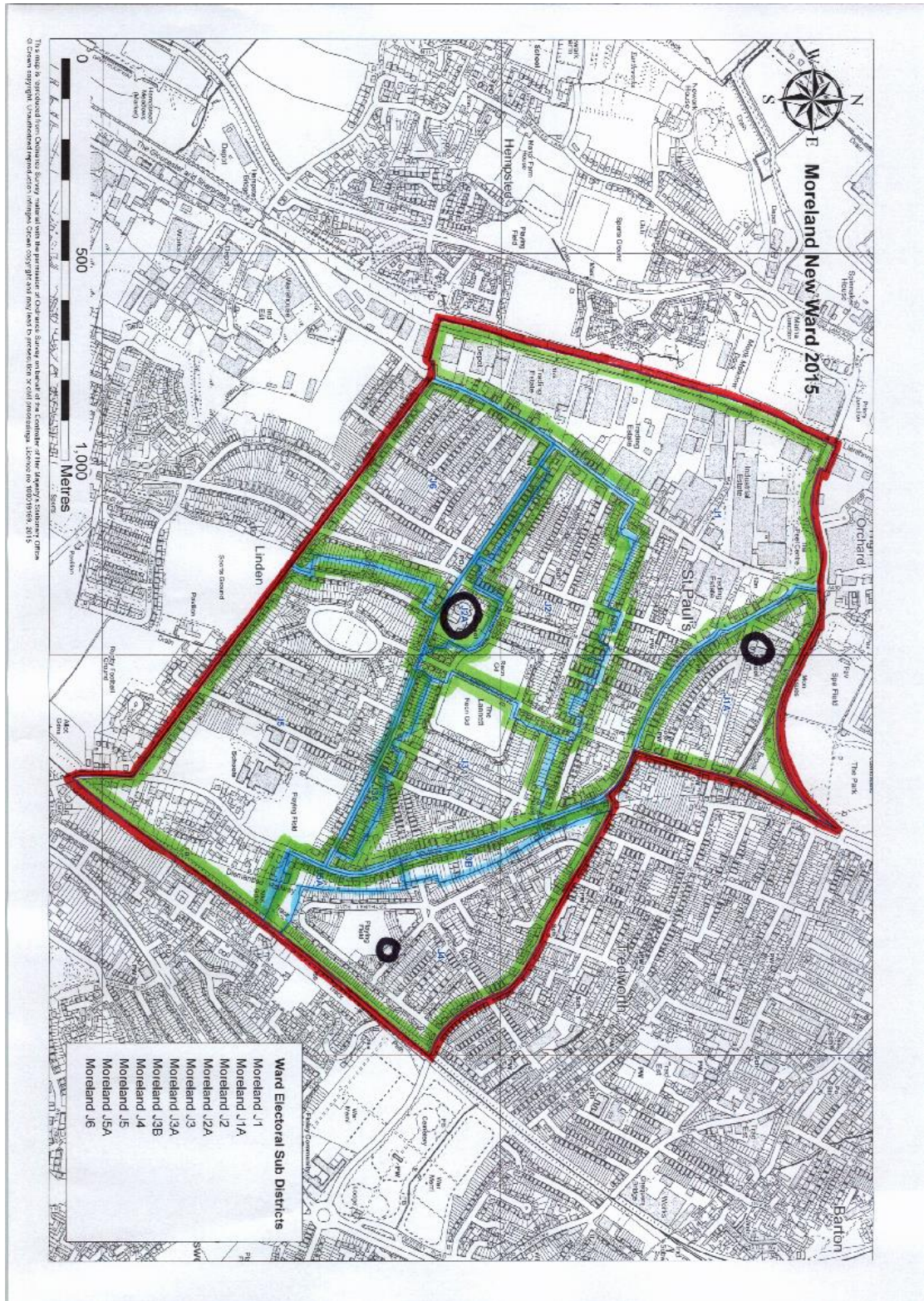
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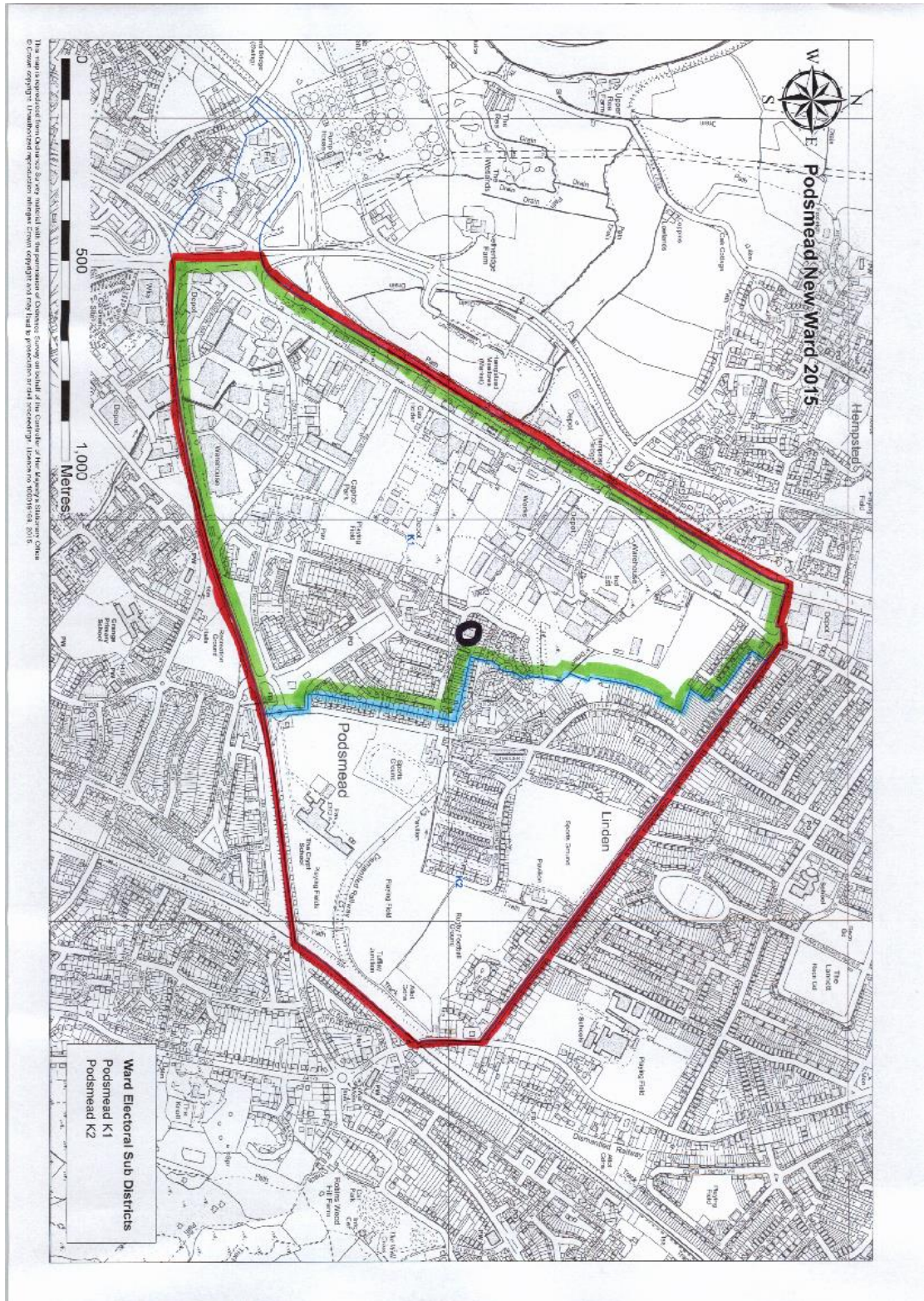
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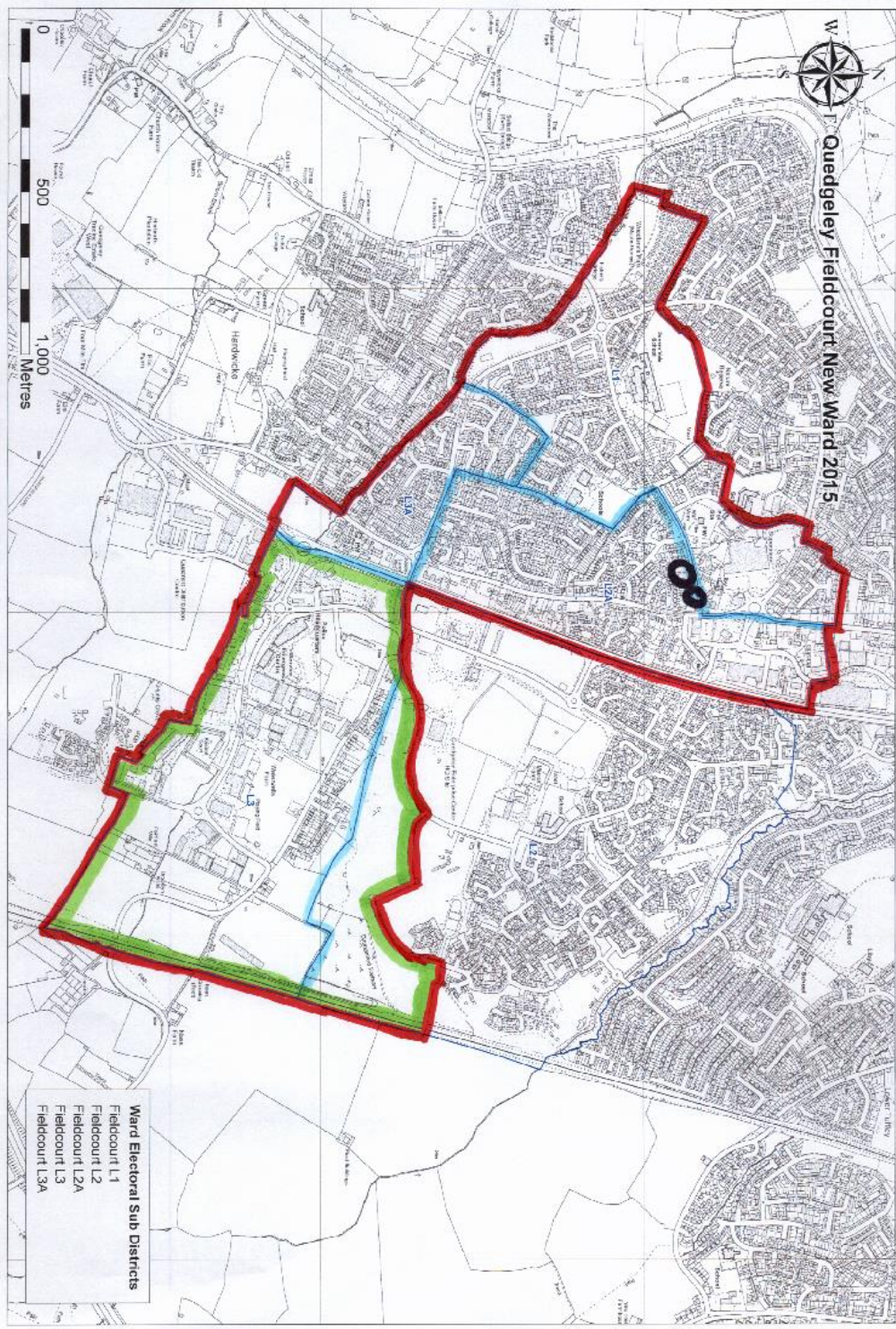
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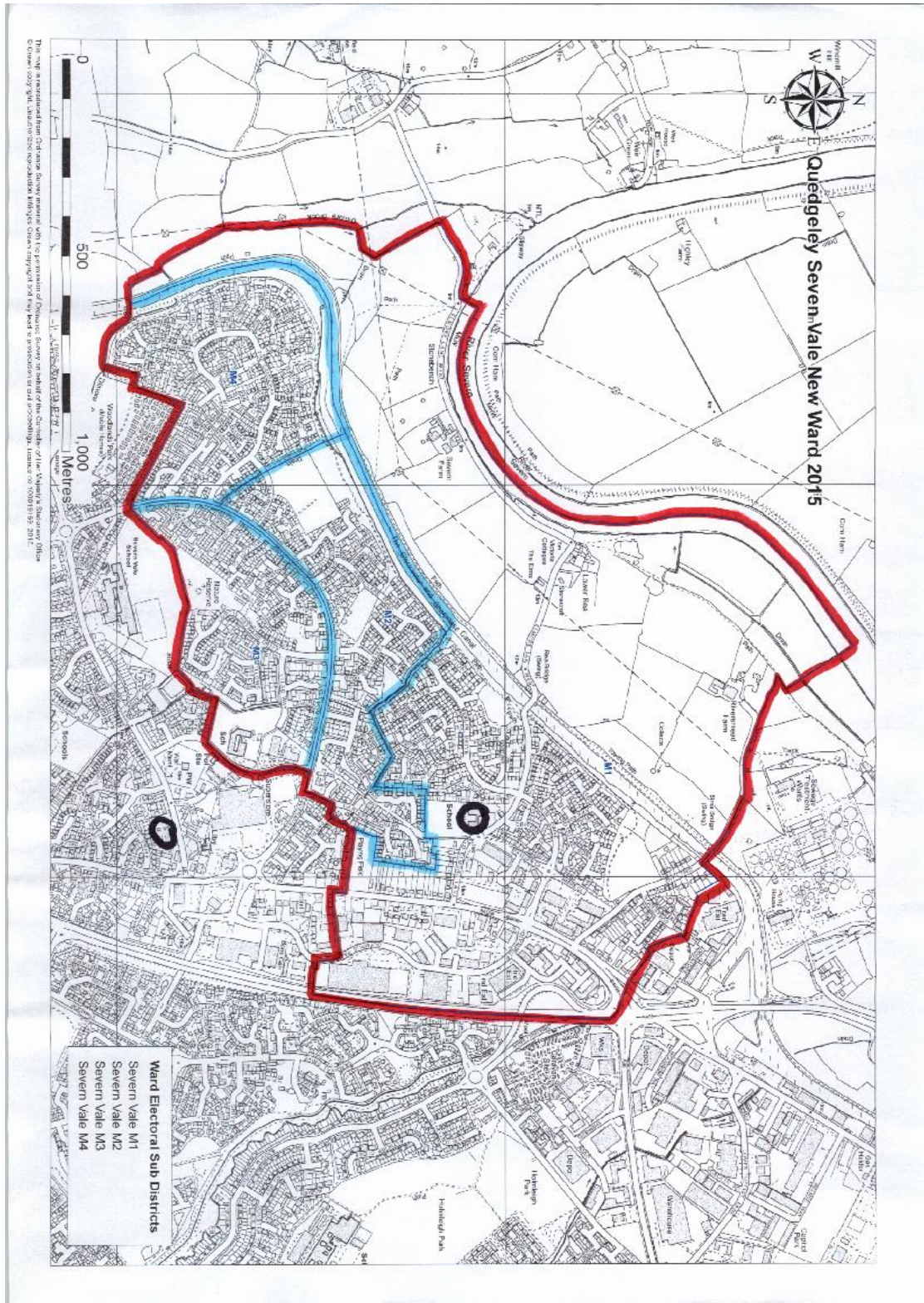


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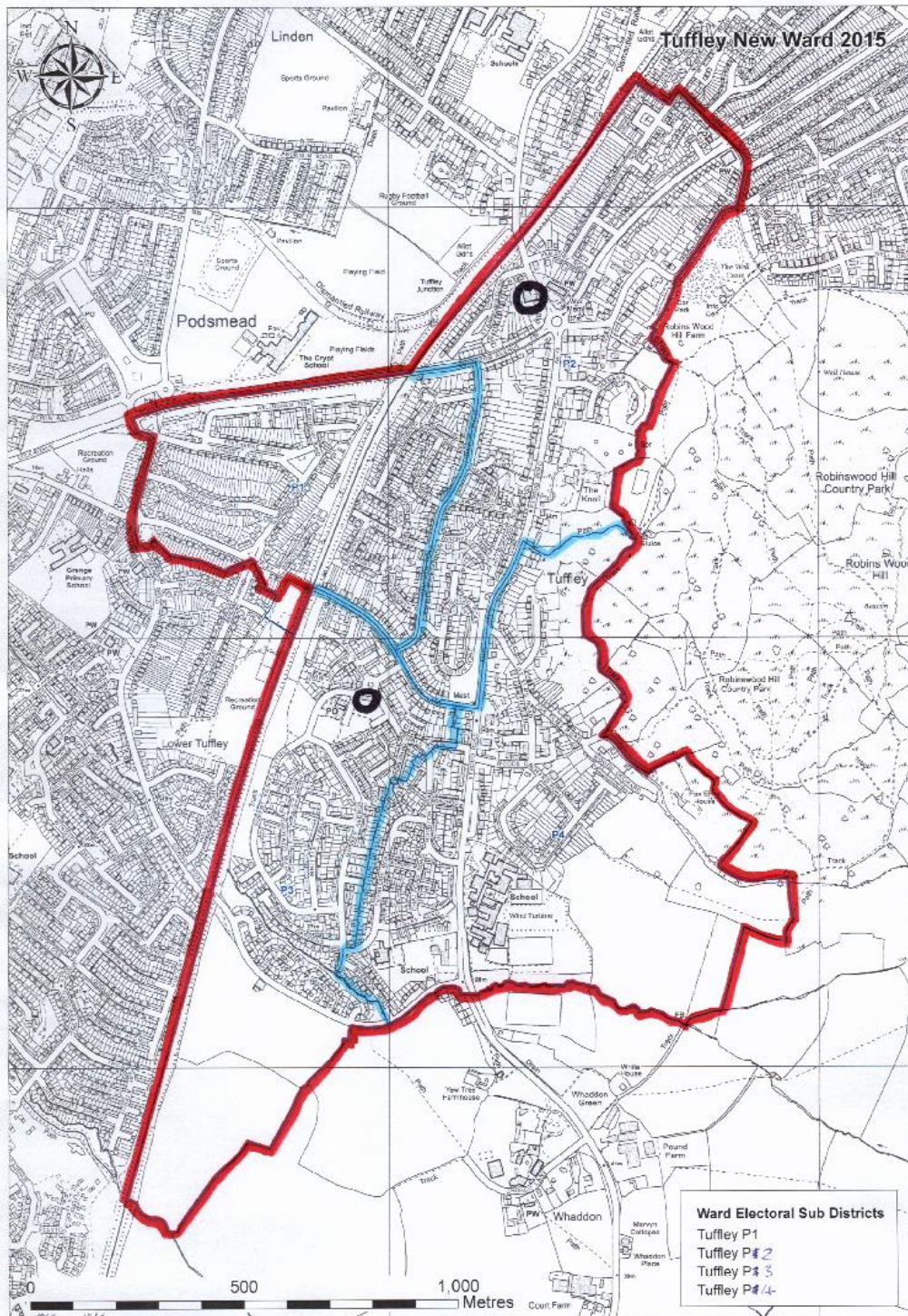


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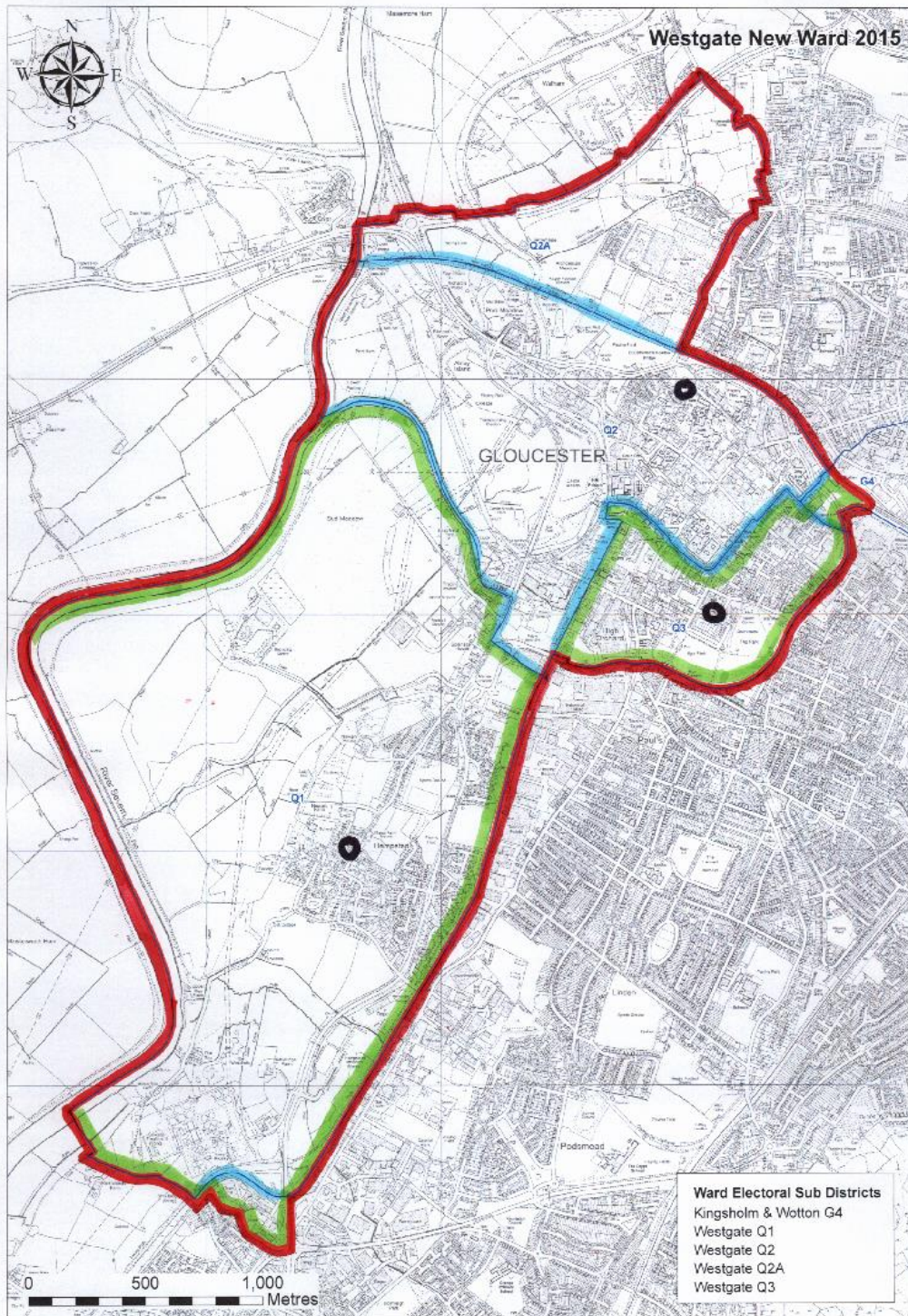
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Tredworth Junior School

Tredworth Road, Gloucester GL1 4QG

Telephone: (01452) 524578

Fax: (01452) 387843

e-mail: finance@tredworth-jun.gloucs.sch.uk

website: www.tredworth-jun.gloucs.sch.uk



Headteacher
Andrew Darby BEd (Hons)

17 September 2015

Kirsty Cox
Gloucester City Council
Herbert Warehouse
Gloucester Docks
Gloucester
GL1 2EQ

Dear Kirsty

Polling Station

As previously advised we would welcome your assistance in not using the school as a polling station.

By closing the school for polling the education of our pupils is disrupted. For many of our pupils this means they are then deprived of the free school meal they are entitled to.

There must be some other premises in our area that would be suitable for use as a polling station.

There are a number of local churches that are not used in the week perhaps they can be approached or empty shops on the High Street or Tredworth Road.

Yours sincerely

Mrs J K Jones
School Business Manager

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Meeting:	Licensing & Enforcement Committee Council	Date: 15 th September 2015 19 th November 2015
Subject:	Revised Statement of Principles - Gambling Act 2005	
Report Of:	Head of Public Protection	
Wards Affected:	All	
Key Decision:	No	Budget/Policy Framework: Yes
Contact Officer:	Darren Mountford, Senior Licensing & Markets Officer Email: darren.mountford@gloucester.gov.uk Tel: 396240	
Appendices:	<ol style="list-style-type: none"> 1. Revised Statement of Principles 2. Response from Gloucester City Safe 3. Response from Coral Racing Limited 4. Response from Association of British Bookmakers 5. Response from Poppleston Allen on behalf of Power Leisure Bookmakers Limited 6. Extract from the proceedings of the Licensing and Enforcement Committee, 15 September 2015 	

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To advise Members of the outcome from the recent consultation exercise undertaken with stakeholders in relation to the 2016 – 2019 Gambling Act 2005 Statement of Principles and to seek formal approval and adoption by Council.

2.0 Recommendations

2.1 The Licensing and Enforcement Committee is asked to **APPROVE** the Statement of Principles and **RECOMMEND**

- (1) That the revised Statement of Principles – Gambling Act 2005, is approved and adopted by Council before it can advertise and publish it.

2.2 Council is asked to **RESOLVE:**

- (1) That the Statement of Principles 2016-2019 – Gambling Act 2005 as set out in Appendix 1 be adopted and that the Head of Public Protection be authorised to publish and advertise it.

3.0 Background and Key Issues

- 3.1 The Council is the Licensing Authority for the purposes of the Gambling Act 2005.
- 3.2 The Gambling Act 2005 sets out the regulatory system that govern the provisions of all gambling in Great Britain, other than the National Lottery. The Act requires us to prepare a Statement that we propose to apply in exercising our functions under the Act.
- 3.3 The Statement is a licensing policy which sets out the general approach we will take when carrying out our regulatory role under the Act.
- 3.4 As of September 2007, licensing authorities were granted powers to licence gambling premises within their area as well as undertaking functions in relation to lower stake gaming machines and club and minors welfare institutes. The Act also provides for a system of Temporary Use Notices. These authorise premises that are not licensed generally for gambling purposes to be used for certain types of gambling for limited periods.
- 3.5 The Gambling Act contains three licensing objectives, which underpin the functions that the Gambling Commission and Gloucester City Council will perform. These Objectives are central to the regulatory regime created by the Act. They are:-
- Preventing gambling from being a source of Crime and Disorder.
 - Ensuring that gambling is conducted in a fair and open way and;
 - Protect children and other vulnerable persons from being harmed or exploited by gambling.
- 3.6 Section 349 of the Act requires Gloucester City Council to prepare and publish a Statement of Principles that it proposes to apply in exercising its functions under the Act. The statement is a licensing policy which sets out the general approach that will be taken when carrying out its regulatory duties under the Act. This should be kept under review and must be re-published every three years.
- 3.7 The current Statement of Principles is due to expire in December 2015 and a new Statement of Principles must be in place by 31st January 2016.
- 3.8 The Act provides that the Licensing Authority must consult with:-
- The Chief Officer of Police for the Authority's area
 - One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area, and
 - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under this Act.
- 3.9 The Licensing and Enforcement Committee on 16th June 2015 approved the Draft Statement of Principles for the purposes of consultation. There were only minor amendments and additions to the Statement of Principles which included:-
- Movement of the Area Profile Map into the main document rather than it appearing as an appendix.

- Mention of Local Risk Assessments. This is in response to the Licence Conditions Codes of Practice from the Gambling Commission which is effective from April 2016.
- An appendix within the Statement of Principles has been added of the tables for maximum stake and maximum prize by category of machine.

3.10 The document has been subject to a 10 week consultation period which ended on Tuesday 25th August 2015.

3.11 On 17th June 2015 all consultees were written to and invited to make a written comment. In addition, the consultation was advertised on the Council's website with provision to respond.

3.12 During the consultation period four responses were received.

3.13 The first response was from Richard Burge, Gloucester City Safe Manager attached in Appendix 2 who asked the following:-

I would like to see a condition included on all licences that Betting Shops and Adult Entertainment Venues should be members of City Safe. Quick Silver in Northgate Street were members before they closed and the staff felt they were much safer by having the radio and being part of the scheme. I have met the management of 2 Betting shops and one Adult Entertainment Centre in the City who are desperate to join City safe because of issues they get in the venues – but the Head Offices will not join as they do not want to pay the £365 a year fee. A condition on the Licence may overcome this and also give the venues more responsibility about dealing with disorder and community safety issues.

3.14 Under the Gambling Act 2005 Premises Licences are subject to specific mandatory and default conditions. These are detailed in regulations issued by the Secretary of State.

3.15 With this in mind Gloucester City Council are unable to include the signing up to Gloucester City Safe as a condition. However, we can recommend that all Premise Licence holders issued under the Gambling Act 2005 sign up to Gloucester City Safe. Therefore, a paragraph about recommending sign up to Gloucester City Safe into the Statement of Principles is highlighted in grey on page 8 of the policy.

3.16 Gloucester City Council will work closely with Gloucester City Safe and liaise with head offices of Gambling Premises where problems occur within their licensed premises which undermines the Licensing Objectives by recommending the licensed premises sign up to Gloucester City Safe for the promotion of the Licensing Objectives.

3.17 The second response was from John Liddle, Director of Development, Coral Racing limited attached in appendix 3 who stated that he was happy with the document and did not recommend any changes.

3.18 The third response was from the Association of British Bookmakers attached in appendix 4 who state that they are supportive of the document as drafted, that it is both clear and proportionate and are not requesting any amendments to be made.

3.19 The fourth response was from Poppleston Allen on behalf of Power Leisure Bookmakers Limited attached in appendix 5. This seems to be a generic response and does not state that they would like any amendments made to the document.

4.0 Asset Based Community Development (ABCD) Considerations

4.1 There is a legal process within the terms of the Gambling Act 2005 we must follow. However, giving communities as much information about an application as we can by providing help and advice where it is needed should also be a consideration. We will engage with the Partnership and Engagement Team to develop an effective communication process.

5.0 Reasons for Recommendations

5.1 The Statement of Principles sets out how Gloucester City Council intends to administer its duties under the Gambling Act 2005.

5.2 To ensure that the Council complies with the Gambling Act 2005.

6.0 Future Work and Conclusions

6.1 The Council must publish its Statement of Principles at least 4 weeks prior to the date it is to come into effect. The effective date is 31st January 2016.

6.2 The Act requires that publication is to be:-

- On the Authority's website, and
- For public inspection in one or more public libraries or other premises in the Council's area such as the Council's own offices.

6.3 The Council must also advertise the publication of the Statement of Principles by publishing a notice on the Authority's website and in one or more of the following places:-

- A local newspaper circulating in the area covered by the Statement.
- A local newsletter, circular or similar document circulating in the area covered by the Statement.
- A public notice board in or near the principal office of the Authority.
- A public notice board on the premises of public libraries in the area covered by the Statement.

6.4 Due to the publication and advertising requirements the Council will need to approve and publish the Statement of Principles no later than 1st January 2016. Therefore, the revised Statement of Principles will need to be agreed by Full Council on 26th November 2015 as that is the last meeting of full Council before the 1st January 2016 deadline.

7.0 Financial Implications

7.1 There are no financial implications associated with this report. We receive income through licence fees and this covers the cost of carrying out this function.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 The Act requires Gloucester City Council to prepare and approve a Statement of Principles to cover each 3 year period. The statement must contain the principles that the Council proposes to apply in exercising its function under the Act during the period.
- 8.2 Section 2 of the Act provides that the Council is the licensing authority for the purposes of the Gambling Act 2005. Section 157 of the Act provides that in relation to premises, the licensing authority in whose area the premises are situated is also a responsible authority. Therefore it is lawful and entirely proper for the licensing authority to carry out both of these roles.
- 8.3 Regulation 7 of the Gambling Act 2005, requires the Council to advertise and publish the statement for a period of four weeks before it takes effect.
- 8.4 If the Council approves the statement and advertises it for the required period prior to publication it will comply with its requirements as above.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

- 9.1 The risk management implications for this report are as follows:-
- Statement of Principles unfair, or too prescriptive.
 - Revised Statement of Principles not published on time (on or by 1st January 2016)
 - Consultation is inadequate.

10.0 People Impact Assessment (PIA):

- 10.1 The screen stage considered risks to customers in the areas of gender, disability, age, ethnicity, religion, sexual orientation or community cohesion.

11.0 Other Corporate Implications

Community Safety

- 11.1 The Statement of Principles promote community safety because the Gambling Act 2005 Licensing Objectives prevent gambling from being a source of Crime and Disorder, being associated with Crime and Disorder or being used to support crime.

Sustainability

- 11.2 None

Staffing & Trade Union

- 11.3 None

Background Documents:

Gambling Act 2005

Gambling Commission's guidance to Licensing Authorities (4th Edition)

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STATEMENT OF PRINCIPLES

GAMBLING ACT 2005

2016 - 2019

PUBLIC PROTECTION

Gloucester City Council Tel 01452 396396 Fax 01452 396340
Herbert Warehouse Email licence.team@gloucester.gov.uk
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PART A

1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must 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.

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

Gloucester City Council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:-

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives, and
- in accordance with the Authority's Statement of Licensing Policy

2. Introduction

Licensing authorities are required by the Gambling Act 2005 to publish a Statement of Principles which they propose to apply when exercising their functions. This Statement must be published at least every three years. The Statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The Statement must be then republished.

Gloucester City Council will consult widely upon this Statement before finalising and publishing. A list of those persons who will be consulted is provided in Appendix A. 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.

Gloucester City Council recognises that the best means of promoting the Licensing Objectives is through the co-operation and partnership of all the responsible authorities, local businesses and residents.

In developing a Statement of Principle that will deliver the Licensing objectives locally, consultation has taken place in accordance with the revised Code of Practice and the Cabinet Office Guidance on consultations by the public sector.

Our consultation took place between 16th June 2015 and 25th August 2015 and we had regard to the HM Government Code of Practice.

The policy was considered for approval at a meeting of the Full Council on X and will be published via our website www.gloucester.gov.uk on or by 31st January 2016. Copies will be placed in the public libraries of the area as well as being available in the Council Offices.

Should you have any comments as regards this Policy Statement please send them via email or letter to the following contact:-

Name: Darren Mountford, Senior Licensing and Markets Officer

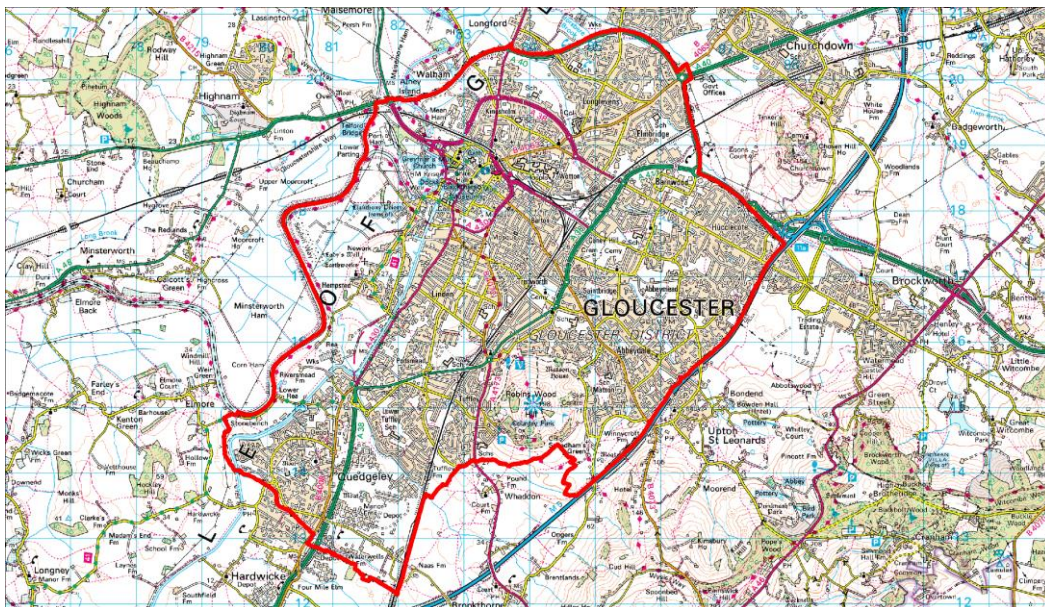
Address: Licensing Team, Public Protection, Gloucester City Council, Herbert Warehouse, The Docks, Gloucester GL1 2EQ

Email: licence.team@gloucester.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. Area Profile

Gloucester City Council is situated in the County of Gloucestershire which contains 6 district councils in total. The Council area has an estimated population of 121,700 (2011 Census) making it the largest urban Authority in the County in terms of population. In terms of area it is one of the smallest covering just 15.64 square miles. The City of Gloucester is the County town for Gloucestershire and its area is mainly urban. It is surrounded by the rural authorities of the County.



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The key provided identifies the city's boundaries and wards. The following wards are also noted as areas of deprivation: Westgate and Barton & Tredworth, with the Westgate Ward a focus for regeneration. The Docks and Quays area of the City is a focus of a major regeneration and there is a substantial housing development to the

south of the City in an area known as Kingsway situated between the Quedgeley by-pass and the M5 Corridor.

4. Declaration

In producing this Statement, Gloucester City Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance to Local Authorities issued by the Gambling Commission, and any responses from those consulted on the draft Statement.

5. Responsible Authorities

Responsible Authorities are public bodies that must be notified of applications and who are entitled to make representations to the licensing authority if they are relevant to the Licensing Objectives.

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

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

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities this Authority designates the Gloucestershire Safeguarding Children Board for this purpose.

The contact details of all Responsible Authorities under the Gambling Act 2005 are attached as Appendix B.

6. Interested Parties

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

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person -

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) has business interests that might be affected by the authorised activities; or
- (c) represents persons who satisfy paragraph (a) or (b)."

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

Each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.11 to 8.19 (*Note: If a licensing authority does not wish to follow the Gambling Commission's Guidance in any respect it is advised to state this in its Statement. Note though that decisions on premises licences and temporary use licences must be "in accordance" with Gambling Commission Guidance (Section 153)*). It will also consider the Gambling Commission's

Guidance that the term “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this Authority will generally require written evidence that a person/body (e.g. an advocate/relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Department on 01452 396396 or by email: licence.team@gloucester.gov.uk.

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

Should any protocols be established as regards information exchange with other bodies then they will be made available.

8. 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

This Licensing Authority’s principles are that:-

It will be guided by the Gambling Commission’s Guidance for local authorities 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 per the Gambling Commission's Guidance for local authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The Licensing Authority has adopted and implemented a risk-based inspection programme based on:-

- The Licensing Objectives
- Relevant Codes of Practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this Statement of Principles

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be 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 should be notified to the Gambling Commission.

The Licensing Authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this Licensing Authority's enforcement/compliance protocols/written agreements are available upon request to the Licensing Department (email: licence.team@gloucester.gov.uk). Our risk methodology will also be available upon request.

9. Licensing Authority Functions

Gloucester City Council has a duty under the Act to licence premises where gambling is to take place and to licence certain other activities. 'Gambling' is defined in the Act as either gaming, betting or taking part in a lottery. In particular Gloucester City Council will be responsible for:

- The licensing of premises where gambling activities are to take place by issuing *Premises Licences*.
- Issue *Provisional Statements*.
- Regulate *Members' Clubs and Miners' Welfare Institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits.
- Issue *Club Machine Permits to Commercial Clubs*.
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*.
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines.
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.

- Register *small society lotteries* below prescribed thresholds.
- Issue *Prize Gaming Permits*.
- Receive and endorse *Temporary Use Notices*.
- Receive *Occasional Use Notices*.
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'Information Exchange').
- Maintain registers of the permits and licences that are issued under these functions.

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

A table outlining how this Authority will delegate its functions under this Act is attached at Appendix C.

PART B

PREMISES LICENCES : CONSIDERATION OF APPLICATIONS

1. General Principles

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 will be 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.

The Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives, and
- in accordance with the Authority's Statement of Licensing Policy

It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below) and also that unmet demand is not a criterion for a Licensing Authority.

Meaning of "premises" – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the third edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

The licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:-

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

The guidance also gives a list of factors which the licensing authority should be aware of, which may include:

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

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

This authority recommends that all holders of Premises Licences sign up to Gloucester City Safe. For further details please contact the Licensing Team on 01452 396396.

The Gambling Commission’s relevant access provisions for each premises type are reproduced below:-

Casinos

- The principal access entrance to the premises must be from a ‘street’ (defined as including any bridge, road, lane, footway, subway, square, court, alley or passage whether a thoroughfare or not)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons.
- No customer must be able to enter a casino directly from any other premises which hold a gambling premises licence.

Adult Gaming Centre

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

Betting Shops

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

Tracks

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

Bingo Premises

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

Family Entertainment Centre

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

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

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, this 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.

Location - This Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this Statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Planning – The Gambling Commission Guidance to Licensing Authorities states:-
In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

The authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:-

When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

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

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

Licensing Objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below:-

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

Ensuring that gambling is conducted in a fair and open way - This Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regards to tracks which is explained in more detail in the 'tracks' section below - page 15.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This Licensing Authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrance/machines, segregation of areas etc.

This Licensing Authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs". This Licensing Authority will consider this licensing objective on a case by case basis. A list of organisations set up to give help and advice about problem gambling is attached as Appendix D.

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

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

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

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

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

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

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. As per the Gambling Commission's Guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:-

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

Door Supervisors - The Gambling Commission advises in its Guidance for local 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 and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

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

Sharing local Risk Assessments

The new code provision of 10.1.2 under the revised Licence Condition Codes of Practice from the Gambling Commission will come into force in April 2016. Under this provision it states:

Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licenced premises, or otherwise on request.

2. Adult Gaming Centres

This 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, for example, ensure that under 18 year olds do not have access to the premises.

This Licensing Authority may consider measures to meet the licensing objectives such as:-

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

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

3. (Licensed) Family Entertainment Centres

This 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, for example, that there will be sufficient measures to

ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This Licensing Authority may consider measures to meet the licensing objectives such as:-

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

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

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

4. Casinos

No Casinos resolution - This 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.

Licence considerations/conditions –This Licensing Authority will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance, bearing in mind the mandatory conditions listed in the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

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

5. Bingo Premises

This Licensing Authority notes that the Gambling Commission's Guidance states:-

Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

A holder of a Bingo Premises Licence may make available for use, a number of Category B machines not exceeding 20% of the total number of gaming machines which are available for use.

Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

6. Betting Premises

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

7. 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. As per the Gambling Commission's Guidance, this 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.

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

This Licensing Authority may consider measures to meet the licensing objectives such as:-

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

- Specific opening hours.
- Self-exclusion schemes.
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

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

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

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

Applications and plans

The Gambling Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity.

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

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

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

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

8. Travelling Fairs

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

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

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. 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.

Section 204 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.

10. 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 Principles.

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.

This 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.

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. This period begins 7 days after the application was received by the Licensing Authority, who will publish notice of the application within 7 days of receipt.

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 or Scottish Ministers (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:- **Page 96**

- 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 Review and Customs

PART C

PERMITS/TEMPORARY AND OCCASIONAL USE NOTICE

1. Unlicensed Family Entertainment Centre Gaming Machine Permits

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.

“ ... An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application ... licensing authorities might wish to consider asking applications 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 stake and prizes.

It should be noted that a licensing authority cannot attach conditions to this type of permit.

This 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. The Licensing Authority will also expect, as per Gambling Commission Guidance, that applicants 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.

2. (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. 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 Section 282 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.

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*”.

This Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed 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 adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. 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 is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. 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” and “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

This Licensing Authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should 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.

In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission Guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:-

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

4. Club Gaming and Club Machines permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming 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 forthcoming regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

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

The Commission Guidance also notes that “licensing authorities may only refuse an application on the grounds that:-

- (a) the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant’s premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a ‘fast-track’ procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission’s Guidance for local authorities states: “Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced” and “The grounds on which an application under the process may be refused are:-

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

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a Code of Practice about the location and operation of gaming machines.

5. Temporary Use Notices

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

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

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no.3157 : The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards Temporary Use Notices. The meaning of “premises” in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with “premises”, the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act “premises” is defined as including “any place”.

In considering whether a place falls within the definition of “a set of premises”, the Licensing Authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

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

6. 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.

This Authority will notify the Gambling Commission of any notices made under this provision and share with them any relevant information.

CONSULTEES

The Authority intends to consult the following on the content of this Statement of Principles:-

- National Casino Industry Forum (NCIF)
- British Amusement Catering Association (BACTA)
- The Bingo Association
- Association of British Bookmakers Ltd (ABB)
- Business in Sport and Leisure (BISL)
- The British Association of Leisure Parks, Piers & Attractions Ltd (BALPA)
- Chief Officer of Police
- Elected Members of Gloucester City Council
- Richard Graham MP
- Citizens Advice Bureau
- GamCare
- Gamblers Anonymous
- Holders of existing licences, permits and registrations who will be affected by the provisions of the Act
- Licensed Victuallers Association
- Lotteries Council
- Responsible Authorities
- Responsibility in Gambling Trust

CONTACT DETAILS FOR RESPONSIBLE AUTHORITIES

LICENSING AUTHORITY

Gloucester City Council
Environmental Health
Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

Telephone: 01452 396396
Fax: 01453 396340
Email: licence.team@gloucester.gov.uk

LOCAL PLANNING AUTHORITY

Development Control Service Manager
Gloucester City Council
Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

Telephone: 01452 396776
Fax: 01452 396779
Email: development.control@gloucester.gov.uk

THE GAMBLING COMMISSION

Victoria Square House
Victoria Square
BIRMINGHAM
B2 4BP

Telephone: 0121 230 6500
Fax: 0121 233 1096
Email: info@gamblingcommission.gov.uk

GLOUCESTERSHIRE CONSTABULARY

Licensing Unit
Community Engagement Dept.
Police HQ
No1 Waterwells
Quedgeley
Gloucester
GL2 2AN

Telephone: 01452 754482
Email: Licensing@Gloucestershire.pnn.police.uk

The main Police switchboard number is 0845 090 1234.

GLOUCESTERSHIRE FIRE AND RESCUE

Chief Fire Officer
Fire Service Headquarters
Waterwells Drive
Quedgeley
Gloucester
GL2 2AX

Telephone: 01452 753333
Fax: 01452 753304
Email: fire@glosfire.gov.uk

GLOUCESTERSHIRE ACPC

Gloucestershire Safeguarding Children Board
Room 128
1st Floor, Block 4
Gloucestershire County Council
Shire Hall
Westgate Street
Gloucester GL1 2TG

Email: mail@gscb.org.uk

HM REVENUE & CUSTOMS

Betting and Gaming
National Registration Unit
Portcullis House
21 India Street
Glasgow
G2 4PZ

Telephone 0141 555 3339
Email nrubetting&gaming@hmrc.gsi.gov.uk

For relevant premises e.g. vessels, the following may also be Responsible Authorities:

SOUTH WALES AND BRITISH WATERWAYS

Canal & River Trust
The Dock Office
Commercial Road
Gloucester
GL1 2EB

E-mail [enquiries.southwalessevern @canalrivertrust.org.uk](mailto:enquiries.southwalessevern@canalrivertrust.org.uk)

ENVIRONMENT AGENCY

Riversmeet House
Newtown Industrial Estate
Northway Lane
Tewkesbury
Gloucestershire
GL20 8JG

SECRETARY OF STATE (Note in practice, the Secretary of State for Transport who
DCMS acts through the Maritime and Coastguard Agency)
2-4 Cockspur Street
London
SW1Y 5DH

Telephone: 020 7211 6200
email: enquiries@culture.gov.uk

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate			X (to be approved by Executive Councillor)
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

LIST OF ORGANISATIONS THAT GIVE HELP AND ADVICE ABOUT PROBLEM GAMBLING

The following organisations are working to tackle problem gambling and may be able to help individuals and/or organisations.

Responsibility in Gambling Trust (RIGT)

10 Brick Street

London

W1J 7HQ

Tel: 0207 518 0023

Fax: 0207 518 0174

Email: enquiries@rigt.org.uk

Citizens Advice

Gloucester and District Citizens Advice Bureau

75 - 81 Eastgate Street

Gloucester

GL1 1PN

Tel: 01452 527202

Gam Anon

PO Box 5382

London

W1A 6SA

National Help Line: 08700 50 88 80

Midlands 0121 233 1335

Gamblers Anonymous (UK)

Birmingham 0121 233 1335

Gam Care

2nd Floor

7-11 St John's Hill

London

SW11 1TR

Tel: 020 7801 7000

Fax: 020 7801 7033

Email: info@gamcare.org.uk

Gordon House Association

43-47 Maughan Street

Dudley

West Midlands

DY1 2BA

Tel: 01384 241 292

Email: help@gordonhouse.org.uk

NCH Children's Charity
85 Highbury Park
London
N5 1UD
Tel: 020 7704 9037
Fax: 020 7704 7134

NHC South West
Horner Court
637 Gloucester Road
Horfield
Bristol
BA7 0BJ
Tel: 01179 354 440
Fax: 01179 512 470

National Debt Line
Tel: 0808 808 4000

APPENDIX E

Category of Machine	Maximum Stake	Maximum Prize
A	No category A gaming Machines	Are currently permitted
B1	£5	£10,000 or £20,000 if linked to other B1 machines
B2	£100 (in multiples of £10)	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D	Various 10p to £1	£5 to £50 (max relates to non-money prizes only)

Darren Mountford

From: Rich Burge <Rich.Burge@gloucestercitysafe.co.uk>
Sent: 16 July 2015 10:48
To: Darren Mountford
Subject: RE: Gambling Act Draft Statement of Principles consultation

Hi Darren,

Many thanks for sending this through to me.

I would like to see a condition included on all licences that Betting Shops and Adult Entertainment Venues should be members of City Safe. Quick Silver in Northgate Street were members before they closed and the staff felt they were much safer by having the radio and being part of the scheme. I have met the management of 2 Betting shops and one Adult Entertainment Centre in the City who are desperate to join City safe because of issues they get in the venues – but the Head Offices will not join as they do not want to pay the £365 a year fee. A condition on the Licence may overcome this and also give the venues more responsibility about dealing with disorder and community safety issues.

Please feel free to contact me if you would like to discuss this further.

Kind regards,
Rich

Richard A Burge
Gloucester City Safe Manager

📍 c/o 11a The Forum, Gloucester, GL1 1PL

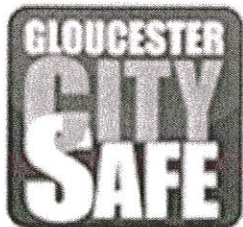
☎ 07531 211439

✉ rich.burge@gloucestercitysafe.co.uk

www.gloucestercitysafe.co.uk

🐦 @gloscitysafe

📘 Gloucester City Safe



From: Darren Mountford [<mailto:Darren.Mountford@gloucester.gov.uk>]
Sent: 26 June 2015 11:26
To: Rich Burge
Subject: Gambling Act Draft Statement of Principles consultation

Hi Rich,

We are currently consulting on our Gambling Act 2005 – Statement of Principles. Please see attached letter and Draft Statement of principles.

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CORAL

Licensing Team
Public Protection
Gloucester City Council
Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

24th August 2015

Dear Sir,

Consultation on Gloucester City Council's Statement of Principles – Gambling Act 2005

Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.

Coral Racing Limited are supportive of the document; it again notes that the Board when considering applications are still required to 'aim to permit gambling' where this is 'reasonably consistent with the licensing objectives', additionally noting that it should not take into account of moral objections to gambling.

Coral Racing Limited furthermore recognise the requirement to supply risk assessments with future applications or variations as from April 2016 as detailed within the consultation document.

It is particularly pleasing to note that the Council have not included within their document a list of locations which are suggested by their inclusion as not being suitable for a licensed betting office, albeit each application would be judged on its merits. The presence of such a list would have been based on assumption not fact and it is refreshing to note that Gloucester City Council have not tried to categorise specific locations.

Coral's experience is that through all it does, it achieves an exemplary degree of compliance already, and attracts negligible evidence of regulatory harm. Through the additional local risk assessment to be introduced with future premises licence applications from April 2016, Coral believe that these should be a) to assess specific risks to the licensing objectives in the local area, and b) to assess whether control measures going beyond standard control measures are needed. In other words, there should be no requirement to list specific locations however notwithstanding this, such locations would automatically be included with the operators risk assessment submitted when the application is considered.

If we can provide any further information, we would be pleased to do so.

Yours sincerely,



John Liddle
Director of Development – Coral Retail



Coral Racing Limited
One Stratford Place, Montfichet Road, London E20 1E1
Registered Office: New Castle House, Castle Boulevard, Nottingham NG7 1FT
Registered in England No: 541600
Tel: 020 3288 7000 Fax: 020 3288 7050



1300 • 51003



mobile



coral.co.uk



0800 242 232

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Gloucester City Council: Gambling Draft Statement of Principles consultation | ABB response

August 25 2015

Introduction

The Association of British Bookmakers (ABB) represents over 80% of the high street betting market. Our members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

Please see below for the ABB's response to the current consultation on the Council's review of its gambling policy statement.

This sets out the ABB approach to partnership working with local authorities and details our views on the implementation of the new LCCP requirements, from April 2016, relating to operators' local area risk assessments and local area profiles.

The ABB is supportive of the Council's policy document as drafted which is both clear and proportionate. We are not requesting any amendments.

It is important that this response is also read within the context of recent planning law changes, effective since April 2015, which have increased the ability of licensing authorities to review applications for new premises, and declining betting shop numbers.

Over recent years betting shop numbers have been relatively stable at around 9,000 nationally, but more recently a trend of overall downwards decline can be seen. The latest [Gambling Commission industry statistics](#) show that numbers as at 31 Mar 2015 were 8,958 - a decline of 179 from the previous year, when there were 9,137 recorded as at 31 March 2014.

Working in partnership with local authorities

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership.

We are pleased that the Council shares this objective, as stated in the consultation document: "Gloucester City Council recognises that the best means of promoting the Licensing Objectives is through the co-operation and partnership of all the responsible authorities, local businesses and residents."

The exchange of clear information between councils and betting operators is a key part of this and we welcome the opportunity to respond to this consultation.

- **LGA – ABB Betting Partnership Framework**

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA), developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms, which established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the

"...desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be."

The framework builds on earlier examples of joint working between councils and the industry, for example the Ealing Southall Betwatch scheme and Medway Responsible Gambling Partnership.

In Ealing, the Southall Betwatch was set up to address concerns about crime and disorder linked to betting shops in the borough. As a result, crime within gambling premises reduced by 50 per cent alongside falls in public order and criminal damage offences.

In December last year, the Medway Responsible Gambling Partnership was launched by Medway Council and the ABB. The first of its kind in Britain, the voluntary agreement allows anyone who is concerned they are developing a problem with their gambling to exclude themselves from all betting shops in the area.

The initiative also saw the industry working together with representatives of Kent Police and with the Medway Community Safety Partnership to develop a Reporting of Crime Protocol that is helpful in informing both the industry, police and other interested parties about levels of crime and the best way to deal with any crime in a way that is proportionate and effective.

Learnings from the initial self-exclusion trial in Medway have been incorporated into a second trial in Glasgow city centre, launched in July this year with the support of Glasgow City Council, which it is hoped will form the basis of a national scheme to be rolled out in time for the LCCP deadline for such a scheme by April 2016.

Jane Chitty, Medway Council's Portfolio Holder for Planning, Economic Growth & Regulation, said:

"The Council has implemented measures that work at a local level but I am pleased to note that the joint work we are doing here in Medway is going to help the development of a national scheme."

Describing the project, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, Cllr Paul Rooney said:

"This project breaks new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator."

- **Primary Authority Partnerships in place between the ABB and local authorities**

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities.

These Partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the Partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015.

By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

Local area risk assessments

From April 2016, under new Gambling Commission LCCP provisions, operators are required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated.

Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy and local area profile in their risk assessment, and these must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or a new premises licence.

The ABB supports this requirement as set out in the LCCP, as this will help sustain a transparent and open dialogue between operators and councils. We welcome that the Council's interpretation of the requirement is clearly set out in the draft statement.

- **Evidence based approach**

It is important that any risks identified are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles, and we are pleased to note that the Council has not included within its policy document a list of locations where betting shops would not be deemed suitable and that each application will be judged on its merits.

Such an approach would distort the aim to permit principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.

A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.

The industry fully supports the development of proportionate and evidenced based regulation, and is committed to minimising the harmful effects of gambling. The ABB is continuing to work closely with the Gambling Commission and the government to further evaluate and build on the measures put in place under the ABB Code for Responsible Gambling, which is mandatory for all our members.

- **Concerns around increases in the regulatory burden on operators**

Any increase in the regulatory burden would severely impact on our members at a time when overall shop numbers are in decline, and operators are continuing to respond to and absorb significant recent regulatory change. This includes the increase to 25% of MGD, changes to staking over £50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Conclusion

The ABB and our members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing

objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, we already do this successfully in partnership with local authorities now. This includes through the ABB Code for Responsible Gambling, which is mandatory for all our members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff. We would encourage local authorities to engage with us as we continue to develop both these codes of practice which are in direct support of the licensing objectives.

Contact: For any responses or requests for additional information please contact Lauren Hilton, Public Affairs Executive (laurenhilton@abb.uk.com / 020 7434 2111).

Power Leisure Bookmakers Limited response to Gloucester City Council's Consultation on its draft Statement of Gambling Principles

Paddy Power is Ireland's biggest Bookmaker and operates both a retail business through licensed betting offices and an online/telephone business. Paddy Power operates 251 licensed betting offices in Ireland and 325 betting offices in the United Kingdom.

Paddy Power is a leading national operator of betting premises with clear and proactive policies to promote the Gambling Licensing Objectives.

We respectfully remind the Licensing Authority that operators of premises licences have full authority to provide their services by the provision of an Operators' Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented by operators to ensure that effective anti-money laundering procedures are implemented and that policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the extensive obligations and requirements now placed upon operators under social responsibility provisions introduced by the Gambling Commission earlier this year within the LCCP.

We refer the authority to the Regulators' Code, which was introduced by the Legislative and Regulatory Reform Act 2006 that provides the code to which the Authority must have regard. Specifically, Regulators should avoid imposing unnecessary burdens and choose proportionate approaches to those they regulate and have mechanisms in place for consultation. The Code provides that before any changes in policy are implemented the effect that any proposed amendments may have on businesses should be considered and stakeholders should be engaged. Where local risks are to be addressed, an evidenced based approach should be taken.

General Policy Commentary

Licensing Authorities are under the statutory obligation to aim to permit the use of premises for gambling so far as the authority believes that an application is reasonably consistent with the licensing objectives and in accordance with its own statement of principles. Authorities can request additional information in support of an application to assist with the determination in consideration of the above criteria. The draft statement of principles correctly identifies that unmet demand is not a criterion that can be considered although as the Gambling Commission's Guidance to Licensing Authorities states, policy statements should include a firm commitment to avoid duplication with other regulatory regimes.

Location and local area risk assessment

Under new Gambling Commission LCCP provisions, from April 2016 operators will be required to complete local area risk assessments that identify risks posed to the licensing objectives and how these should be mitigated. We respectfully refer the Authority to the Regulators' Code, which provides that in making an assessment of risk, Regulators should recognise the compliance record of those they regulate and take an evidenced based approach to determining the priority risks in their area of responsibility. We propose that to ensure that better regulation principles are followed that operators should be allowed to assess their existing operational processes, informed by Statements of Principle, which highlight potential areas of particular sensitivity and known vulnerability. High risk areas should only be included in the policy where robust evidence is adduced that clear gambling related harm would be caused by the presence of gambling related premises. Any proposed measures to mitigate risks identified should be proportionate, effective and tailored to specific concerns identified.

The draft policy confirms that the Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling and the location of proposed premises in particularly sensitive locations, as well as areas with known high levels of crime and disorder. In order to fully address any potential concerns, all risk profiles should be based upon empirical evidence of gambling related harm in consideration of those measures already in place to mitigate actual rather than theoretical risk. Well managed and controlled premises should not pose a gambling related risk to children and young people and additional measures or controls considered should not be imposed to address wider social issues. Any reference to vulnerability should specifically address evidence based risks of gambling related harm caused to individuals and populations identified. Any proposed measures to mitigate those risks may only be appropriate where they cannot be addressed by operators existing measures and compliance with governing legislation.

When considering crime and disorder, the policy should identify that there is a clear distinction between disorder and nuisance and highlight that nuisance was specifically rejected by Parliament as a licensing objective under the Gambling Act 2005. As part of any analysis of crime and disorder, the Authority may wish to consider the prevalence of illegal gambling and ensure that any measures proposed to address crime are proportionate to the existing operational procedures implemented and will effectively address any concerns identified.

Should the Licensing Authority contemplate introducing detailed policies regarding the location of specific gambling premises, thorough details should be provided for consultation with stakeholders. Such consultation would permit the thorough assessment of the validity of any potential local area

profiling that may be completed. Any evidence gathered should directly correlate with actual risks identified in those locations and appropriate assessment completed of any detrimental impact that any proposed gaming provision may have.

Any finalised policy should not suggest that gaming related applications pose an inherent risk to 'vulnerable people', regardless of status or evidence of actual harm. Where operators are asked to mitigate any perceived risks, sufficient parameters should be identified addressing the specific risks concerned relative to those individuals who may be at risk from the grant of any proposed application.

Conditions

Mandatory and default premises licence conditions are already imposed on operators and the authority must consider that operators are required to uphold social responsibility. Additional conditions should only be imposed in exceptional circumstances where evidence based risks are identified and operators existing provisions are considered inadequate to specifically address those concerns.

Conclusion

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives.

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LICENSING AND ENFORCEMENT COMMITTEE

MEETING : Tuesday, 15th September 2015

PRESENT : Cllrs. Randle (Chair), Patel (Vice-Chair), Tracey, Lugg, C. Witts, Brown, Pullen, H. Norman and Pearsall

Officers in Attendance

Gill Ragon, Head of Public Protection

Fiona Samuda, Solicitor, One Legal

Lisa Jones, Food Safety and Licensing Service Manager

Darren Mountford, Senior Licensing and Markets Officer

Tony Wisdom, Democratic Services Officer

APOLOGIES : Cllrs. McLellan, Hanman, Llewellyn and Hansdot

13. REVISED STATEMENT OF PRINCIPLES - GAMBLING ACT 2005

The Senior Licensing and Markets Officer presented his report which detailed the outcome of the recent consultation undertaken with stakeholders in respect of 2016 – 2019 Gambling Act 2005 Statement of Principles and sought approval by the Committee to recommend adoption by the Council.

He advised that the document had been subject to consultation for a period of ten weeks ending on 25 August 2015.

All consultees were invited to make a written comment and the consultation had also been advertised on the Council's website with provision for a response to be made.

He outlined the four responses that had been received and which were detailed at paragraphs 3.13 to 3.19 of his report.

He drew Members' attention to the suggestion by Richard Burge, Gloucester City Safe Manager that membership of City Safe should be made mandatory for betting shops and adult entertainment venues in the City.

The Senior Licensing and Markets Officer explained that specific mandatory and default conditions to be attached to Premises Licences were detailed in regulations issued by the Secretary of State, therefore the City Council was not able to include signing up to Gloucester City Safe as a condition.

LICENSING AND ENFORCEMENT COMMITTEE
15.09.15

He advised that the Statement of Principles included a recommendation that all holders of Premises Licences in the City sign up to Gloucester City Safe.

The Chair advised that she had had a long conversation with Mr Burge and following some issues in bookmakers' premises, it was suggested that a letter be written jointly by the Council and City Safe highlighting the benefits of Membership.

Councillor Witts asked if City Safe was a national organisation and the Food Safety and Licensing Service Manager advised that it had been formed by merging Pub Watch and Shop Watch. A similar scheme had been working with success in Brighton and had been adopted by some London boroughs.

She advised that Stroud had recently joined the Gloucester City Safe Scheme and people barred from licensed premises in the town would also be barred from City premises and vice versa.

RESOLVED TO RECOMMEND to Council that the Statement of Principles 2016 -2019 – Gambling Act 2005 as set out in Appendix 1 be adopted and that the Head of Public Protection be authorised to publish and advertise it.

Time of commencement: 6.30 pm hours

Time of conclusion: 7.10 pm hours

Chair

Paragraph 12.02 of Part 4 of the Rules of Procedure contained within the City Council's Constitution provides that a Member of the Council may submit a written question to any Cabinet Member.

This document informs Members of Council of written questions put to Cabinet Members and written replies thereto.

Council is recommended to RESOLVE to note the written questions submitted and corresponding responses.

No.	Question from/to	Question
1.	From Councillor Hobbs to the Cabinet Member for Communities and Neighbourhoods	Since the removal of the translation service in-house, how many requests have the council received for documents to be made available in a different languages?
Response		
The Council has received a total of 3 translation requests through the Contact Centre since the Tapestry service ceased on 31 December 2011.		

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