Dear Mr Taylor,

May I take this opportunity to thank you for taking the time to respond to the Council’s consultation on the Draft Gambling Licensing Policy 2019 to 2022.

I would like to apologise for the delay in getting back to you, however we felt it important that your response was considered fully and we have now had the opportunity to discuss all of the comments received with the Chair of the Licensing Committee, the Director of Enforcement & Safety and with our Legal Team.

The Council b has a duty not to duplicate existing statutory requirements placed on all businesses in the borough. It also acknowledges the ABB’s commitment to partnership working and information sharing, as well as the multi-operator self-exclusion scheme.

As you will no doubt be aware, the Council has commissioned Geofutures to prepare the Local Area Profile (LAP) as an aid to operators within the Borough, although the intention of this LAP is to provide data upon which premises can prepare a local risk assessment and not as a prescriptive tool as suggested. We have followed the established model developed by Geofutures on behalf of both Westminster and Manchester Councils. We are not averse to the use of templates for the production of risk assessments, and are not seeking to prescribe the format or content of such, but merely guiding operators as to the matters they may wish to consider when completing their own venue specific risk assessments.

The Council are also not attempting to dictate the frequency that risk assessments should be completed by operators within the Borough and have been unable to find such reference within the draft policy for consideration to this end although it would be our general view that it is good practice to review a risk assessment on an annual basis or as and when any significant alteration to the premises or locality takes place.

We disagree with your assertion that conditions should only be attached to premises licences in exceptional circumstances and firmly believe that should extra safeguards be required to promote the licensing objectives for a
particular premises, in a particular locality, that the Licensing Sub Committee may attach such safeguards where appropriate and proportionate. We further disagree that the policy promotes the blanket imposition of conditions and does not foresee such a requirement becoming commonplace, as suggested.

The Council are not proposing to redraft the new section relating to Risk Assessments as suggested, but does concede that the use of the word 'expect' does require softening and has therefore proposed an amendment for consideration by the Licensing Committee. The Council disagrees with your assertion that areas of deprivation and gaming trends related to pay days and benefit payments are not relevant to any assessment of risks and has not determined, as is suggested, that those in receipt of benefits are automatically vulnerable or more likely to commit crime. The considerations contained within the Local Area Profile are well established and have proved to be an effective tool for assessing risk since first introduced for Westminster and Manchester. We would point you towards https://www.westminster.gov.uk/gambling-research for further consideration.

The policy already makes it clear, at A1.7, that each application will be considered on its own merits and does not find it necessary to repeat this as you have suggested. The Statement of Policy is simply listing the matters which may be considered within a local risk assessment, not as is being suggested, a list of matters that would prevent a gambling premises licence from being granted.


Sections B2-4 are not new additions to the policy, however, the imposition of additional conditions on premises licences is a matter for the Licensing Sub-Committee to decide upon, on a case by case basis, and any applicant aggrieved at such an imposition has a right of appeal to the Magistrates Court. The Council considers it is essential that the policy contains examples of such conditions as a guideline for consideration by the Sub-Committee and does not feel that this list should be deleted as you have suggested. The ability to ensure that sufficient staff are on duty at a particular premises at a particular time is relevant to Gambling and it is a matter for the Sub-Committee to consider if it is appropriate to impose in order to promote the licensing objectives. We will not therefore be deleting the suggested conditions as requested.

Once again, I thank you for your response.

Yours faithfully

John Newcombe
Team Leader (Trading Standards & Licensing)