

AGENDA ITEM NO 9

REPORT NO LB 65/18

ANGUS LICENSING BOARD – 1 NOVEMBER 2018

GAMBLING ACT 2005 SECTION 349 STATEMENT OF PRINCIPLES REPORT BY THE CLERK TO THE BOARD

ABSTRACT

This report presents to the Board the response received during the formal public consultation held between 17 August 2018 and 1 October 2018.

1. RECOMMENDATION

It is recommended that the Board:-

- (i) consider the response received during the public consultation produced as **Appendix 1**; and
- (ii) approve, in the current terms or in amended terms, the draft Statement of Principles (“the Policy Statement”) prepared under section 349 of the Gambling Act 2005 (“the Act”) annexed to this report as **Appendix 2**.

2. BACKGROUND

- 2.1 Section 349 of the Act requires the Board to prepare a Statement of the Principles (“the Policy Statement”) that they propose to apply in the exercise of their functions under the Act and to publish that Policy Statement.
- 2.2 In carrying out most, but not all of its functions under the Act, the Board is required to have regard to the licensing objectives set out in section 1 of the Act, namely:-
 - (a) preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime;
 - (b) ensuring that gambling is conducted in a fair and open way, and
 - (c) protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.3 Section 25 of the Act requires the Board to have regard to guidance issued by the Gambling Commission in carrying out its functions under the Act.
- 2.4 The draft Policy Statement seeks to offer further guidance to applicants and objectors as to the way in which the Board will carry out its functions under the Act.
- 2.5 The draft Policy Statement has been prepared having regard to the requirements of the Act and the Gambling Commission Guidance to Licensing Authorities 5th edition (updated September 2016).

The Guidance can be accessed here:- <https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx>

- 2.6 As directed by Members, the following were consulted with directly, as appropriate:
- (a) The Chief Constable, Police Scotland
 - (b) The Strategic Director, People, Angus Council
 - (c) The Strategic Director, Place, Angus Council
 - (d) Angus Adult Protection Committee c/o Angus Council
 - (e) Angus Child Protection Committee c/o Angus Council
 - (f) Scottish Licensed Trade Association
 - (g) Angus Health and Social Care Partnership c/o Angus Council
 - (h) Angus Alcohol and Drug Partnership c/o Angus Council
 - (i) All Angus Community Councils
 - (j) All local operators and parties who specifically request consultation
 - (k) Gamcare
 - (l) The Faculty of Procurators and Solicitors in Angus
- 2.7 In addition to the above, the "Have Your Say" page of Angus Council's website was used to advertise the public consultation between 17 August 2018 and 1 October 2018. Posts were placed on Twitter and Facebook advertising the consultation.
- 2.8 Some minor amendments have been made to the draft Policy Statement since it was considered last by Members. The Policy Statement will be publicised, as required, by legislation. The Policy Statement requires to be published by 3 January 2019 at the latest, coming into force on 31 January 2019.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4. HUMAN RIGHTS IMPLICATIONS

- 4.1 There are no human rights implications arising from this report.

5. EQUALITIES IMPLICATIONS

- 5.1 An equalities impact assessment is not required.

NOTE: The background papers (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

The Gambling Act 2005
The Gambling Commission Guidance to Licensing Authorities (5th Edition September 2016)
The Gambling Act 2005 (Licensing Authority Policy Statement) (Scotland) Regulations 2006

REPORT AUTHOR: Tina Magson, Solicitor
E-MAIL: LAWLicensing@angus.gov.uk

Appendix 1 to Report LB65/18

MagsonT

From: SmeatonD
Sent: 23 August 2018 09:36
To: PageN; MagsonT; ThompsonD
Subject: FW: Gambling Act 2005 - Draft Statement of Principles
Attachments: GamCare Local Authorities Brochure 2018 (web-version).pdf; GamCare Training Brochure 2017.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: HayesM On Behalf Of LAWlicensing
Sent: 22 August 2018 09:50
To: GillespieM; SmeatonD
Subject: FW: Gambling Act 2005 - Draft Statement of Principles

Moira Hayes | Clerical Officer | Place Directorate | Finance & Legal | Angus Council | Angus House | Orchardbank Business Park, Forfar, DD8 1AN | Email: LAWlicensing@angus.gov.uk

With effect from 29th January 2018 the Licensing Department opening hours will be:

MONDAY	0900 - 1700
TUESDAY	0900 – 1200
WEDNESDAY	CLOSED
THURSDAY	CLOSED
FRIDAY	0900 - 1700

From: Catherine Sweet [mailto:catherine.sweet@gamcare.org.uk]
Sent: 21 August 2018 16:14
To: LAWlicensing
Subject: Gambling Act 2005 - Draft Statement of Principles

Hello,

Thank you for your letter regarding the above consultation, we appreciate your interest in our work.

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

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

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

We would suggest that the Local Licensing Authority primarily consider applications from [GamCare Certified operators](#). GamCare Certification is a voluntary process comprising an independent audit assessment of an operator's player protection measures and social responsibility standards, policy and practice. Standards are measured in accordance with the GamCare Player Protection Code of Practice. If you would like more information on how our audit can support Local Licensing Authorities, please contact mike.kenward@gamcare.org.uk

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

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

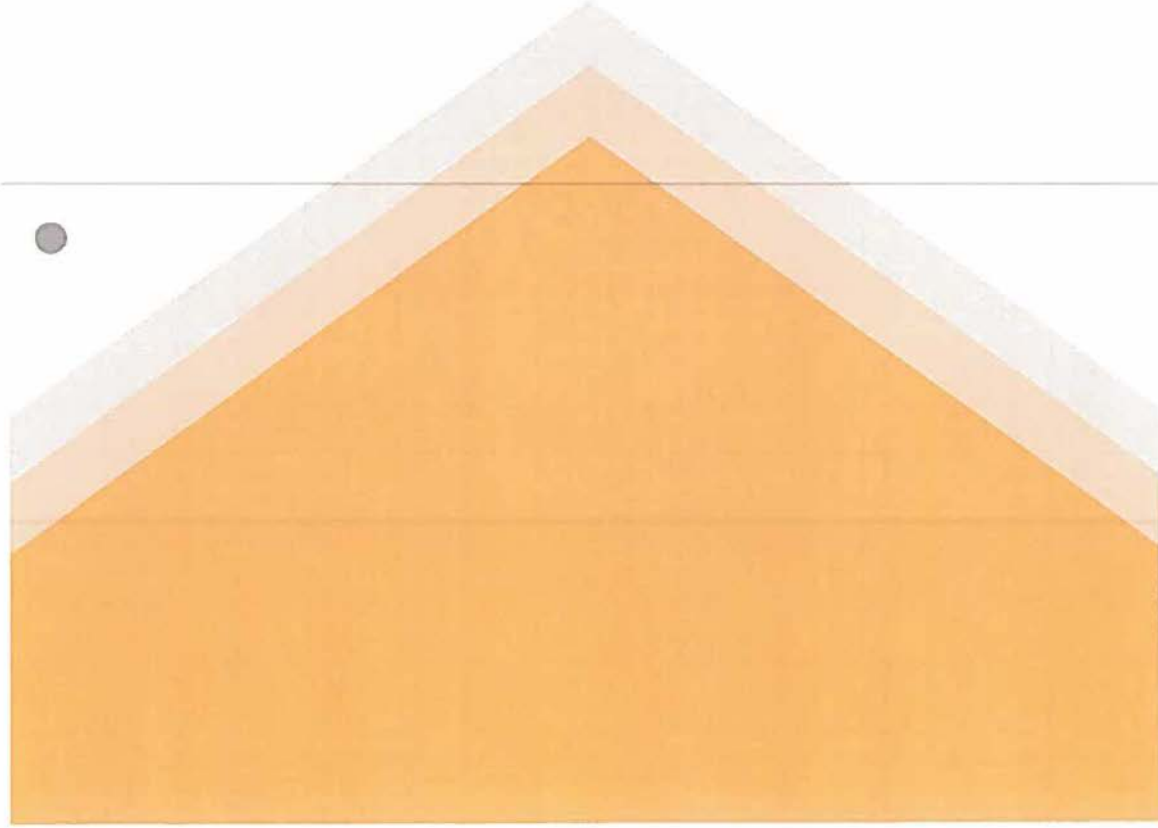
Kind regards,
Catherine

Catherine Sweet
Head of Marketing and Communications
T: 020 7801 7028
E: catherine.sweet@gamcare.org.uk



[Click here to sign up to our free, monthly e-newsletter](#)

- **GamCare
Local Authority
Services**



Why choose GamCare?

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

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

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

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

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

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

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

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

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

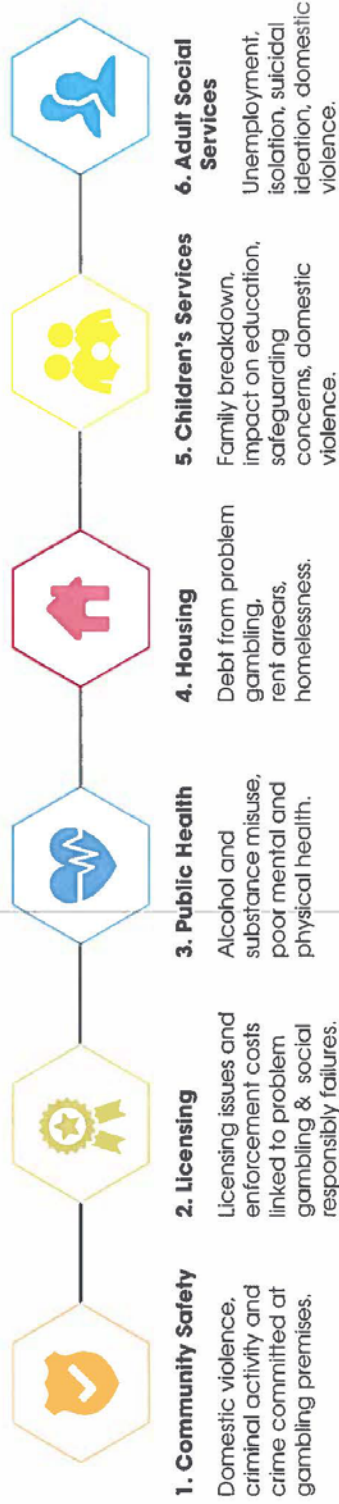
We are expert in problem gambling and understand its manifestation in context. We have developed a wide range of training programmes which provide:

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

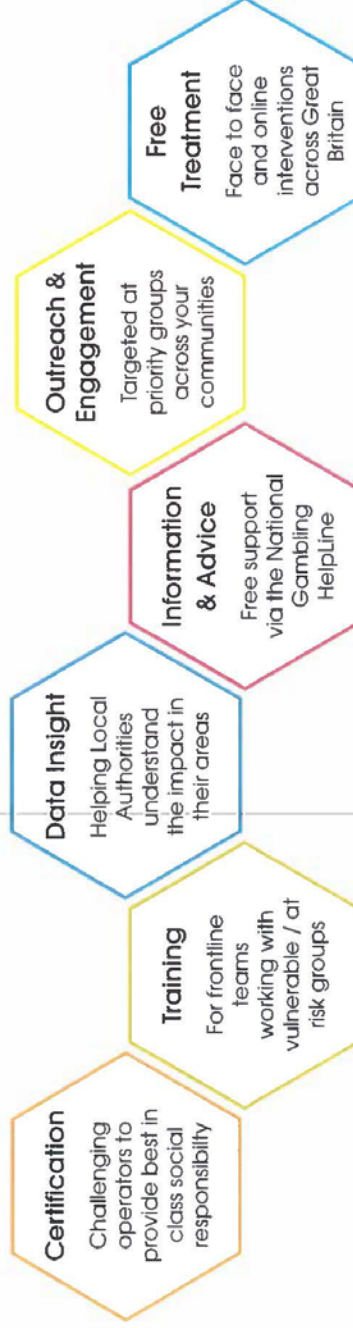
Impacts of Problem Gambling in Local Areas

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

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



GamCare's Local Authority Offer



¹ See Cards on the table: The cost to government associated with people who are problem gamblers in Britain

GamCare Certification - Audit and Consultancy

We work with gambling operators to review their policies and procedures, audit their training and support them to embed a culture of social responsibility from the board room to the customer service team.

Our Certification reviews a range of social responsibility measures to help to promote safer gambling and to minimise gambling-related harm.

We can support your Licensing and Safer Communities teams, alongside their own programme of audit and inspections, to ensure that:

- Gambling industry staff are trained in the identification and signposting of individuals towards problem gambling support services;
- Staff understand the value of high quality personalised interactions, made in the right ways at the right times;
- Operators have embedded a culture of responsible gambling and prioritise the minimisation of risks and gambling-related harm.

Local authorities are encouraged to ensure the principles of GamCare Certification, promoting best practice around social responsibility for UK operators, are embedded in Licensing Statement(s) of Principles.



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

GamCare Awareness Training

Problem Gambling Awareness



3 hours



15 max.



At a location to suit you



Contact us for a quote

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

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

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



The CPD Standards Office
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www.cpdstandards.com

Identification and Brief Advice



3 hours (CPD)



15 max.



At a location to suit you



Contact us for a quote

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

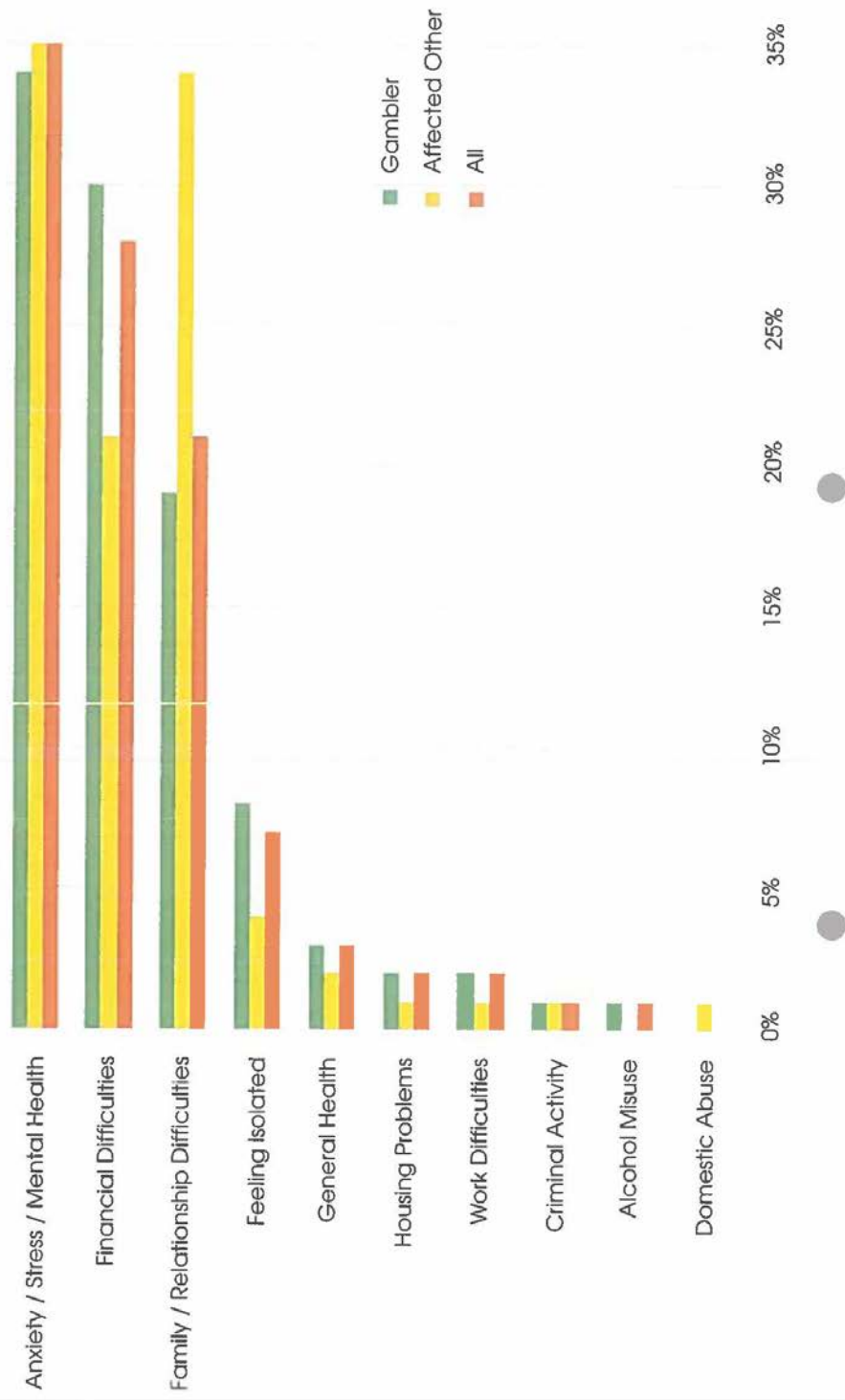
- Understand problem gambling, how to screen for it and structure a brief conversation to elicit further detail.
- Attain knowledge of the support and advice available, including player protection tools as well as emotional and practical support.

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

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

Data Insight

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



Information, Advice and Treatment

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

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

These fully funded services are free to access right now:

- Telephone information and advice for problem gamblers and those affected by gambling-related harm;
- Brief and Extended Brief interventions to reduce gambling-related harm;
- A range of face-to-face, online and telephone treatment;
- Onward signposting into appropriate local services;
- Aftercare and peer support, including GamCare's online Forum and Chatrooms;

GamCare is a source of local expertise on problem gambling and its impacts.

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

Engagement and Outreach

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

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

Our engagement services will:

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

Contact GamCare



020 7801 7000



info@gamcare.org.uk

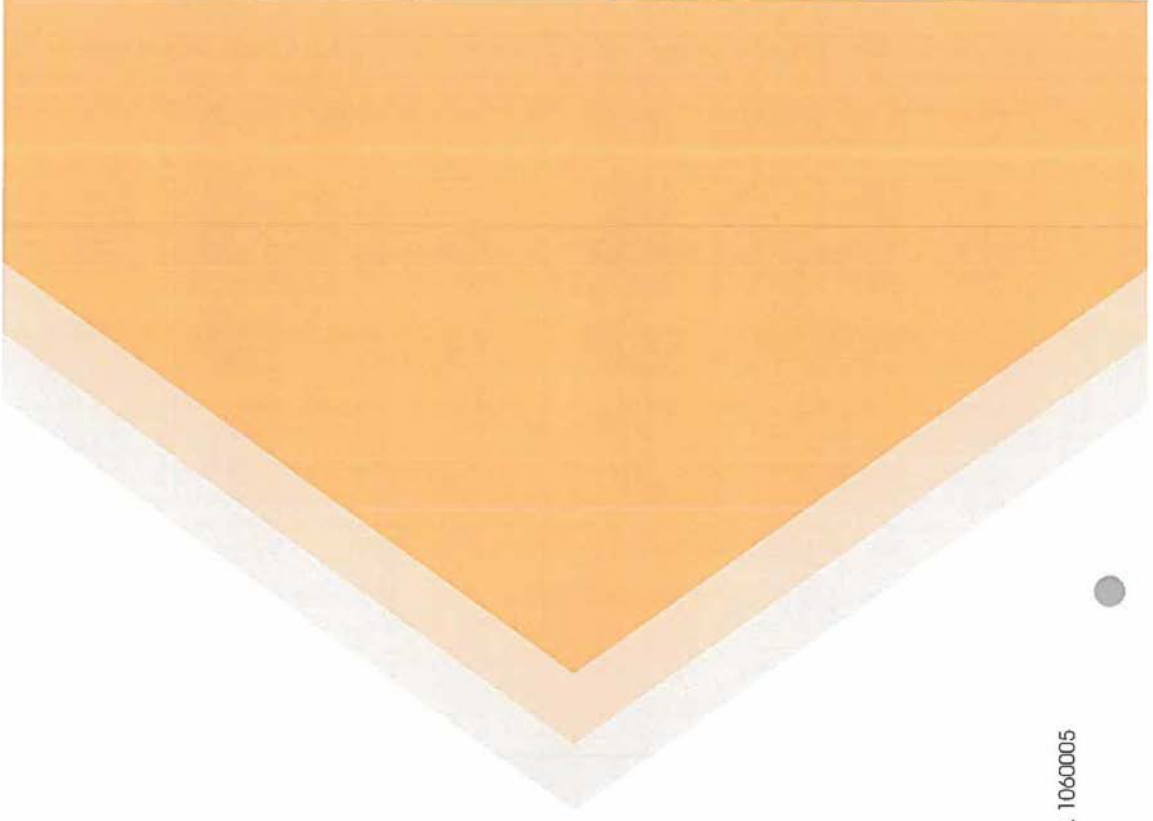


www.gamcare.org.uk



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GamCare Training Services: Awareness and Prevention



Why choose GamCare?

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

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

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

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

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

Contact GamCare:

020 7801 7000

info@gamcare.org.uk

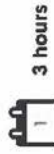
www.gamcare.org.uk/training-and-certification

"The sessions GamCare hosted have improved our knowledge and understanding of responsible gambling and the issues that can affect our customers. This was an empowering session for all - our teams are now better equipped and more confident in dealing with more complex and sensitive matters"



Awareness and Prevention

Problem Gambling Awareness



3 hours



15 max.



On-site or at our London office

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

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

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

Problem Gambling - Identification and Brief Advice



3 hours (CPD)



15 max.



On-site or at our London office

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

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

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

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

Gambling Industry Training

Social Responsibility and Interaction



6 hours (3 CPD Hours)



15 max.



On-site or at our London office

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

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

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

Social Responsibility, Communication and Motivating Behaviour Change



12 hours



15 max.



On-site or at our London office

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

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

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

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

Gambling Industry Training & Certification

GamCare Extra eLearning: Player Protection and Social Responsibility



1 hour



eLearning

Increase understanding of problem gambling and player protection.

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

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



GamCare Certification

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

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

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

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

Awareness and Prevention

Young People and Problem Gambling Awareness



3 hours (CPD)



15 max.



On-site or at our London office

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

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

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

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

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



3 hours



15 max.



On-site or at our London office

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

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

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



Awareness and Prevention

Identification and Brief Advice - For the Criminal Justice System



3 hours



15 max.



On-site or at our London office

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

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

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

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

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

Identification and Brief Advice - For Sports Clubs and Organisations



3 hours



15 max.



On-site or at our London office

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

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

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



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