

## SUMMARY OF PROPOSED CHANGES

- Attached to this report is the existing Statement of Principles (Appendix A) and the revised Statement of Principles (Appendix B). The table below summarises the revisions and reasons.

Section	Original Text	Change	Reason
Front cover	Statement of Principles Date of issue from 23 <sup>rd</sup> November 2016 to 22 <sup>nd</sup> November 2019	Statement of Principles (DRAFT) Date of issue from 23 <sup>rd</sup> November 2019 to 22 <sup>nd</sup> November 2022.	The current Statement of Principles expires on 22 <sup>nd</sup> November 2019 and the proposed revision takes into account the next three years
Throughout Part A of the Policy	Director Early Intervention and Support	Director Customer and Digital	Director information updated
Part A – Section 2 - Introduction	Chorley Council is situated in the County of Lancashire, which contains 12 District Councils and 2 unitary authorities. The Borough has 23 Parish councils and a population of 113,000 (Office of National Statistics 2015), covering an area of 80 square miles.	Chorley Council is situated in the County of Lancashire, which contains 12 District Councils and 2 unitary authorities. The Borough has 23 Parish councils and a population of 116,800 (Office of National Statistics 2018), covering an area of 80 square miles.	Population figures updated.
Part A – Section 2 - Introduction	Our consultation took place between 18 <sup>th</sup> August 2016 and 19 <sup>th</sup> September 2016 and we followed the HM Government Code of Practice on Consultation (published July 2008),	Our consultation took place between 1 <sup>st</sup> August 2019 and 31 <sup>st</sup> August 2019 and we followed the HM Government Code of Practice on Consultation (published July 2012 and updated March 2018).	Updated to reflect the current consultation and the updated published guidance.
Part A – Section 2 - Introduction	The policy was approved at a meeting of the Full Council on 22 <sup>nd</sup> November 2016 and was published via our website on 10 <sup>th</sup> November 2016.	The policy was approved at a meeting of the Full Council on (19 <sup>th</sup> November 2019 TBC) and was published via our website on (21 <sup>st</sup> October 2019 TBC). <i>*These are the proposed dates.</i>	These are the proposed dates and may be amended subject to timetabled meeting changes.
Part A – Section 6 – Exchange of Information	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 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 General Data Protection Regulations contained within the Data Protection Act 2018, will not be contravened.	Updated to reflect the new Act.

Part A – Section 7 - Enforcement	The Council will take account of the Gambling Commissions guidance document issued in September 2015 (or any subsequent amendments) ‘Approach to Test Purchasing’ when considering making test purchases at gambling premises.	The Council will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments) ‘Approach to Test Purchasing’ when considering making test purchases at gambling premises.	Date of guidance corrected.
Part A – Section 7 – Enforcement	Where there is a Primary Authority scheme in place, the Council will seek guidance from the Primary Authority before taking any enforcement action. Further information, including an index of all Primary Authority arrangements can be found at: <a href="https://primaryauthorityregister.info/par/index.php/home">https://primaryauthorityregister.info/par/index.php/home</a> .	Where there is a Primary Authority scheme in place, the Council will seek guidance from the Primary Authority before taking any enforcement action. Further information, including an index of all Primary Authority arrangements can be found at: <a href="https://primary-authority.beis.gov.uk/par">https://primary-authority.beis.gov.uk/par</a> .	Website address updated.
Part B Section 1d. Location	<b>N/A</b>	<b>The following paragraph have been added:</b> Operators will be expected to demonstrate in their local risk assessment (LRA) the impact of the provision of gambling facilities in a particular area on the licensing objectives. From 6 April 2016 a new requirement was introduced requiring licensed operators of certain gambling establishments to undertake local risk assessments. This requirement was formalised in the Gambling Commission’s Licence Conditions and Codes of Practice (LCCP) which were revised and published in May 2019. <a href="http://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf">http://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf</a>	Added to reflect the requirement of the Gambling Commission’s Licence Conditions and Codes of Practice (LCCP) and revised and published in May 2019
Part B Section 1d. Location	<b>N/A</b>	<b>The following paragraph have been added:</b> However, this authority would expect an operator’s local risk assessment (LRA) to consider for example the proximity of their premises in relation to schools, hospitals	Added to reflect the requirement of the Gambling Commission’s Licence Conditions and Codes of Practice (LCCP)

		and centres where children or vulnerable groups may be present.	and revised and published in May 2019
Part B Licensing Objectives	<p><b>Under - Protecting children and other vulnerable persons from being harmed or exploited by gambling</b></p> <p>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 entrances / machines, segregation of areas etc.</p>	<p><b>Under - Protecting children and other vulnerable persons from being harmed or exploited by gambling</b></p> <p>With regards to children and young person's we recommend that the following matters are considered by operators when making their risk assessment: -</p> <ul style="list-style-type: none"> <li>➤ Institutions, places or areas where the presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as leisure centres, cinemas etc.;</li> <li>➤ Any premises where children congregate including bus stops, cafes, shops, and any other place where children are attracted;</li> <li>➤ Any areas that are prone to issues of anti-social behaviour, under-age drinking etc. involving children; and</li> <li>➤ Recorded incidents of attempted under-age gambling</li> </ul> <p>In reference to the term "vulnerable persons" we note that the Gambling Commission or statute law is not seeking to offer a definition but the Commission states that "it will for regulatory purposes assume that this group includes: -</p> <ul style="list-style-type: none"> <li>➤ People who gamble more than they want to;</li> <li>➤ People who gamble</li> </ul>	Text revised to reflect the requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) and revised and published in May 2019

		<p>beyond their means; and</p> <ul style="list-style-type: none"><li>➤ People who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.</li></ul> <p>With regards to matters relating to vulnerable adults we recommend the following matters are considered by operators when making their risk assessments: -</p> <ul style="list-style-type: none"><li>➤ Information held by licensees regarding self-exclusions and incidents of under-age gambling;</li><li>➤ Gaming trends that may mirror days for financial payments such as pay days or benefit payments;</li><li>➤ Arrangement for localised exchange of information regarding self-exclusions and gaming trends; and</li><li>➤ Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, housing association offices, addiction clinics or help centres, places where alcohol or drug dependent people may congregate etc.</li></ul> <p>This licensing authority will consider promotion of this licensing objective on a common sense, case by case basis. We will also take account of the Codes of Practice regarding this</p>	
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		<p>objective in relation to specific types of premises.</p> <p>Appropriate measures may include supervision of entrances / machines, segregation of areas etc.</p>	
Part B Licensing Objectives	N/A	<p><b>Under - Protecting children and other vulnerable persons from being harmed or exploited by gambling</b></p> <p>The Licence Conditions and Codes of Practice (LCCP) issued in 2015 (revised May 2019) prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.</p>	Revised guidance details added
Part B Conditions	N/A	<p>Applicants may wish to refer to this council's Community Safety Action Plan to obtain a local profile of the Borough along with highlighted and emerging threats to the Borough when preparing local risk assessments. The Social Responsibility Code supplemented by the ordinary code (LCCP) requires that licensees share their risk assessment with licensing authorities when applying for a premises licence or varying an existing licence. The risk assessment should be kept on the individual premises and made available at the request of the Authority; for example when carrying out inspections.</p>	New Paragraph inserted to reflect the updated guidance – the plan referred to is currently being reviewed and a link to this will be added once published
Part B 3. (Licensed) Family Entertainment Centres	<p>This licensing authority may consider measures to meet the licensing objectives such as:</p> <ul style="list-style-type: none"> <li>➤ CCTV;</li> <li>➤ Supervision of entrances / machine areas;</li> <li>➤ Physical separation of areas;</li> <li>➤ Location of entry;</li> <li>➤ Notices / signage;</li> <li>➤ Specific opening hours;</li> </ul>	<p>We will pay particular attention to measures proposed by operators to protect children from harm in Adult Gaming Centres and Family Entertainment Centres. For example, such measures may include, but would not be limited to, the following: -</p> <ul style="list-style-type: none"> <li>➤ Proof of age schemes;</li> <li>➤ CCTV;</li> <li>➤ Supervision of</li> </ul>	Section revised for clarity

	<ul style="list-style-type: none"> <li>➤ Self-exclusion schemes;</li> <li>➤ Provision of information leaflets / helpline numbers for organisations such as GamCare; and</li> <li>➤ Measures / training for staff on how to deal with suspected truant school children on the premises</li> </ul>	<ul style="list-style-type: none"> <li>entrances / machine areas;</li> <li>➤ Physical separation of areas;</li> <li>➤ Specific opening hours;</li> <li>➤ Self-exclusion schemes;</li> <li>➤ Notices / signage;</li> <li>➤ Provision of information leaflets / helpline numbers for organisations such as GamCare;</li> <li>➤ Measures / training for staff on how to deal with suspected truanting school children on the premises and how to recognise signs of potential child sexual exploitation; and</li> <li>➤ Clear policies that outline the steps to be taken to protect children from harm.</li> </ul>	
Part B 5. Bingo Premises	This authority also notes the Guidance at part 18 regarding the unusual circumstances in which the splitting of pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.	This Authority notes that the maximum number of category B gaming machines provided shall not be greater than 20% of the total number of gaming machines made available on the premises. It also notes the guidance at part 18 regarding the unusual circumstances where an existing premises is split and additional bingo premises licences are acquired for these portions of the whole premises. The Authority shall not permit the total entitlement for category B gaming machines for the whole premises to be made available in one portion of the premises.	Paragraph revised to reflect the amended S.172(7) of the Gambling Act
Part C 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 Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3	Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3	Paragraph updated to reflect the amended guidance

	<p>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).</p>	<p>machines of categories B3A, B4, C or D but only one B3A machine can be sited as part of this entitlement), 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 B3A or B4 to D).</p>	
Part D	<p>The code requires operators;</p> <ul style="list-style-type: none"> <li>○ To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm;</li> <li>○ With effect from April 2016 to have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work;</li> <li>○ To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading; and</li> <li>○ With effect from April 2016 to produce a risk assessment on individual premises, and have policies</li> </ul>	<p>The code requires operators;</p> <ul style="list-style-type: none"> <li>○ To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm;</li> <li>○ To have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work;</li> <li>○ To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading; and</li> <li>○ To produce a risk assessment on individual premises and have policies and procedures and control measures in place to mitigate local risks to the licensing objectives.</li> </ul>	Commencement dates removed

	and procedures and control measures in place to mitigate local risks to the licensing objectives.		
Part D Risk Assessments	N/A	There is an expectation that a copy of the Local Risk Assessment will be kept on the premises	Sentence added to second paragraph highlighting the licensing authorities expectation

### IMPLICATIONS OF REPORT

- There is a risk of non-compliance with the requirements of the Gambling Act 2005 should a revised Statement of Principles not be approved.
- This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	X
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

### COMMENTS OF THE STATUTORY FINANCE OFFICER

- There are no financial implications associated with the revised Statement of Principles at Appendix B.

### COMMENTS OF THE MONITORING OFFICER

- All legal implications are covered in the body of the report.

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