

## Appendix Three

### Responses to the Gambling Policy Consultation 2019

Body or Organisation	Summary of issues	Response (where relevant)
Gambling Commission	<ul style="list-style-type: none"> <li>Advice to ensure that measure relating Protecting children from being harmed or exploited by gambling detailed in Unlicensed Family Entertainment Centre (UFEC) Gaming Machine Permits and Prize Gaming Permits mirror each other.</li> </ul>	The Policy was updated following the Consultation to take account of these comments.
Met Police	<ul style="list-style-type: none"> <li>Having liaised without licensing unit and based on the previous consultation there are no issues that are of concern from MPS on Central East BCU.</li> </ul>	No response required
London Fire Brigade (LFB)	<ul style="list-style-type: none"> <li>Asked to amend their name from London Fire and Emergency Planning Authority (LFEPA) to London Fire Brigade (LFB) in the Policy and the list of Responsible Authorities.</li> </ul>	Policy or associated documents updated as per this information where needed.
HMRC	<ul style="list-style-type: none"> <li>Asked to update their contact information in the Police and List of Responsible Authorities to:  Postal Address: HM Revenue and Customs Excise Processing Teams BX9 1GL United Kingdom  Contact telephone number is now 0300 322 7072 Option 7.  Email address remain the same, <a href="mailto:NRUBetting&amp;Gaming@hmrc.gsi.gov.uk">NRUBetting&amp;Gaming@hmrc.gsi.gov.uk</a></li> </ul>	Policy or associated documents updated as per this information where needed.
Public Health	<p><b>Public Health support for the draft policy</b></p> <p>Public health is fully supportive of the draft policy for the following reasons:</p> <ul style="list-style-type: none"> <li>This policy addresses an issue of local public health importance and inequalities in Tower Hamlets.</li> <li>This policy is in line with the strategic priorities for us as a</li> </ul>	<p>In response to recommendation 1) the following has been added to Location and Local Risk Assessments Part B, section 12 of the policy as para 12.11</p> <p><i>“To assist operators, Annex 6 sets out the Council’s Gambling Local Area Profiles criteria. In connection with this the Council recognises the Gambling Commissions National Strategy to Reduce Gambling</i></p>

	<p>council (Tower Hamlets Community Plan), our partners (Tower Hamlets Together - Health and Wellbeing Strategy) and based on evidence of poor health and social outcomes within our Joint Strategic Needs Assessment.</p> <ul style="list-style-type: none"> <li>• This policy draws on national and international evidence and best practice.</li> <li>• Public health supports outlining the considerations the Authority will go through in determining gambling premises licenses and Annex 4 including the promotion of industry good practice when supporting vulnerable persons.</li> <li>• Public health supports section 16 in which the council will request that operators / premises share information about numbers of self-excluded gamblers to help it develop its understanding about the risk of problem gambling in its area.</li> <li>• Public health supports the inclusion of staff training around brief interventions for identifying vulnerable persons and problem gamblers operators risk assessments. As well as section provision of signage and documents games rules, gambling care providers and other relevant information in both English and the other prominent first language for that locality.</li> </ul> <p><b>Public Health recommendations</b></p> <p>Further to the provisions in this policy it is suggested that LBTH works with local operators to follow best practice. Examples would include:</p> <p>1) Adoption of the definition of gambling related harms as suggested by the Responsible Strategy Gambling Board: “The adverse impacts from gambling on</p>	<p><i>Harms, and supports the two strategy aims:</i></p> <ul style="list-style-type: none"> <li>• <i>Prevention and Education – making significant progress towards a clear public health prevention plan which includes the right mix of interventions.</i></li> <li>• <i>Treatment and Support – delivering truly national treatment and support options that meet the needs of users.</i></li> </ul> <p><i>The full Strategy can be viewed here: <a href="http://www.reducinggamblingharms.org/">http://www.reducinggamblingharms.org/</a></i></p> <p><i>Licence holders and Operators should have regard to this Strategy when undertaking their local risk assessment.”</i></p> <p>Recommendation 2) is a statutory requirement under the Health and Safety at Work Etc. Act 1974 and Regulations made under it namely the Management of Health and Safety at Work Regulations 1999.</p> <p>Recommendation 3): These are already contained in various sections of the Policy and/or the Gambling Best Practice Guidance attached to the Policy.</p> <p>Recommendation 4): These are contained in various areas within the Policy and the Best Practice Guide attached to the policy. Though these all these items can and often have an impact on or exacerbate gambling related harm, it would be difficult to justify adding conditions or requirements in the policy to require leaflets that are directly linked Gambling. As such we cannot add requirements for premises to provide healthy lifestyle information other than Gambling Support Leaflets.</p> <p>Recommendation 5): The Gambling Commission’s National Strategy to Reduce</p>
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	<p>the health and wellbeing of individuals, families, communities and societies". These harms affect resources, relationships and health. The impact from them may be short-lived but can be durable, having enduring consequences and exacerbating existing inequalities.</p> <p>2) Protection of staff and lone working are addressed within the operators risk assessment.</p> <p>3) All operators are encouraged and supported with materials where applicable such as:</p> <ul style="list-style-type: none"> <li>○ Leaflets aimed at giving assistance to problem gamblers clearly displayed in prominent areas and also more discreet areas such as toilets</li> <li>○ Self-exclusion forms available</li> <li>○ The odds clearly displayed on all fixed odds machines</li> <li>○ All ATM or other cash terminals to be separate from gaming machines, so that clients have to leave the machines for more funds as required. They should also display stickers with GamCare (or replacement organisation)</li> <li>○ Helpline information prominently displayed</li> <li>○ There must be clear visible signs of any age restrictions in any gaming or betting establishments. Entrances to gambling and betting areas must be well supervised and age verification vetting operated</li> <li>○ Posters with details of GamCare's (or replacement organisation) telephone number and website</li> </ul> <p>4) Operators should provide healthy lifestyle information in their premises e.g. leaflets regarding alcohol consumption and local smoking cessation services and local support for mental health</p>	<p>Gambling Harms looks into this and we have said that Operators should consider this when completing their Local Risk Assessments. To creation of a Vulnerability Local Index is not within the scope of this Policy and would be something that Public Health may want to look into as additional guidance that could compliment this policy but not be part of it.</p> <p>Recommendation 6): Advertisements are required to be restricted in regards to children and we will follow the Gambling Commissions guidance on adverts within premises.</p> <p>Recommendation 7): This would be difficult to do as the Operators have their own self exclusion policy that crosses borough boundaries etc. and therefore would be more effective than a borough as these, though you have to opt in to each Operators are national. It would be better for PHE to speak to the Gambling Commission about Operators sharing their policies or in them creating a national one as this would be more effective.</p> <p>Recommendation 8): This is not within the scope of this policy and should be a conversation between Asset Management and Public has as they have indicated.</p> <p>Recommendation 9): We actively encourage this and have liaised with Public Health in connection with this and previous policies.</p>
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	<p>problems and debt advice.</p> <p>5) Development of Gambling Related Harm: Vulnerable Locality Index.</p> <p>6) Operators should reduce advertising at least in line with the Senet Group's set of Commitments</p> <p>7) A Borough wide self-exclusion policy across all premises licensed for gambling.</p> <p>8) Public Health are seeking clarification that gambling is not promoted on LBTH owned assets and estates.</p> <p>9) Finally, since gambling is increasingly recognised as involving public health concerns, the Authority should continue to work with Public Health to foster close working relationships over the life course of this policy to ensure that the health of Tower Hamlets residents is promoted within the context of licensed gambling establishments.</p>	
GamCare	<p>GamCare explained that they are not able to review all Policy Reviews sent to them by Local Authorities but gave a generic response that they send to all Local Authorities when consulted on revisions to Statements of Gambling Policies.</p> <p>Response Below:</p> <ul style="list-style-type: none"> <li>• 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 <a href="http://www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our-understanding-of-risk/">www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our-understanding-of-risk/</a></li> </ul>	<p>In reviewing the policy post consultation all of these items have been covered and there were no need for a further revisions save for the addition of the following paragraph at the end of the section on Vulnerable People, section 15 Part A:</p> <p><i>"This Licensing Authority encourages operators to consider participation in voluntary best practice or certification schemes, such as GamCare's Safer Gambling Standard to assist in their promotion of the objective of Protecting children and other vulnerable persons from being harmed or exploited by gambling."</i></p>

	<ul style="list-style-type: none"><li>• 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.</li><li>• 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.</li><li>• 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?</li><li>• 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.</li><li>• 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.</li></ul>	
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	<ul style="list-style-type: none"> <li>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.</li> </ul> <p>They also suggested that the Local Licensing Authority primarily consider applications from GamCare Certified operators. GamCare Certification (now being replaced by our Safer Gambling Standard) 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.</p>	
William Hill	<p>Two responses first updating their contact details and the second was a comment on the policy, as below.</p> <p>They commented on the below paragraph being too onerous for them to comply with and would create an unacceptable amount of work. Furthermore as Operators provide information on the areas detailed in the paragraph on a regular basis to the Gambling Commission, which is the agreed process for sharing this information they suggested that if the Gambling Commission have any concerns when assessing the data provided, they would discuss this with the Operator to seek improvement. Hence individual contact with each Authority is therefore unnecessary.</p> <p><i>"To assist the targeting of the Council's enforcement activity the Council will request that operators / premises share:-</i></p> <ul style="list-style-type: none"> <li><i>Test purchasing results (subject to the terms of primary authority agreements);</i></li> <li><i>incidents in premises, which managers are likely to be required to report to head office;</i></li> <li><i>information about numbers of self-</i></li> </ul>	<p>This paragraph was amended to the below, and William will responded that they were satisfied with this change.</p> <p><i>"During visits/inspections the Council may request that operators / premises share:-</i></p> <ul style="list-style-type: none"> <li><i>Local area risk assessments</i></li> </ul> <p><i>This information will help the Council to get a clearer picture of which premises may be experiencing issues, meaning that the inspection and enforcement activity is appropriately structured, and targeted. In some circumstances and where proportionate to do so the Council may also request premises share:</i></p> <ul style="list-style-type: none"> <li><i>test purchasing results (subject to the terms of primary authority agreements) ;</i></li> <li><i>incidents in premises, which managers are likely to be required to report to head office;</i></li> <li><i>information about numbers of self-excluded gamblers to help it develop its understanding about the risk of problem gambling in its</i></li> </ul>

	<p><i>excluded gamblers to help it develop its understanding about the risk of problem gambling in its area.</i></p> <p><i>This information will help the Council to get a clearer picture of which premises may be experiencing issues, meaning that the inspection and enforcement activity is appropriately structured, and targeted.”</i></p> <p>They requested that this section be amended to remove this requirement, in line with the approach all other Local Authorities take, and sighted would avoid a situation which would be over-burdensome and against better regulation principles that we make mention of in the policy.</p> <p>They commented that if we were to have any particular concerns about individual premises, they would not have any issues with receiving requests for information on an individual shop basis, as required.</p>	<p>area.</p> <p><i>Such request to share such data will be in consultation with the Operators, and the Gambling Commission.”</i></p>
<p>Paddy Power (Represented by Poppleston Allen Solicitors)</p>	<p>They had similar concerns to William Hill as per the above.</p> <p>In essence they said that a statement of Gambling Policy cannot place an obligation upon a licence holder. Such an obligation can only be enforced by way of a premises licence condition, which must be a reasonable and proportionate response to evidence based concerns that are not addressed by a licensee’s operation and existing policies and procedures.</p> <p>They were concerned that they would be a potential for disparity between those operators who do not report the listed information and those that do and that any inconsistency in the data received would provide for an incorrect assessment of the industry’s age verification procedures and any potential local risks or concerns identified within the Authority’s jurisdiction.</p>	<p>This paragraph was amended to the below, and Paddy Power via Poppleston Allen was advised of the amendment.</p> <p><i>“During visits/inspections the Council may request that operators / premises share:-</i></p> <ul style="list-style-type: none"> <li>• <i>Local area risk assessments</i></li> </ul> <p><i>This information will help the Council to get a clearer picture of which premises may be experiencing issues, meaning that the inspection and enforcement activity is appropriately structured, and targeted. In some circumstances and where proportionate to do so the Council may also request premises share:</i></p> <ul style="list-style-type: none"> <li>• <i>test purchasing results (subject to the terms of primary authority agreements) ;</i></li> <li>• <i>incidents in premises, which managers are likely to be</i></li> </ul>

	<p>They also sighted the Licence Conditions and Codes of Practice (LCCP) and the mandatory obligations upon licence holders in respect of the implementation of test purchasing practices and associated reporting requirements.</p> <p>They advised that the Regulators' Code provides that when the law allows, regulators should agree secure mechanisms to share information with each other about bodies they regulate to minimise duplication. Further that Operators are obliged to share information with the Gambling Commission through the submission of Regulatory Returns and that information is disseminated through its own annual reports.</p> <p>In short they suggest that the below paragraph be amended to reflect the legal requirements and obligations provided by the Gambling Act 2005 and subordinate legislation.</p> <p><i>"To assist the targeting of the Council's enforcement activity the Council will request that operators / premises share:-</i></p> <ul style="list-style-type: none"> <li><i>• Test purchasing results (subject to the terms of primary authority agreements);</i></li> <li><i>• incidents in premises, which managers are likely to be required to report to head office;</i></li> <li><i>• information about numbers of self-excluded gamblers to help it develop its understanding about the risk of problem gambling in its area.</i></li> </ul> <p><i>This information will help the Council to get a clearer picture of which premises may be experiencing issues, meaning that the inspection and enforcement activity is appropriately structured, and targeted."</i></p>	<p><i>required to report to head office;</i></p> <ul style="list-style-type: none"> <li><i>• information about numbers of self-excluded gamblers to help it develop its understanding about the risk of problem gambling in its area.</i></li> </ul> <p><i>Such request to share such data will be in consultation with the Operators, and the Gambling Commission."</i></p>
Canal and River Trust	Response to update their contact email address to the below:	No response required



	<a href="mailto:enquiries.londonsoutheast@canalrivertrust.org.uk">enquiries.londonsoutheast@canalrivertrust.org.uk</a>	
St Johns Community Association Social Club, 37-43 Glengall Grove London E14 3NE	They advised they no longer have Fruit Machine (Gaming Machines), and haven't had them for 15 year as they have lots of children who use the Club.	No response required
Resident (online Response)	<p>Comment:</p> <p><i>Not to have too many gambling shops especially when high percentage of residents are on low income, those who are on long income often rely on betting shop to invest/generate more money and often end up losing all money and then fall into a cycle of crimes.</i></p> <p><i>Please work on closing some of them and stop illegal gambling totally.</i></p> <p>This resident also stated that they do think there is a problem with illegal gambling in the borough and that they also had concerns about illegal.</p>	<p>We will work within the confines of the Gambling Act 2005, Gambling Commission Guidance and this Policy in regards to reducing Gambling Related harms. Furthermore this revision of this policy defines children and vulnerable persons, and contains more in relation to guidance and our approach to tackle Gambling Related Harms in line with National Guidance and the 2005 Act.</p> <p>The 2005 Act grants the power to Review Premises Licence or object to new Licences where there is evidence that Gambling Premises Licences are in breach of the 2005 Act, their Licence or are or likely to undermining one or more of the Gambling Objectives. Where this Licensing has such evidence we will take appropriate and proportionate action in response that may involve reviewing/objecting to Premises Licences issued by us.</p> <p>With regards to illegal Gambling we investigate all complaint/reports of illegal gambling and currently have a case with our Legal Department for consideration for prosecution in relation to illegal gambling.</p>
Resident (online Response)	<p>Comment:</p> <p><i>"I think there are too many licenses issued to high street gambling shops in tower hamlets. We should have a restriction to the number of betting shops in the high street."</i></p> <p>This resident did not know if there is a</p>	<p>The Gambling Act 2005 does not give the legal power to restrict Gambling Premises in a Licensing Authorities Area.</p> <p>This Licensing Authority will however ensure that premises that undermine the Gambling Objectives investigated and where appropriate their licences</p>

	problem with illegal gambling in the borough and did not have concerns about illegal.	refused/revoked. It is our opinion that this policy takes a better more proactive stance towards tackling Gambling Related and Protection of Children and Vulnerable from being harmed by Gambling
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