

# Consultation Comments Received

No.	Name	Organisation / Details		Overview of comments	Has the policy been updated following the comments?
1	Janet Marron	HM Revenue & Customs	1	Update in contact number and email for HMRC	Yes - This is updated in Part 13
2	Gosschalks Solicitors on behalf of Association of British Bookmakers	Association of British Bookmakers (ABB)	1	Comments detail that Licensing Authorities do not have a 'duty' to 'promote' the licensing objectives but to 'have regard' to the licensing objectives and references to 'promoting' the objectives should be removed.	No – In line with the Gambling Commission’s guidance to Licensing Authorities, Part 6 details what is required in the Statement of Principles. Paragraph 6.7 under ‘Fundamental Principles’ state the Licensing Authorities statement of policy should begin by stating the three licensing objectives (s1 of the Act) which the policy will promote.  The Licensing Authority is aware that it must ‘have regard’ to these licensing objectives when exercising its functions under the Act, this is detailed throughout the policy document and in particular Part 2.
			2	Request to amend Paragraph 1.2 as the aim of the policy is to outline the principles that the Licensing Authority will apply when exercising its function and not to promote the licensing objectives.	Yes – This paragraph has been amended as follows to ensure it is clear what the intended aim of the policy is:  <i>“The aim of this document is to outline the principles we will apply when exercising our functions under the Act whilst promoting the following Licensing</i>

			3	It is unclear at paragraph 4.2 (Policy Objective 1) what is required/expected by applicants on the bullet point regarding 'supporting local strategies and schemes'.	<p><i>Objectives:..”</i></p> <p>Yes – The wording has been amended at that bullet point to make it clearer what is to be in applicants risk assessments:</p> <p><i>“Local supporting strategies and schemes including those listed in Part 3 of this document to be assessed:</i></p> <ul style="list-style-type: none"> <li>○ <i>Applicants will be expected to detail how these have been addressed and promoted in regards to this licensing objective in their risk assessments”</i></li> </ul>
			4	Paragraph 4.6 (Policy – Objective 3) contains a list of bullet points that operators “must address in Sheffield to promote this licensing objective”. There is no need for this list as everything contained within that list are matters covered by the LCCP and SR Code provisions. This is duplication and overly prescriptive.	No - Although the LCCP and SR code provisions lay out requirements to the ‘protection of children and other vulnerable persons’ this particular part of the policy covers all licence types and local control measures it would expect applicants/licensees to follow to mitigate any risks relating to this licensing objective.
			5	Paragraph 5.2 (Policy – Location) contains reference to “areas nearing stress”. It is not clear whether or not the concentration of “licensed premises” are Gambling Act 2005 premises or Licensing Act 2003 premises. It is also not clear what the effects on the licensing objectives are.	Yes - The concentration of licensed premises detailed in this section of the policy refers to gambling premises only. The effects on the licensing objectives are in particular to crime and disorder and protecting children and the vulnerable. Paragraph 5.2 has been amended to ensure this is clear for applicants/licensees to mitigate further risks.

			<p>6 Paragraph 7.2 (Policy – Premises) should be redrafted. Specifically, the final paragraph of this policy needs to be updated to reflect changes to the Gambling Commission guidance and the SR Code provisions. As drafted, the paragraph refers to the “primary purpose” of the premises and thereafter to “ancillary gambling activities at the premises”. The current requirement (contained within SR code provision 9) is that gaming machines may be made available in licensed premises only where there are also substantive facilities for the non-remote gambling specified on the premises licence. There is no requirement with regard to “ancillary use” only that substantive facilities be required.</p> <p>7 Paragraph 7.12.1 (Off course betting (Betting Shops)) indicates that conditions may be applied by the licensing authority to a betting premises licence if it is felt necessary. This section should be amended to make it clear that all Gambling Act 2005 premises licences are subject to mandatory and default conditions which are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. This section should also state that additional conditions will only be imposed where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that requires that the mandatory and default conditions be supplemented.</p>	<p>Yes - The final paragraph in this policy section has been deleted to reflect the changes in the Gambling Commissions guidance and SR Provision codes.</p> <p>No - As each case will be dealt with on its own merit; specific conditions could be offered to applicants. Where imposed these will be proportionate to the circumstances they are intended to address.</p>
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3	Brian Minihane – National Licensing and Development Manager	William Hill	1	<p>Paragraph 11.2 – Test Purchasing</p> <p>Does not feel it is necessary to submit all results to the Local Authority on any test purchasing carried out. Primary Authority scheme’s already in place where results are shared and shared with the Gambling Commission who then work with operators. Would be more supportive if the policy was amended to: <i>“Results of any test purchasing conducted by the licensee should be shared with the Licensing Authority on request.”</i></p>	<p>Yes – It is reasonable to change the wording of this paragraph to provide this information ‘on request’ by the Licensing Authority. Amendment to the paragraph is as follows:</p> <p><i>“Results of any test purchasing conducted by the licensee must be shared with the Licensing Authority on request including any improvement programme or measures and to demonstrate later the effectiveness of such a programme.”</i></p>
4	Magdalena Boo	Sheffield Public Health	1	<p>Foreword – to make stronger statements about gambling related harm and link to core strategies</p>	<p>Yes – Part 3 Integrating Strategies updated to link to core strategies including those of the Public Health report and Health and Wellbeing strategy</p>
			2	<p>Paragraph 1.4 – the Sheffield Area – request to highlight areas of deprivation.</p>	<p>No – Areas can change through the duration of this policy. Area profiling and risk assessments are carried out by operators which will allow them to assess risks and mitigate them by putting in place appropriate measures. Each application will be treated on it’s own individual merits.</p>
			3	<p>Part 3 Integrating Strategies – Minor updates to the Strategies and Plans.</p>	<p>Yes – Corporate Plan updates to include Tackling Inequalities and Better Health and Wellbeing</p> <p>Sheffield Alcohol Strategy and Gamcare now linked to Part 9 of the policy regarding ongoing responsibilities of licensed</p>

					premises.
			4	Policy Objective 3 – Paragraph 4.3 – request for the objective to be more proactive on offering self-exclusion and facilitating self-exclusion through referral to advocacy.	Concerns raised in reference to ‘vulnerable groups’ are addressed through the Licensing Objective and operators requirements to profile the area and carry out risk assessments.
			5	Policy – Locations – Paragraph 5.2 – request that ‘Youth’ in itself should be recognised as a risk factor.	Yes – Although not placed in paragraph 4.3, this has been updated in paragraph 9.1 Self exclusion scheme to include that referral to advocacy services would be recognised as good practice.
			6	Policy – Risk – Paragraph 5.4 – request to include a proforma on risk assessments for operators.	No – This is already covered in paragraph 5.4 Risk and operators area profiling and risk assessments which would include vulnerable groups in the area.
			7	Policy – Area – Paragraph 5.5 – Request to make this paragraph stronger to not have gambling	No - The policy document contains substantive information on what should be incorporated in operators risk assessments and the onus is left with the operators to ensure all risk factors have been assessed.  The sources of data provided to assist operator in completing their risk assessments are helpful and will be included in the policy document at paragraph 5.4.
					No - Area profiling and risk assessments would cover issues regarding vulnerable groups. As each application will be dealt

				establishments in sensitive locations or to phrase that operators must have strongly evidence mitigation.	with separately and on their own individual merits it would be for the operator to show how risks would be mitigated in their area, specific conditions could also be offered to applicants. Where conditions are imposed; these will be proportionate to the circumstances they are intended to address.
			8	Policy – Interested Party – Request to have a wider definition of Interest party.	No – The Licensing Authority has no power to change who is regarded as an Interested Party as this is defined in the legislation under section 158 of the Gambling Act 2005.
			9	Reviews – Paragraph 7.16 – request to reword so a review is not seen as a ‘last resort’.	Yes – paragraph reworded as follows: <i>“Where risk is identified and has not been managed to the satisfaction of the responsible authorities; an application will be submitted to review the licence.”</i>
			10	Part 11 Enforcement – Paragraph 11.2 – Request for Test Purchasing to be more detailed in what would be carried out and provide feedback.	No – This is already covered in Paragraph 11.2. On request the Licensing Authority can explore the results of operators tests including what improvement measures have been adopted and whether they are effective. Test purchasing can also be conducted by the Gambling Commission and or jointly with the Licensing Authority where testing particular factors can be carried out.
5	Magdalena Boo on behalf	Problem Gambling	1	Foreword and Part 1 – Group requesting to see a summary paragraph about gambling related harm.	Yes - The Licensing Authority recognises and supports the importance of reducing

	of Sheffield Problem Gambling Stakeholder Group	Stakeholder Group		<p>2 Part 3 – Integrating Strategies – Request to update Corporate Plan to include Better Health and Wellbeing and the strategies to include the Director of Public Health report.</p> <p>3 Policy Objective 3 – Paragraph 4.6 – Comments details concerns about specific vulnerable groups and appropriate training and safeguard measures.</p> <p>4 Part 5 – Location – Group felt it would be useful to define ‘close proximity’.</p> <p>5 Part 6 Interested Party – Paragraph 6.3 – Request to amend definition of Interest Party to include those whose children attend school or use facilities close to the authorised premises.</p> <p>6 Part 11 – Enforcement – The group would like to see a schedule of monitoring inspections/visits/test purchases.</p>	<p>gambling related harm in the City and in particular to those who are vulnerable and have ensured the policy is linked to core strategies to assist with this (Part 3 – Integrating Strategies).</p> <p>Yes – This has been updated in Part 3 of the policy document.</p> <p>Yes – Paragraph 5.2 ‘location’ will also include ‘mental health projects and facilities’. The remaining comments and concerns regarding vulnerable groups are assessed through area profiling and risk assessments of operators.</p> <p>No - ‘Close proximity’ has not been defined under this section as each application will be considered on its own individual merits; therefore ‘close proximity’ may differ from application to another.</p> <p>No – The Licensing Authority has no power to change who is regarded as an Interested Party as this is defined in the legislation under section 158 of the Gambling Act 2005.</p> <p>No – A schedule is not required within this policy document as inspections/visits etc will be carried out in a risk based assessment format.</p>
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			7	Other issues – the group would like to see local support services and Krysallis the local Gamcare provider’s details in the document.	Yes –Policy document updated to include local support services and Krysallis.
6	Cllr Douglas Johnson on behalf of Sheffield Green Party	Sheffield Green Party	1	Request made for Public Health Strategy and Sheffield’s Joint Health and Wellbeing strategy to be included in the policy as a separate paragraph in Part 3 of the policy.	Yes – Separate paragraph included.
			2	Would like there to be the expectation that applications for licences will normally be supported by evidence of appropriate planning permission.	No - Gambling Commissions guidance states that the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents as these matters should be dealt with under relevant planning control, building and other regulations, authorities are required to determine applications on their merit.
			3	Would like the policy to address the proliferation of betting shops and requiring careful consideration of new premises around existing gambling premises.	No - The proliferation of gambling premises has been identified within this policy document at Part 5, paragraph 5.2. New planning laws require any new betting premises to require planning permission.
			4	Statement should address Fixed Odd Betting Terminals which are not currently mentioned.	Yes - ‘Fixed Odd Betting Terminals (FOTBs)’ are referred to as category B2 machines; B2 machines are referred to throughout the policy document and specific policy is detailed under that part or licence type.  To assist on making this clear, ‘Appendix 1



			5	Foreword - The statement that “The Council recognises how important this sector of the entertainment industry is within the city” is no longer appropriate in light of public health concerns and should be removed.	<p>– Glossary of Terms’ has been updated to details what a ‘Fixed Odd Betting Terminal’ is referred to in the policy document.</p> <p>Yes – This statement has been removed.</p>
7	Rev. Zaidie Orr	Central United Reformed Church	1	Policy document is clear and provides necessary guidelines. Concerns highlighted that gambling is becoming a ‘disease’ among the young and the vulnerable. Applications for low stake gambling machines to be considered carefully as the impact on the young and vulnerable are not known. Policy needs to stress that it provides a responsible approach to gambling and demonstrate how it safeguards the vulnerable.	No changes required – The policy document covers the licensing objective to protect children and other vulnerable persons from being harms or exploited by gambling. Specific tools provided by Sheffield’s Safeguarding Children’s Board, management measures and operator risk assessments ensure the mitigations of particular risks.
8	Citizen Space Respondent	Individual	1	<p>Questions and answers on Citizen Space:</p> <p><i>Q - Is the policy document easy to understand?</i>  <i>A – Not answered</i></p> <p><i>Q - Is the policy document easy to understand? - If no, please explain why</i>  <i>A - ok for me, but I am not everybody</i></p> <p><i>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)?</i>  <i>- Does the policy document provide all the information you would expect?</i></p>	No changes to the policy document

				<p>A - Yes</p> <p>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)?          - If you have answered no, please indicate what other information you would like to see included          A – Not answered</p> <p>Q - Does the policy document include any information that you disagree with or you think needs amending?          A - Yes</p> <p>Q - Does the policy document include any information that you disagree with or you think needs amending? - If you have answered yes, please explain which section/s you are referring to and what you disagree with or you think needs amending.          A – I would like to see gambling discouraged</p>	
9	Citizen Space Respondent	Individual	1	<p>Questions and answers on Citizen Space:</p> <p>Q - Is the policy document easy to understand?          A – No          Q - If no, please explain why          A - Lack of plain English</p> <p>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)?          - Does the policy document provide all the</p>	No changes to the policy document

			<p><i>information you would expect?</i>  A - No  Q - <i>If you have answered no, please indicate what other information you would like to see included</i>  A – Not answered</p> <p><i>Q - Does the policy document include any information that you disagree with or you think needs amending?</i>  A - No  Q - <i>If you have answered yes, please explain which section/s you are referring to and what you disagree with or you think needs amending.</i>  A – Not answered</p>	
10	Citizen Space Respondent	Ruskin Mill Trust	<p>Questions and answers on Citizen Space:</p> <p><i>Q - Is the policy document easy to understand?</i>  A – Yes  Q - <i>If no, please explain why</i>  A - Not answered</p> <p><i>Q - Does the policy document provide you with the information required to understand the purpose of the policy (see list below)?</i>  - <i>Does the policy document provide all the information you would expect?</i>  A - Yes  Q - <i>If you have answered no, please indicate what other information you would like to see included</i>  A – Not answered</p> <p><i>Q - Does the policy document include any information that you disagree with or you think</i></p>	No changes to the policy document

			<i>needs amending?</i> <i>A - Yes</i> <i>Q -If you have answered yes, please explain which section/s you are referring to and what you disagree with or you think needs amending.</i> <i>A – Not answered</i>	
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