

Basingstoke and Deane



working together

Statement of Principles

Gambling Act 2005

2027-2030

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Part 1. Foreword

Basingstoke and Deane Borough Council and Hart District Council, acting jointly through their Shared Licensing Service, are committed to ensuring that gambling activities within their administrative areas are conducted in a fair, open and lawful manner whilst protecting children and other vulnerable persons from harm.

The Licensing Authorities recognise that gambling can provide leisure opportunities, employment and economic investment within local communities. Equally, it is recognised that gambling can give rise to harm affecting individuals, families and communities. This Statement of Principles has therefore been prepared to support a balanced and proportionate approach to regulation, enabling legitimate businesses to operate whilst promoting the licensing objectives and protecting the wider public interest.

In exercising their functions under the Gambling Act 2005, the Licensing Authorities will seek to promote the statutory licensing objectives by:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

In carrying out these responsibilities, close working relationships will be maintained with the Gambling Commission, Hampshire Constabulary, Hampshire Safeguarding Children Partnership, public health partners, local businesses, residents and other relevant stakeholders.

Regulatory activity undertaken under the Gambling Act 2005 will be guided by the principles of transparency, consistency, proportionality and accountability.

1.1 Statement of Principles, Gambling Act 2005, 2027-2030 Prepared in accordance with:

This Statement of Principles has been prepared in accordance with:

- The Gambling Act 2005.
- Regulations made under the Gambling Act 2005.
- Guidance issued by the Gambling Commission.
- The Gambling Commission's Licence Conditions and Codes of Practice (LCCP).
- The Human Rights Act 1998.
- The Equality Act 2010.
- The Data Protection Act 2018.

- UK General Data Protection Regulation (UK GDPR).

Other legislation and guidance relevant to the exercise of the Licensing Authorities' functions.

1.2 Shared Licensing Service

Licensing functions under the Gambling Act 2005 are administered through a shared service arrangement between Basingstoke and Deane Borough Council and Hart District Council.

This Statement of Principles has been adopted jointly by both Licensing Authorities and provides a consistent framework for the exercise of gambling licensing functions across the shared service area.

Nothing within this Statement of Principles alters the statutory responsibilities, powers or duties of either Licensing Authority. Decisions will continue to be made by the appropriate decision-making body or authorised officer of the relevant authority in accordance with the Gambling Act 2005 and local constitutional arrangements.

1.3 Policy Status

This Statement of Principles is intended to provide guidance regarding the manner in which the Licensing Authorities will exercise their functions under the Gambling Act 2005.

The Policy:

- Does not override the provisions of the Gambling Act 2005.
- Does not replace Gambling Commission Guidance.
- Does not replace the Gambling Commission's Licence Conditions and Codes of Practice.
- Does not restrict the statutory rights of applicants, responsible authorities or interested parties.
- Does not fetter the discretion of the Licensing Authorities.

Each application, review, permit, notice or other matter arising under the Act will be considered on its individual merits having regard to all relevant evidence and circumstances.

Where exceptional circumstances exist and there are lawful reasons for doing so, departure from this Statement of Principles may be justified. Any such departure will be supported by clear reasons.

Part 2 - Glossary of Terms

This glossary is intended to assist readers in understanding terminology used throughout this Statement of Principles. Where any inconsistency arises between

this glossary and the Gambling Act 2005 or associated regulations, the legislation shall prevail.

Term	Definition
Adult Gaming Centre (AGC)	Premises licensed under the Gambling Act 2005 that provide gaming machines for use by persons aged 18 years and over.
Authorised Officer	An officer of the Licensing Authority authorised to exercise functions delegated under the Council's Constitution and Scheme of Delegation.
Betting Premises	Premises licensed for the provision of betting facilities.
Child	A person under the age of 16 years as defined by the Gambling Act 2005.
Club Gaming Permit	A permit granted to a qualifying members' club or miners' welfare institute authorising specified gaming activities.
Customer Interaction	Measures undertaken by gambling operators to identify, engage with and support customers who may be at risk of experiencing gambling-related harm.
Family Entertainment Centre (FEC)	Premises providing gaming machines. Licensed FECs may provide Category C and Category D machines, whilst unlicensed FECs are restricted to Category D machines.
Gambling Commission	The national regulator responsible for regulating commercial gambling in Great Britain under the Gambling Act 2005.
Gambling-Related Harm	Negative consequences arising from gambling which may affect individuals, families, communities or society. Harm may be financial, emotional, psychological, social, physical or relational.
Interested Party	A person who, in the opinion of the Licensing Authority: (a) lives sufficiently close to the premises to be affected by authorised activities; (b) has business interests that may be affected by authorised activities; or (c) represents persons falling within either category.
Joint Licensing Service	The shared service arrangement through which gambling licensing administration is delivered on behalf of Basingstoke and Deane Borough Council and Hart District Council.
Licence Conditions and Codes of Practice (LCCP)	Requirements issued by the Gambling Commission that apply to operating licence holders and assist in promoting the licensing objectives.

Licensing Authority	For the purposes of this Statement of Principles, either Basingstoke and Deane Borough Council or Hart District Council acting in their statutory capacity under the Gambling Act 2005.
Licensing Objectives	The three statutory objectives contained within Section 1 of the Gambling Act 2005: (1) Preventing crime and disorder; (2) Ensuring gambling is conducted fairly and openly; (3) Protecting children and other vulnerable persons from harm.
Local Area Profile (LAP)	A document prepared by the Licensing Authorities identifying local characteristics and potential risks relevant to gambling premises. The LAP does not create additional licensing objectives or presumptions against gambling premises.
Local Risk Assessment	An assessment prepared and maintained by an operator in accordance with the Gambling Commission's Licence Conditions and Codes of Practice.
Premises Licence	A licence authorising gambling activities at specified premises under the Gambling Act 2005.
Responsible Authority	A body prescribed by the Gambling Act 2005 and associated regulations which is entitled to receive applications and submit representations.
Safeguarding	Actions taken to protect children and adults at risk from abuse, neglect, exploitation or harm.
Self-Exclusion	A process by which an individual voluntarily requests to be excluded from gambling activities for a specified period.
Small Society Lottery	A lottery promoted by a non-commercial society and registered with the relevant Licensing Authority in accordance with the Gambling Act 2005.
Statement of Principles	The Gambling Act 2005 licensing policy adopted by Basingstoke and Deane Borough Council and Hart District Council setting out the principles that will generally be applied when exercising licensing functions.
Tracks	Premises where sporting events or races take place and where betting facilities may be provided.
Vulnerable Person	For the purposes of this Statement of Principles, a person who may be at increased risk of gambling-related harm due to their personal, social, financial, health-related or situational circumstances. Vulnerability may be temporary, permanent or situational and will be considered in accordance with Gambling Commission Guidance.
Young Person	A person aged 16 or 17 years as defined by the Gambling Act 2005.

Part 3. – Introduction

3.1 Introduction

The Gambling Act 2005 ("the Act") provides the legislative framework for the regulation of commercial and non-commercial gambling throughout Great Britain. The Act establishes a system of regulation intended to permit gambling, insofar as it is reasonably consistent with the pursuit of the licensing objectives, whilst ensuring appropriate protections are in place for the public.

Responsibility for the regulation of gambling is shared between the Gambling Commission and local authorities acting as Licensing Authorities. The Gambling Commission is responsible for regulating operators and personal licence holders and for issuing the Licence Conditions and Codes of Practice (LCCP), whilst Licensing Authorities are responsible for the administration and determination of premises licences, permits, registrations and other matters prescribed under the Act.

For the purposes of the Gambling Act 2005, Basingstoke and Deane Borough Council and Hart District Council are designated Licensing Authorities within their respective administrative areas. This Statement of Principles has been jointly prepared and adopted by both authorities and sets out the principles that will generally be applied when exercising functions under the Act.

Section 349 of the Gambling Act 2005 requires Licensing Authorities to prepare and publish a Statement of Principles every three years. This document fulfils that statutory requirement and provides guidance to applicants, licence holders, responsible authorities, interested parties, residents, businesses and elected Members regarding the approach that will be taken in the administration and regulation of gambling activities.

The Licensing Authorities have had regard to the legislative and regulatory framework identified in Section 1.1.

The Licensing Authorities recognise that gambling forms part of the leisure economy and can make a positive contribution to employment, tourism, entertainment and local economic activity. Equally, it is recognised that gambling can expose some individuals to the risk of gambling-related harm.

The Licensing Authorities are committed to adopting a balanced, proportionate and evidence-based approach to regulation which supports lawful gambling activity whilst promoting the licensing objectives and protecting those who may be vulnerable to gambling-related harm.

The principles regarding statutory discretion, departure from policy where appropriate, and consideration of matters on their individual merits are set out in Section 1.4.

3.2 Scope of the Policy

This Statement of Principles applies to all licensing and regulatory functions undertaken by Basingstoke and Deane Borough Council and Hart District Council under the Gambling Act 2005. These functions include the grant, refusal, variation and review of premises licences, the grant of provisional statements, the consideration of applications to transfer premises licences, and the determination of temporary use notices. The Statement also covers the receipt and administration of occasional use notices, the grant, renewal, cancellation and administration of permits issued under the Act, the registration and administration of small society lotteries, the maintenance of public registers, compliance and enforcement activities, and the collection and exchange of information where authorised by law.

This Statement of Principles applies to gambling activities and premises within the jurisdiction of the Licensing Authorities. These include betting premises, bingo premises, Adult Gaming Centres (AGCs), Family Entertainment Centres (FECs), casinos and tracks, together with gaming machine permits, prize gaming permits, club gaming permits, club machine permits and small society lotteries.

The Statement does not apply to matters that fall outside the responsibilities of the Licensing Authorities. These include remote and online gambling regulated by the Gambling Commission, the National Lottery, operating licences and personal licences issued by the Gambling Commission, and any matters reserved exclusively to the Gambling Commission by legislation.

Nothing within this Statement of Principles shall fetter or restrict the discretion available to the Licensing Authorities when exercising their statutory functions. Each application and regulatory matter will be considered on its own merits in accordance with the requirements of the Gambling Act 2005 and any relevant statutory guidance.

3.3 Purpose of the Policy

The purpose of this Statement of Principles is to provide a clear, transparent and consistent framework for the exercise of gambling licensing functions within the areas administered by Basingstoke and Deane Borough Council and Hart District Council. The Statement is intended to promote the licensing objectives established by the Gambling Act 2005 and to assist applicants, licence holders and other stakeholders in understanding the Licensing Authorities' expectations when carrying out their functions under the Act.

The Statement also seeks to promote consistency, fairness and transparency in decision-making, provide guidance to residents, businesses and other interested parties, and support effective partnership working between responsible authorities

and gambling operators. In addition, it encourages measures to minimise gambling-related harm, promote effective safeguarding arrangements for children and vulnerable persons, support compliance with the Gambling Commission's Licence Conditions and Codes of Practice, and encourage operators to implement effective customer interaction, harm prevention and risk management measures.

This Statement should be read in conjunction with the Gambling Act 2005, relevant regulations made under the Act, the Gambling Commission's Guidance to Licensing Authorities, and the Licence Conditions and Codes of Practice issued by the Gambling Commission. It is intended to provide guidance on the Licensing Authorities' approach to the exercise of their functions and should not be regarded as a definitive interpretation of the law. Where there is any inconsistency, the provisions of the relevant legislation, regulations, statutory guidance and applicable case law shall take precedence.

Nothing contained within this Statement shall override the right of any person to apply for a licence, permit or registration under the Act, the right of any responsible authority or other person entitled to do so to make representations, the right to seek a review of a licence where permitted by legislation, or the right of appeal available under the Act. Nor shall this Statement restrict the Licensing Authorities from exercising their discretion or determining each application, representation, review or enforcement matter on its individual merits.

3.4 Area Profile

The Licensing Authorities recognise the importance of understanding local characteristics, demographics and risk factors when considering gambling applications and undertaking regulatory activities. The administrative areas of Basingstoke and Deane Borough Council and Hart District Council comprise a diverse range of urban, suburban and rural communities, including town and district centres, residential neighbourhoods, rural villages and settlements, educational establishments and facilities used by young people, community facilities and places of worship, employment areas and business parks, retail, leisure and entertainment destinations, and transport hubs together with associated infrastructure.

The character and composition of communities across the two districts can vary significantly, and levels of vulnerability may differ between localities. In recognition of these factors, the Licensing Authorities maintain a Local Area Profile (LAP) to assist applicants, licence holders and decision-makers in understanding local circumstances that may be relevant to gambling premises and gambling-related activities within the area.

The Local Area Profile is intended to provide information and context to support the effective regulation of gambling activities. It does not create additional licensing objectives, establish a presumption for or against any particular type of gambling premises, or replace the requirement for each application to be considered on its

individual merits. Instead, it provides information that may assist operators when preparing, reviewing and updating Local Risk Assessments and supports evidence-based decision-making by the Licensing Authorities when exercising their functions under the Gambling Act 2005.

Applicants and licence holders are expected to take account of the matters identified within the Local Area Profile when preparing and reviewing their Local Risk Assessments in accordance with the requirements of the Gambling Commission's Licence Conditions and Codes of Practice. These assessments should identify, evaluate and mitigate local risks associated with the operation of gambling premises and be kept under regular review to ensure they remain effective and relevant.

3.5 Declaration

This Statement of Principles has been prepared having regard to the licensing objectives set out in the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, the Gambling Commission's Licence Conditions and Codes of Practice, and all relevant legislative and regulatory requirements. In preparing the Statement, the Licensing Authorities have also taken into account equality, safeguarding, human rights and data protection considerations, the responses received during consultation, and local circumstances relevant to the administration of gambling licensing functions within the areas of Basingstoke and Deane Borough Council and Hart District Council.

In exercising their functions under the Gambling Act 2005, the Licensing Authorities will seek to ensure that all decisions are lawful, proportionate, evidence-based, transparent and consistent with the promotion of the licensing objectives. The Licensing Authorities are committed to fair and consistent decision-making and will have regard to all relevant information before reaching a determination on any matter arising under the Act.

This Statement of Principles shall normally remain in force for a period of three years from the date of its adoption. However, the Licensing Authorities reserve the right to review and revise the Statement at any time where this is considered necessary. Such a review may arise as a result of legislative or regulatory changes, amendments to Gambling Commission Guidance or Codes of Practice, emerging evidence of gambling-related harm, significant local developments or changing local circumstances, relevant court decisions or legal advice, or any other matter that the Licensing Authorities consider appropriate to take into account.

When determining applications, representations, reviews and all other matters arising under the Gambling Act 2005, the Licensing Authorities will have regard to the Act itself, any relevant regulations, Gambling Commission Guidance, the Licence Conditions and Codes of Practice, this Statement of Principles, the Local Area Profile, and the evidence available in each individual case. Each matter will be

considered on its own merits, and nothing contained within this Statement shall fetter or prejudice the proper exercise of the Licensing Authorities' statutory discretion.

Part 4. – Licensing Objectives and General Principles

4.1 Licensing Objectives and General Principles

In exercising their functions under the Gambling Act 2005, the Licensing Authorities will have regard to the three licensing objectives set out in Section 1 of the Act. These objectives are the prevention of gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ensuring that gambling is conducted in a fair and open way; and protecting children and other vulnerable persons from being harmed or exploited by gambling.

In carrying out their statutory functions, the Licensing Authorities will seek to permit the use of premises for gambling insofar as this is considered to be in accordance with relevant Gambling Commission Guidance, the Licence Conditions and Codes of Practice (LCCP), the licensing objectives and the principles set out within this Statement. Each application and regulatory matter will be considered on its own merits and determined having regard to the individual circumstances of the case and the evidence presented.

4.2 No Additional Licensing Objectives

The Licensing Authorities recognise that concerns relating to gambling-related harm, safeguarding, vulnerability, local area profiles, customer interaction and local risk assessments are increasingly relevant considerations within modern gambling regulation. References to these matters throughout this Statement are intended solely to support the promotion of the existing statutory licensing objectives, particularly the objective of protecting children and other vulnerable persons from harm or exploitation associated with gambling.

Nothing contained within this Statement shall create a fourth licensing objective, a cumulative impact policy, a demand test, a needs assessment or any additional basis upon which an application may be granted, refused, reviewed or made subject to conditions.

4.3 Preventing Crime and Disorder

The Licensing Authorities will give significant weight to the objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. Consideration will be given to the risk of criminal activity occurring within or in connection with gambling premises and the effectiveness of measures proposed to prevent or mitigate such risks.

The Licensing Authorities recognise the distinction between disorder and general nuisance. Issues relating solely to nuisance, disturbance or anti-social behaviour will generally be matters for other legislative and regulatory regimes unless a direct evidential link exists to one or more of the licensing objectives.

Applicants may be expected to demonstrate how risks relating to crime, disorder, theft, robbery, money laundering, safeguarding concerns and anti-social behaviour will be managed. Depending upon the nature of the premises and the activities proposed, relevant measures may include CCTV coverage, staff supervision, incident recording procedures, cash handling arrangements, staff training, appropriate security measures and liaison with Hampshire Constabulary and other responsible authorities. Unless required by legislation or Gambling Commission requirements, the measures identified within this Statement are examples of good practice and are not mandatory requirements.

Where evidence suggests that criminal activity may be associated with a gambling premises, the Licensing Authorities may consider whether additional controls are necessary and may consult with relevant responsible authorities where appropriate.

4.4 Fair and Open Gambling

The Licensing Authorities acknowledge that responsibility for ensuring gambling is conducted in a fair and open manner rests primarily with the Gambling Commission through its regulation of operating licence holders, personal licence holders and compliance with the Licence Conditions and Codes of Practice.

Nevertheless, where matters arise that may impact upon this licensing objective, the Licensing Authorities will consider whether customers are provided with sufficient information to make informed choices, whether gambling activities are being conducted transparently and whether the overall gambling environment promotes fairness and openness. Particular consideration may be given to premises such as tracks and those operating under permits where the Gambling Commission's direct controls may be more limited.

Where information comes to light suggesting that gambling is not being conducted fairly or openly, the matter may be referred to the Gambling Commission for further investigation and appropriate regulatory action.

4.5 Protection of Children and Vulnerable Persons

The Licensing Authorities attach considerable importance to the protection of children and vulnerable persons from being harmed or exploited by gambling. Children are defined by the Gambling Act 2005 as persons under the age of sixteen years, whilst young persons are individuals aged sixteen or seventeen years.

The Licensing Authorities recognise that vulnerability cannot be defined by a single characteristic and that individuals may become vulnerable due to a wide range of

personal, social, financial, health-related or situational factors. Vulnerability may be permanent, temporary or fluctuate over time according to individual circumstances.

In considering this licensing objective, the Licensing Authorities will have regard to Gambling Commission Guidance and relevant evidence relating to vulnerability and gambling-related harm. Vulnerable persons may include individuals experiencing financial hardship, gambling-related harm, mental health difficulties, homelessness, substance misuse, learning disabilities, social isolation, significant personal crises or any circumstance that may reduce their ability to make informed decisions regarding gambling.

For the avoidance of doubt, the Licensing Authorities will interpret and apply the concept of vulnerability consistently with current Gambling Commission Guidance and relevant case law and do not intend to create any separate local definition or category of vulnerable person.

Each case will be considered on its individual merits and no assumptions will be made solely on the basis of a person's age, appearance, disability or personal circumstances.

4.6 Gambling Harm Prevention

The Licensing Authorities recognise that primary responsibility for preventing gambling-related harm rests with gambling operators and the Gambling Commission through the operating licence regime and the Licence Conditions and Codes of Practice. However, where matters relating to gambling-related harm are relevant to the promotion of the licensing objectives, particularly the protection of children and vulnerable persons, they may be considered as part of the exercise of licensing functions.

The Licensing Authorities encourage operators to adopt effective and proportionate harm prevention measures appropriate to the nature, scale and location of their operations. This may include the implementation of customer interaction procedures, safer gambling initiatives, staff training, self-exclusion arrangements, monitoring of customer behaviour and appropriate intervention processes where concerns are identified.

Operators are encouraged to make information available regarding support services for people affected by gambling-related harm. Such information may include details of organisations such as GamCare, GambleAware, Gamblers Anonymous and other support services providing advice in relation to debt, wellbeing, mental health and addiction recovery. Wherever practicable, this information should be displayed in locations that are accessible whilst allowing customers to seek assistance discreetly.

4.7 Identifying Vulnerable Persons

The Licensing Authorities acknowledge that identifying vulnerability is often complex and requires careful judgement. Vulnerability may arise from a combination of

financial, behavioural, social, health-related and situational factors and cannot always be identified through obvious signs.

Operators are expected to implement policies and procedures that assist staff in recognising indicators that may suggest a customer is experiencing gambling-related harm or other forms of vulnerability. Such indicators may include repeated requests for cash, expressions of financial difficulty, prolonged periods of continuous gambling, significant emotional distress, increasing gambling expenditure, signs of social isolation, disclosure of family or relationship problems, indicators of poor mental health, alcohol or substance misuse, recent bereavement, unemployment, housing instability or other significant life events.

The presence of one or more indicators should not automatically result in a conclusion that an individual is vulnerable. Rather, staff should consider the wider context of the circumstances presented and exercise professional judgement supported by appropriate training and guidance.

4.8 Customer Interaction and Intervention

The Licensing Authorities support proactive customer interaction as an important part of preventing gambling-related harm. Operators should maintain procedures that enable staff to identify indicators of harm, engage appropriately with customers and take proportionate action where concerns arise.

Such action may include providing safer gambling information, encouraging customers to consider limits on their gambling activity, promoting self-exclusion schemes, signposting customers to support services and escalating concerns to appropriately trained managers where required.

Operators are encouraged to maintain accurate records of customer interactions and safer gambling interventions. These records may include details of self-exclusion requests, breaches of self-exclusion arrangements, age verification failures, safeguarding concerns, customer interventions and incidents relating to gambling-related harm. Effective record keeping assists operators in identifying patterns of behaviour and demonstrates compliance with regulatory obligations.

4.9 Local Area Profile and Operator Risk Assessments

The Licensing Authorities maintain a Local Area Profile to assist in identifying local characteristics, vulnerable groups, sensitive locations and matters that may be relevant to gambling premises within the districts.

The purpose of the Local Area Profile is to support evidence-based decision-making and assist operators in preparing, reviewing and maintaining Local Risk Assessments in accordance with the requirements of the Licence Conditions and Codes of Practice. Operators are expected to consider the information contained within the Local Area Profile when assessing local risks and determining what control measures may be appropriate.

Where operators are required by the Gambling Commission to prepare and maintain Local Risk Assessments, the Licensing Authorities may, where lawful, necessary and proportionate, request sight of those assessments in the exercise of their statutory functions. Such assessments should consider the characteristics of the local area and identify measures designed to address any identified risks.

Relevant considerations may include the proximity of schools, youth facilities, hostels, supported accommodation, treatment services, homelessness services, residential areas, transport hubs, locations associated with anti-social behaviour or crime and any other matters identified within the Local Area Profile. Risk assessments should be reviewed whenever significant changes occur to the premises, the surrounding area or the nature of the gambling activities undertaken

.4.10 Status and Use of Local Area Profiles

The Local Area Profile is intended solely as a tool to assist operators and the Licensing Authorities in understanding local circumstances and assessing potential risks. It does not create additional licensing objectives, exclusion zones, cumulative impact policies or presumptions either in favour of or against particular forms of gambling premises.

The identification of a sensitive location or vulnerable group within the Local Area Profile does not create a presumption that an application should be refused. Likewise, the existence of schools, supported accommodation, treatment facilities, hostels or similar premises in proximity to a gambling premises will not, of itself, justify refusal of an application.

Applications will be determined on their individual merits having regard to all relevant evidence, the effectiveness of any proposed control measures and the requirements of the Gambling Act 2005.

4.11 Staff Training and Competency

Operators may be expected to provide appropriate training to customer-facing staff at a level proportionate to their duties and responsibilities. Unless required by legislation or Gambling Commission requirements, the measures identified within this Statement are examples of good practice and are not mandatory requirements.

Training programmes should include:

- Licensing objectives.
- Age verification procedures.
- Challenge 25 procedures.
- Safeguarding awareness.
- Gambling-related harm awareness.
- Identification of vulnerable persons.
- Customer interaction and intervention procedures.

- Self-exclusion arrangements.
- Crime prevention measures.
- Incident reporting requirements.
- Relevant local risk factors.

Suitable records of staff training should be maintained and made available for inspection upon request.

4.12 General Principles

In exercising their functions under the Gambling Act 2005, the Licensing Authorities will apply the principles of fairness, proportionality, consistency, openness and accountability. Decisions will be based upon relevant evidence and will take account of the individual circumstances of each case.

The Licensing Authorities will seek to ensure that applications are considered objectively and that decisions are reached in a manner that promotes the licensing objectives whilst remaining consistent with the statutory framework established by the Gambling Act 2005.

4.13 Duplication with Other Regulatory Regimes

The Licensing Authorities will seek to avoid unnecessary duplication with other statutory and regulatory systems wherever possible. A range of matters relevant to gambling premises are regulated by separate legislative frameworks administered by specialist agencies and authorities.

Accordingly, issues relating to planning permission, building control, fire safety, health and safety, food safety, environmental protection, employment matters and general nuisance will normally be regarded as matters for the appropriate regulator unless a direct evidential connection exists to one or more licensing objectives.

Applications under the Gambling Act 2005 will be considered independently of applications made under planning legislation and the Licensing Authorities will not generally take account of whether planning permission has been granted, refused or is likely to be granted when determining gambling applications.

4.14 Need, Demand and Competition

The Gambling Act 2005 does not provide for a demand test in relation to gambling premises. Consequently, the Licensing Authorities will not normally take into account issues relating to commercial demand, market competition, the availability of existing gambling facilities or the potential economic impact of a proposal upon competing operators.

Such matters are generally regarded as commercial considerations and are not relevant to the determination of applications under the Gambling Act 2005.

4.15 Moral Objections to Gambling

The Licensing Authorities acknowledge that some individuals may hold moral, ethical, religious or philosophical objections to gambling. Such views are respected and may form part of wider public discourse. However, general objections to gambling as an activity are not ordinarily relevant considerations when determining applications under the Gambling Act 2005.

Representations founded solely upon moral opposition to gambling will not generally attract significant weight unless they demonstrate a direct and evidenced relationship to one or more of the statutory licensing objectives. The Licensing Authorities will determine applications on the basis of relevant law, policy and evidence rather than personal views regarding the principle of gambling itself.

Part 5. – Premises Licences

Premises licences issued under the Gambling Act 2005 authorise the provision of gambling activities within specified premises. The principal categories of premises licence available under the Act are casinos, bingo premises, betting premises, tracks, Adult Gaming Centres and Licensed Family Entertainment Centres. Applications for premises licences will be determined in accordance with the Gambling Act 2005, regulations made under the Act, Gambling Commission Guidance, the Licence Conditions and Codes of Practice (LCCP), the licensing objectives and this Statement of Principles. Each application will be considered on its individual merits, having regard to the particular circumstances of the case and the evidence presented.

5.1 General Principles Applicable to Premises Licences

The Licensing Authorities recognise that the Gambling Act 2005 establishes distinct categories of gambling premises and that the primary activity conducted at a premises should be consistent with the type of premises licence applied for or held. Applicants may therefore be required to demonstrate that the principal use of the premises will accord with the licence sought.

The Licensing Authorities will normally expect premises to be capable of being used for gambling within a reasonable period following the grant of a premises licence. Where premises are not yet complete or are subject to redevelopment, regard may be had to construction programmes, development proposals, anticipated occupation dates and other relevant evidence submitted by the applicant. In appropriate circumstances, applicants may be advised that a provisional statement is more suitable than a premises licence application.

Location may be a relevant consideration where risks to the licensing objectives have been identified. Particular regard may be given to premises situated close to schools, colleges, youth facilities, residential areas with significant numbers of

children, hostels, temporary accommodation, homelessness services, addiction recovery programmes, mental health services or facilities supporting vulnerable persons. However, the proximity of a premises to a sensitive location will not, in itself, justify refusal of an application. The Licensing Authorities will consider the effectiveness of any control measures proposed by the applicant and determine the application on its individual merits.

Operators required to prepare and maintain Local Risk Assessments under the Licence Conditions and Codes of Practice should ensure that these assessments are available and kept under review. Risk assessments should demonstrate how local risks have been identified and addressed, including measures to protect children and vulnerable persons, prevent crime and disorder, minimise gambling-related harm and respond to risks identified within the Local Area Profile.

Where a building contains multiple gambling facilities, the Licensing Authorities will determine whether areas are capable of being regarded as separate premises in accordance with Gambling Commission Guidance. Factors such as physical separation, access arrangements, rateable values, postal addresses and the functional operation of the premises may be taken into account.

Applicants are encouraged to consider a range of control measures appropriate to the nature of their operation, including age verification procedures, CCTV systems, staff supervision, safeguarding policies, incident recording arrangements, customer interaction procedures, self-exclusion schemes, safer gambling messaging, effective signage and the physical separation of adult-only gambling areas where required.

5.2 Adult Gaming Centres (AGCs)

Adult Gaming Centres are premises to which entry is restricted to persons aged eighteen years and over. In considering applications for Adult Gaming Centres, the Licensing Authorities will place particular emphasis on preventing underage access, protecting vulnerable persons, reducing gambling-related harm and preventing crime and disorder.

Applicants should demonstrate that effective age verification procedures are in place and that staff are appropriately trained to identify and challenge underage persons. Consideration will also be given to safeguarding arrangements, customer interaction procedures, self-exclusion schemes, CCTV coverage, staff monitoring arrangements and the supervision of gaming machine areas.

Where reasonably practicable, applicants are encouraged to consider the physical separation of cash withdrawal facilities from gaming areas in order to support responsible gambling practices.

5.3 Licensed Family Entertainment Centres (FECs)

Licensed Family Entertainment Centres may be accessed by children and young persons and may provide both Category C and Category D gaming machines. The

Licensing Authorities attach significant importance to ensuring that children and young persons are protected from accessing age-restricted gambling facilities.

Where Category C machines are provided, the Licensing Authorities will expect these areas to be clearly separated from areas accessible to children and young persons. Appropriate supervision, clear signage, effective monitoring arrangements and suitable access controls should be provided to prevent underage gambling.

Applicants should demonstrate that robust safeguarding procedures are in place and that staff are trained to respond appropriately to incidents involving vulnerable persons, unsupervised children or children who may be absent from school during normal school hours.

5.4 Tracks

Tracks are premises where races or sporting events take place and where betting facilities may be provided. Applications relating to tracks will be considered with regard to the unique operational characteristics of such premises.

Consideration may be given to access arrangements, the separation of gambling facilities, supervision of gaming machine areas, prevention of underage gambling and the management of betting activities. Children and young persons must be excluded from any gaming machine areas that are restricted by law.

Applicants may be required to provide detailed plans showing the location of betting facilities, gaming machines, entrances, exits, circulation routes and age-restricted areas to enable the Licensing Authorities to assess compliance with the licensing objectives.

5.5 Casinos

The Licensing Authorities have not passed a resolution under Section 166 of the Gambling Act 2005 to prohibit casinos within their areas. Accordingly, any application for a casino premises licence will be considered on its merits and in accordance with the statutory framework.

Particular regard will be given to the protection of vulnerable persons, customer welfare arrangements and measures designed to minimise gambling-related harm. Applicants should demonstrate robust age verification systems, effective customer interaction procedures, safeguarding arrangements, staff training programmes and awareness of anti-money laundering obligations.

The Licensing Authorities recognise the enhanced regulatory framework applicable to casinos and will seek to ensure that proposed operations are consistent with the promotion of the licensing objectives and the welfare of customers.

5.6 Betting Premises

Persons under the age of eighteen are generally prohibited from entering betting premises. Applications for betting premises licences should therefore demonstrate how access by underage persons will be prevented and how customers who may be vulnerable to gambling-related harm will be identified and supported.

The Licensing Authorities will expect applicants to provide details of age verification procedures, customer interaction policies, safeguarding arrangements, self-exclusion schemes, staff training programmes and safer gambling initiatives.

Consideration may also be given to the size and layout of the premises, staffing levels, the supervision of gaming machines and the operator's ability to monitor customer activity effectively. Operators are encouraged to identify a dedicated point of contact for licensing and compliance matters.

5.7 Bingo Premises

Bingo premises may provide opportunities for gambling that are accessible to a broad range of customers, including children and young persons in circumstances permitted by legislation. The Licensing Authorities will therefore seek to ensure that age-restricted facilities are appropriately controlled and supervised.

Where Category C or higher gaming machines are provided, suitable physical separation, supervision arrangements, signage and access controls should be in place to prevent unlawful access by children and young persons.

Applicants are encouraged to demonstrate how customer interaction, self-exclusion arrangements, safer gambling measures, safeguarding procedures and staff training programmes will be delivered and maintained throughout the operation of the premises.

5.8 Conditions

Where conditions are attached to a premises licence, they will be proportionate, evidence-based, reasonable, capable of being complied with and directly related to the promotion of the licensing objectives. Conditions will be tailored to the individual circumstances of the premises and the risks identified.

The Licensing Authorities will not ordinarily impose conditions that duplicate other statutory requirements, conflict with operating licence conditions issued by the Gambling Commission, relate to gaming machine categories or numbers where prohibited by legislation, regulate stakes or prizes, or require membership of particular organisations.

Where conditions are imposed, the reasons for their inclusion will be clearly explained.

5.9 Temporary Use Notices

Temporary Use Notices permit certain forms of gambling to take place temporarily on premises that are not normally used for gambling. Notices will be considered in accordance with the Gambling Act 2005 and relevant regulations.

In determining any objections or considering the suitability of a Temporary Use Notice, the Licensing Authorities will have regard to the licensing objectives, the nature and duration of the event, the frequency of use and whether the proposal is consistent with the temporary nature of the statutory provisions.

5.10 Occasional Use Notices

Occasional Use Notices are primarily intended for betting at tracks on specific occasions. Such notices will be administered in accordance with the statutory requirements of the Gambling Act 2005.

The principal consideration will be whether the statutory criteria applicable to the notice have been satisfied and whether the notice has been properly submitted in accordance with legislative requirements.

5.11 Provisional Statements

The Gambling Act 2005 allows for the grant of provisional statements in circumstances where premises are not yet ready for gambling but are intended to be developed for that purpose in the future.

Applications for provisional statements will be considered in accordance with the relevant provisions of the Act and the licensing objectives. The grant of a provisional statement does not guarantee that a subsequent premises licence application will be granted. However, where a provisional statement has been issued, the Licensing Authorities will apply the statutory restrictions on matters that may be reconsidered when the corresponding premises licence application is later determined.

Part 6 – Permits

The Gambling Act 2005 provides for a range of permits which may be granted by Licensing Authorities for certain gambling activities that do not require a premises licence. Applications for permits will be determined in accordance with the Act, relevant regulations, Gambling Commission Guidance and this Statement of Principles.

When considering permit applications, the Licensing Authorities will have regard to the licensing objectives, the protection of children and vulnerable persons, the suitability of the premises and applicant where relevant, local risks identified through the Local Area Profile and any measures proposed to promote responsible gambling and minimise gambling-related harm.

Whilst conditions cannot generally be attached to permits, the Licensing Authorities may consider whether appropriate measures have been identified to support the licensing objectives and ensure compliance with statutory requirements.

6.1 Unlicensed Family Entertainment Centre Gaming Machine Permits

An Unlicensed Family Entertainment Centre (UFEC) Gaming Machine Permit authorises the provision of Category D gaming machines without the need for a premises licence. As children and young persons may freely access such premises, the Licensing Authorities will place particular emphasis on the objective of protecting children and vulnerable persons from harm or exploitation.

Applicants should demonstrate an appropriate understanding of gaming machine categories, permitted stakes and prizes, safeguarding responsibilities, supervision requirements and measures designed to protect children and vulnerable persons.

The Licensing Authorities may consider the suitability and layout of the premises, visibility and supervision arrangements, local risks, previous compliance history and any relevant matters permitted by the Act. Applicants are encouraged to provide supporting information such as plans, safeguarding procedures, staff training records and evidence of compliance with recognised industry good practice.

6.2 Prize Gaming Permits

Prize Gaming Permits authorise facilities for prize gaming in accordance with the provisions of the Gambling Act 2005. In determining applications, the Licensing Authorities will have particular regard to the protection of children and vulnerable persons, the prevention of crime and disorder and compliance with statutory requirements relating to participation fees, stakes and prizes.

Applicants are encouraged to demonstrate an understanding of the legal framework governing prize gaming, including the operation of participation fees, supervision arrangements and safeguarding measures. Consultation with Hampshire Constabulary will take place where required by legislation.

The suitability of the premises, local circumstances and any concerns raised by responsible authorities may be taken into account where relevant and proportionate.

6.3 Club Gaming Permits and Club Machine Permits

Club Gaming Permits and Club Machine Permits may be granted to qualifying members' clubs and miners' welfare institutes in accordance with the Gambling Act 2005.

Before granting a permit, the Licensing Authorities must be satisfied that the applicant meets the relevant statutory criteria and that the club is genuine, properly constituted and operated primarily for the benefit of its members. Consideration may

be given to club rules, membership records, governance arrangements, financial records and other supporting information where necessary.

The Licensing Authorities will also consider the protection of children, compliance history, the prevention of unauthorised gambling and any objections submitted by responsible authorities.

6.4 Alcohol Licensed Premises Gaming Machine Permits

Premises licensed to sell alcohol for consumption on the premises may benefit from statutory gaming machine entitlements under the Gambling Act 2005 and may also apply for permits authorising additional gaming machines where appropriate.

In determining such applications, the Licensing Authorities will consider the protection of children and vulnerable persons, the location and visibility of gaming machines, supervision arrangements and compliance with the licensing objectives.

Applicants are encouraged to explain how staff will monitor machine use, prevent underage gambling, support vulnerable persons and provide access to safer gambling information. Consideration may also be given to whether children are likely to be present and whether machines are located in positions that can be effectively supervised by staff.

Where justified by the circumstances of the case and in accordance with the statutory framework, permits may be granted for fewer gaming machines than requested.

6.5 Small Society Lotteries

The Licensing Authorities are responsible for the registration and administration of Small Society Lotteries within their respective districts. Registration may only be granted where the society is established and conducted for charitable purposes, the support of sport, athletics or cultural activities, or another lawful non-commercial purpose permitted by the Gambling Act 2005.

Applications will be determined in accordance with the statutory requirements and any relevant guidance issued by the Gambling Commission. The Licensing Authorities will maintain the statutory register of Small Society Lotteries and provide information to the Gambling Commission where required.

6.6 General Expectations for Permit Holders

Although permits are subject to a less extensive regulatory framework than premises licences, permit holders are encouraged to adopt appropriate measures to promote the licensing objectives and support responsible gambling.

Good practice measures may include safeguarding procedures, staff training, age verification processes, safer gambling information, customer interaction arrangements, record keeping systems and incident reporting procedures. Where

appropriate, information regarding support services for individuals affected by gambling-related harm should be made available.

Permit holders are expected to co-operate with the Licensing Authorities in relation to inspections, investigations and compliance activities and to maintain operations in a manner consistent with the objectives and principles of the Gambling Act 2005.

Part 7 – Administration, Compliance and Enforcement

The Licensing Authorities are committed to exercising their functions under the Gambling Act 2005 in a manner that is transparent, accountable, proportionate, consistent and targeted. In carrying out their responsibilities, the Licensing Authorities will seek to balance the interests of residents and local communities, the legitimate interests of gambling operators, the promotion of the licensing objectives and the need to minimise gambling-related harm. Regulatory activity will be undertaken in accordance with the principles of good regulation, and regard will be had to the Regulators' Code and any other relevant guidance applicable to local authority enforcement functions.

7.1 Principles of Decision Making

In exercising functions under the Gambling Act 2005, the Licensing Authorities will ensure that decisions are made fairly, objectively and in accordance with the law. Each application, representation, review or enforcement matter will be considered on its own merits and determined having regard to all relevant evidence available at the time.

The Licensing Authorities will seek to act proportionately, consistently and transparently, taking account of the circumstances of each individual case. Irrelevant considerations will not be taken into account and decisions will be based upon evidence rather than speculation or assumption. Where required by law, and wherever reasonably practicable, reasons for decisions will be provided. The Licensing Authorities will also seek to ensure that the principles of natural justice are observed throughout the decision-making process.

7.2 Responsible Authorities

The Gambling Act 2005 identifies a range of Responsible Authorities that are entitled to receive applications and make representations in relation to gambling premises and certain permit applications.

Responsible Authorities include the Licensing Authority, the Gambling Commission, Hampshire Constabulary, Hampshire and Isle of Wight Fire and Rescue Service, the relevant Planning Authority, Environmental Health, HM Revenue and Customs, the

body responsible for advising on the protection of children from harm and any other authority prescribed by regulations made under the Act.

The Licensing Authorities will maintain an up-to-date list of Responsible Authorities, including contact details, on their websites and within the relevant appendices to this Statement of Principles.

The Licensing Authorities recognise the important role that Responsible Authorities play in the licensing process and will continue to encourage partnership working, information sharing and collaborative approaches to promoting the licensing objectives.

7.3 Designated Body for the Protection of Children

The Gambling Act 2005 requires Licensing Authorities to designate a body that is competent to advise on matters relating to the protection of children from harm.

In determining the appropriate organisation, the Licensing Authorities have considered factors including professional expertise, geographical coverage, safeguarding responsibilities, governance arrangements and the ability to provide informed and reliable advice relating to children and young persons.

For the purposes of this Statement of Principles, the Hampshire Safeguarding Children Partnership shall be designated as the body responsible for advising the Licensing Authorities on matters relating to the protection of children from harm.

The Licensing Authorities may review this designation during the life of the policy should organisational responsibilities, structures or statutory arrangements change.

7.4 Interested Parties

The Gambling Act 2005 provides that certain persons may qualify as Interested Parties for the purposes of making representations or applying for reviews of premises licences. An Interested Party is a person who, in the opinion of the Licensing Authority, lives sufficiently close to the premises to be likely to be affected by the authorised activities, has business interests that might be affected by the authorised activities, or represents persons falling within either of those categories.

Whether a person qualifies as an Interested Party will be determined on a case-by-case basis. In making this assessment, the Licensing Authorities may consider matters such as the size and nature of the premises, the nature of the gambling activities proposed, the distance between the premises and the person concerned, the likely impact of the activities and the nature of any business interests potentially affected.

The term "business interests" will be interpreted broadly and may include local businesses, voluntary organisations, charities, faith organisations, community organisations, residents' groups, medical practices and other organisations whose activities may be affected by the operation of the premises.

Persons acting in a representative capacity, including elected members, Members of Parliament, legal representatives, residents' associations or community groups, may be required to provide evidence that they are authorised to act on behalf of those they represent.

7.5 Relevant and Non-Relevant Representations

The Licensing Authorities will consider only representations that are relevant to the determination of the matter under consideration.

Relevant representations are likely to include matters that relate to one or more of the licensing objectives, Gambling Commission Guidance, the Licence Conditions and Codes of Practice or the provisions of this Statement of Principles.

Representations are unlikely to be regarded as relevant where they relate solely to commercial demand, competition between operators, moral objections to gambling, matters controlled by other regulatory regimes or issues that have no direct connection to the licensing objectives.

The Licensing Authorities may reject representations that are considered frivolous, vexatious or substantially the same as previous representations where no significant new evidence is provided.

In assessing relevance, each representation will be considered on its individual merits. Where uncertainty exists regarding relevance, the Licensing Authorities will seek to adopt a fair and proportionate approach having regard to the rights of those seeking to participate in the licensing process.

7.6 Exchange of Information

The Licensing Authorities recognise the importance of lawful and effective information sharing in supporting the administration and enforcement of gambling legislation.

Information may be collected, processed, stored and exchanged where permitted by the Gambling Act 2005, the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the Freedom of Information Act 2000 and any other relevant legislation.

Where lawful, necessary and proportionate, information may be exchanged with the Gambling Commission, Responsible Authorities, other Licensing Authorities, law enforcement agencies, safeguarding organisations and other statutory bodies.

The Licensing Authorities will seek to ensure that personal information is handled responsibly and in accordance with applicable data protection requirements. Information sharing arrangements will be subject to appropriate safeguards and governance measures where required.

7.7 Licensing Authority Initiated Reviews

The Licensing Authorities have the power to initiate a review of a premises licence where it is considered necessary and proportionate to promote the licensing objectives.

Circumstances that may give rise to consideration of a review include persistent breaches of licence conditions, repeated incidents of underage gambling, failures in safeguarding arrangements, serious concerns relating to gambling-related harm, criminal activity associated with the premises or evidence of significant non-compliance with Gambling Commission requirements.

The decision to initiate a review will be made having regard to the individual facts of the case, the seriousness of the issues identified and the extent to which a review is considered necessary to address identified risks.

7.8 Reviews of Premises Licences

Applications for the review of a premises licence may be submitted by Responsible Authorities, Interested Parties or, where appropriate, by the Licensing Authority itself.

The Licensing Authorities may reject applications for review where the grounds are irrelevant to the licensing objectives, frivolous, vexatious, substantially the same as previous applications or unlikely to result in any licensing action.

Where a review application is accepted, the matter will normally proceed to a hearing in accordance with the Gambling Act 2005 and the relevant procedural regulations.

Following a review, the Licensing Authorities may decide to revoke the licence, suspend the licence, add conditions, amend conditions, remove conditions or take no action. Any decision will be based upon the evidence presented and the need to promote the licensing objectives.

7.9 Compliance and Enforcement

The Licensing Authorities seek to achieve compliance primarily through communication, advice, guidance and partnership working. However, where necessary, formal enforcement action will be taken in a manner that is appropriate, proportionate and consistent with the circumstances of the case.

A risk-based approach will be adopted when determining enforcement priorities and allocating regulatory resources. Particular regard may be given to factors such as poor compliance history, repeated breaches of licence conditions, evidence of gambling-related harm, safeguarding concerns, underage gambling, crime and disorder, complaints, intelligence received from partner organisations and any other matter considered relevant to the licensing objectives.

Compliance activity may include routine inspections, targeted inspections, intelligence-led visits, joint operations with partner agencies, test purchasing

exercises where lawful, reviews of policies and procedures, examination of staff training records and inspection of incident logs and other relevant documents.

In carrying out compliance and enforcement activities, the Licensing Authorities will have regard to Gambling Commission Guidance, the Regulators' Code, any applicable Primary Authority arrangements and the Councils' Corporate Enforcement Policies.

7.10 Enforcement Principles

The Licensing Authorities will exercise enforcement powers in accordance with the principles of targeting, proportionality, consistency, transparency and accountability.

Enforcement action will seek to address identified risks to the licensing objectives and will be proportionate to the seriousness of the non-compliance identified. The Licensing Authorities recognise that the majority of operators seek to comply with their legal obligations and that advice and guidance can often achieve effective compliance without the need for formal enforcement measures.

Where appropriate, operators will be given an opportunity to rectify identified issues before formal action is considered. However, serious or repeated breaches, particularly those involving children, vulnerable persons, criminality or significant safeguarding concerns, may warrant immediate or formal intervention.

7.11 Gambling Harm Monitoring

The Licensing Authorities recognise the growing importance of understanding and responding to gambling-related harm within local communities. While responsibility for customer protection rests primarily with gambling operators and the Gambling Commission, local licensing regulation also has an important role in supporting the protection of vulnerable persons and promoting the licensing objectives.

Operators are encouraged to maintain records relating to customer interactions, self-exclusion arrangements, breaches of self-exclusion schemes, safeguarding concerns, safer gambling interventions and incidents involving underage gambling.

Where evidence suggests that a premises may be contributing to significant risks of gambling-related harm or exploitation, the Licensing Authorities may engage with the operator, undertake enhanced compliance activity, liaise with Responsible Authorities or consider whether review proceedings are appropriate.

The Licensing Authorities will continue to work with partner organisations to improve understanding of local risks and emerging trends relating to gambling-related harm.

7.12 Appeals

The Gambling Act 2005 provides rights of appeal in respect of certain decisions made by Licensing Authorities. Any person aggrieved by a decision under the Act

may be entitled to appeal to the Magistrates' Court in accordance with the relevant statutory provisions.

Appeals must be lodged within the timescales prescribed by legislation. The Licensing Authorities will, where required, provide reasons for decisions and information concerning appeal rights and procedures.

Nothing within this Statement of Principles affects the statutory rights of appeal available under the Gambling Act 2005.

7.13 Delegation of Functions

Functions under the Gambling Act 2005 will be exercised in accordance with the Constitutions and Schemes of Delegation adopted by Basingstoke and Deane Borough Council and Hart District Council.

Depending upon the nature of the matter, decisions may be taken by the Licensing Committee, a Licensing Sub-Committee or an Authorised Officer acting under delegated authority, where permitted by legislation and local constitutional arrangements.

Delegation arrangements are intended to ensure that licensing functions are exercised efficiently, consistently and in accordance with statutory requirements. Full details of the respective delegation schemes are set out in Appendix C of this Statement of Principles.

Appendix A - Joint Local Area Profile (Basingstoke and Deane Borough Council and Hart District Council)

A.1 Purpose

The Local Area Profile is an information and risk identification tool only. It does not create additional licensing objectives, cumulative impact assessments, cumulative impact policies, exclusion zones, quotas, caps on gambling premises or presumptions for or against any category of gambling premises. Decisions will continue to be made on their individual merits having regard to all relevant evidence.

This Local Area Profile (LAP) has been prepared to assist gambling operators in undertaking local risk assessments and to support decision-making by the Licensing Authorities.

The LAP is intended to:

- Promote the licensing objectives.
- Assist operators in identifying local risks.
- Support the protection of children and vulnerable persons.
- Support measures intended to minimise gambling-related harm.
- Inform the preparation and review of premises risk assessments.

A.2 Status of the Local Area Profile

The Local Area Profile is an evidence and risk identification tool only.

It does not create additional licensing objectives, cumulative impact policies, exclusion zones or presumptions against any form of gambling.

Applications will continue to be considered on their individual merits having regard to the Gambling Act 2005, Gambling Commission guidance, the licensing objectives and the evidence presented.

A.3 Area Characteristics

The joint licensing area comprises:

- Major town centres including Basingstoke, Fleet and Yateley.
- Residential neighbourhoods.
- Rural villages and settlements.
- Employment and business parks.
- Educational establishments.
- Leisure, retail and entertainment destinations.

- Transport infrastructure and transport hubs.

A.4 Local Context

The Licensing Authorities recognise that local circumstances differ across the joint area.

The area includes:

- Major town centres including Basingstoke, Fleet, Yateley and Hook;
- Significant retail and leisure destinations;
- Higher and further education establishments;
- Residential areas with large family populations;
- Rural communities with differing access to support services.

When preparing local risk assessments, operators are encouraged to consider local demographic information, deprivation indicators, crime trends, safeguarding information and public health data where relevant to the licensing objectives.

A.5 Sensitive Locations

Particular attention should be given to premises located near:

- Primary schools.
- Secondary schools.
- Sixth form colleges.
- Educational campuses.
- Children's centres.
- Youth facilities.
- Parks and recreation facilities.
- Community centres frequently used by children and young persons.

A.6 Vulnerable Persons

Operators should consider proximity to:

- Temporary accommodation.
- Supported housing.
- Homelessness services.
- Mental health support services.
- Addiction recovery services.
- Debt advice centres.
- Food banks.
- Community support facilities.

A.7 Support and Intervention Services

Operators should be aware of local and national support services available to individuals experiencing gambling-related harm.

These may include:

- NHS gambling treatment services;
- GamCare;
- GambleAware;
- Gamblers Anonymous;
- Debt advice services;
- Mental health support services;
- Local authority wellbeing services.

Information regarding support services should be reviewed periodically and incorporated into premises-level safer gambling arrangements where appropriate.

A.8 Crime and Disorder

Operational risk assessments should consider:

- Anti-social behaviour.
- Violence.
- Criminal damage.
- Theft and robbery.
- Fraud.
- Money laundering risks.
- Community safety concerns.

A.9 Examples of Local Risks

The following factors may be relevant when undertaking local risk assessments:

- Areas with higher levels of deprivation;
- Locations with concentrations of vulnerable persons;
- Areas with known crime and anti-social behaviour concerns;
- Areas close to educational establishments;
- Areas close to temporary accommodation or homelessness services;
- Locations where significant footfall from children and young persons may occur.

The identification of a risk factor does not create a presumption against gambling premises and should be considered alongside appropriate mitigation measures.

A.10 Local Risk Assessment Expectations

Operators are encouraged to demonstrate consideration of:

- Local demographics.
- Vulnerable groups.
- Sensitive locations.
- Premises design and layout.
- Staffing arrangements.
- Gambling harm indicators.
- Crime and disorder risks.
- Customer interaction procedures.

Appendix B - Responsible Authorities and Contacts

B.1 Responsible Authorities

Responsible Authority	Contact
Licensing Team, Basingstoke and Deane Borough Council	licensing@basingstoke.gov.uk
Licensing Team, Hart District Council	hartlicensing@basingstoke.gov.uk
Gambling Commission	www.gamblingcommission.gov.uk
Hampshire Constabulary	www.hampshire.police.uk
Hampshire and Isle of Wight Fire and Rescue Service	www.hantsfire.gov.uk
Environmental Health (Basingstoke and Deane)	eht@basingstoke.gov.uk
Environmental Health (Hart)	eh@hart.gov.uk
Planning Authority (Basingstoke and Deane)	planning.comments@basingstoke.gov.uk
Planning Authority (Hart)	planningadmin@hart.gov.uk
Hampshire Safeguarding Children Partnership	hscp@hants.gov.uk
HM Revenue and Customs	www.gov.uk/contact-hmrc

Contact details shall be reviewed periodically and published on the respective Licensing Authority websites.

Appendix C - Delegation Scheme

C.1 General Principles

Functions under the Gambling Act 2005 shall be exercised in accordance with each Authority's Constitution and Scheme of Delegation.

Nothing in this Delegation Scheme shall prevent a matter being referred to Committee where considered appropriate in accordance with the Council's Constitution.

C.2 Delegated Powers

Function	Licensing Committee/Sub-Committee	Authorised Officer
Adoption of Statement of Principles	Full Council	No
Premises Licence Applications (with representations)	Yes	No
Premises Licence Applications (without representations)	No	Yes
Variations (with representations)	Yes	No
Variations (without representations)	No	Yes
Club Gaming Permits (with objections)	Yes	No
Club Gaming Permits (without objections)	No	Yes
Permit Applications	No	Yes
Temporary Use Notices	No	Yes
Reviews of Premises Licences	Yes	No
Counter Notices	Yes	No

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