

THE MORAY COUNCIL

STATEMENT OF LICENSING POLICY

This is the Statement of Principles (“licensing policy”) the Moray Licensing Board (“the Board”) propose to apply in the exercise of their functions under the Gambling Act 2005 (“the Act”) during the three year period from 31st January 2007 to 30th January 2010. This Statement has been prepared in terms of section 349(2) of the Act.

1. Objectives

The Board intends its licensing policy to promote three broad objectives set out in the Gambling Act 2005. These are:

- To prevent gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- To ensure that gambling is conducted in a fair and open way.
- To prevent children and other vulnerable people from being harmed or exploited by gambling.

2. Introduction

In short, the matters dealt with in this policy are: How we will approach the functions we are obliged to discharge under the Act; what we will do when faced with certain applications or situations over which we have jurisdiction; how we will operate so as to achieve the objectives of the Act.

In particular this policy says what we will do in relation to our functions toward

- Casino premises
- Bingo premises
- Betting premises, including tracks
- Adult gaming centres
- Family entertainment centres – Licensed and Unlicensed
- Club Gaming Permit
- Club Machine Permit
- Prize Gaming Permit
- Alcohol Licensed Premises – Gaming Machine Permit
- Occasional Use Notices
- Temporary Use Notices
- Provisional Statements
- Registration of Small Society Lotteries
- Travelling Fairs

The geographical area covered by this licensing policy is the Moray Council local government area. Moray has a population of 87,000 with three quarters of those

living in or around the five main centres of Elgin, Forres, Keith, Buckie and Lossiemouth.

Traditionally there has been a reliance on fishing, farming, food, forestry, textiles and whisky. Service industries, including information services, continue to grow. The two RAF bases at Kinloss and Lossiemouth contribute greatly to local earnings and bring skilled and qualified staff in the area. Unemployment rates continue to be well below the Scottish average. Main transport links are via Inverness to the west and Aberdeen to the east, both of which have their own air connections.

3. Declaration

In adopting this Statement the Board has had regard to the licensing objectives of the Act, the guidance issued by the Gambling Commission and responses from persons consulted in terms of paragraph 4.

4. Consultation

In terms of Section 349(3) of the Act the Board has undertaken a comprehensive consultation exercise with the following parties in the preparation of its licensing policy:

- The Chief Constable of Grampian Police
- Grampian Fire & Rescue Service
- The Moray Interim Local Licensing Forum
- Children & Young Peoples Partnership
- NHS Grampian
- The Moray Drug & Alcohol Taskgroup
- Moray Faculty of Solicitors
- British Casino Association
- Association of British Bookmakers Limited
- Religious sector – Church of Scotland, Catholic Church and Non Denominational
- The Gambling Commission
- Bingo Association Great Britain
- Moray Licensed Trade Association
- Existing holders of Betting Office and Bingo Licences
- Holders of Gaming Machine Permits (via newsletter)
- Community Councils
- Representatives of Moray Council's Environmental Services Department

5. Casinos

There is no resolution to prohibit casinos in the Board's area at present. However, the Board reserves its right to review this situation and may, at some time in the future, make such a resolution.

6. Bingo

An applicant for a premises licence must comply explicitly with the Act regarding the exclusion of children and young persons from any area where category C (see Appendix I for machine categories) or above machines are made available for use. The Board will expect applicants to offer their own measures to promote the licensing objectives however the Board may attach conditions to the licence regarding issues such as:

- proof of age scheme;
- CCTV;
- physical security measures on the premises;
- supervision of entrances;
- physical separation of gambling areas where category C or above (see Appendix I for machine categories) gaming machines are made available for use;
- supervision of age restricted areas of the premises;
- self-exclusion schemes;
- clear notices of signage externally and internally regarding age restrictions and restricted areas;
- a notice specifying opening hours;
- policy and procedures regarding the employment of young persons (aged 16 and 17 where applicable);
- display of posters and information leaflets for organisations set up to assist people wishing to seek help and advice regarding gambling related issues.

This is not an exhaustive list and other conditions may be attached relevant to an individual application.

7. Betting

An applicant for a premises licence must comply explicitly with the Act regarding the exclusion of children and young persons. No children or young person (under 18 years old) must be permitted access to the premises.

The Board will expect applicants to offer their own measures to promote the licensing objectives however the Board may attach conditions to the licence regarding issues such as:

- proof of age scheme;
- CCTV;
- physical security measures on the premises;
- supervision of entrances;
- physical separation of gambling areas where category C or above (see Appendix I for machine categories) gaming machines are made available for use;
- supervision of age restricted areas of the premises;
- self-exclusion schemes;
- clear notices of signage externally and internally regarding age restrictions and restricted areas;
- a notice specifying opening hours;

- policy and procedures regarding the employment of young persons (aged 16 and 17 where applicable);
- display of posters and information leaflets for organisations set up to assist people wishing to seek help and advice regarding gambling related issues.

This is not an exhaustive list and other conditions may be attached relevant to an individual application.

8. Track Betting

The Act contains rules which apply to applicants for a premises licence in relation to a track. The applicant need not hold an operating licence because the betting that is provided upon the track will be provided by other operators, who come on-course. Since those people will require the necessary operating licences, the Act allows the track operator to obtain a premises licence without also having to hold an operating licence. This track premises licence then authorises anyone upon the premises with an operating licence to offer betting facilities.

Tracks are different from other premises in that there may be more than one premises licence in effect, each covering a specified area of the track. In accordance with the Gambling Commission Guidance, this authority will particularly consider the impact of the third licensing objective in this area.

An application for a track premises licence will be required to submit detailed plans of the premises in order that the Board understands clearly what it is being asked to licence.

The detailed plan must define the site, any area to be used for temporary “on-course” betting facilities, and in the case of dog tracks and horse racecourses any mobile pool betting facilities as well as any other proposed gambling facilities.

An applicant for a premises licence must comply explicitly with the Act regarding the permitted access or exclusion of children and young persons from gambling areas.

The Board will expect applicants to offer their own measures to promote the licensing objectives however the Board may attach conditions to the licence regarding issues such as:

- proof of age scheme;
- CCTV;
- physical security measures on the premises;
- supervision of entrances;
- physical separation of gambling areas where category C or above (see Appendix I for machine categories) gaming machines are made available for use;
- supervision of age restricted areas of the premises;
- self-exclusion schemes;
- clear notices of signage externally and internally regarding age restrictions and restricted areas;
- a notice specifying opening hours;

- policy and procedures regarding the employment of young persons (aged 16 and 17 where applicable);
- display of posters and information leaflets for organisations set up to assist people wishing to seek help and advice regarding gambling related issues.

This is not an exhaustive list and other conditions may be attached relevant to an individual application.

9. Adult Gaming Centres

An applicant for a premises licence must comply explicitly with the Act regarding the exclusion of children and young persons. No children or young person (under 18 years old) must be permitted to have access to the premises.

The Board will expect applicants to offer their own measures to promote the licensing objectives however the Board may attach conditions to the licence regarding issues such as:

- proof of age scheme;
- CCTV;
- physical security measures on the premises;
- supervision of entrances;
- physical separation of gambling areas where category C (see Appendix I for machine categorisation) or above gaming machines are made available for use;
- supervision of age restricted areas of the premises;
- self-exclusion schemes;
- clear notices of signage externally and internally regarding age restrictions and restricted areas;
- a notice specifying opening hours;
- policy and procedures regarding the employment of young persons (aged 16 and 17 where applicable);
- display of posters and information leaflets for organisations set up to assist people wishing to seek help and advice regarding gambling related issues.

This is not an exhaustive list and other conditions may be attached relevant to an individual application.

10. Family Entertainment Centres

Licensed Family Entertainment Centres

An applicant for a premises licence may comply explicitly with the Act regarding all category C gaming machines (see Appendix I for machine categorisation) on the premises.

No children or young persons must be permitted access to restricted areas of the premises where category C (see Appendix I for machine categorisation) gaming machine are sited.

The Board will expect applicants to offer their own measures to promote the licensing objectives however the Board may attach conditions to the licence regarding issues such as:

- proof of age scheme;
- CCTV;
- physical security measures on the premises;
- supervision of entrances;
- physical separation of gambling areas where category C (see Appendix I for machine categorisation) or above gaming machines are made available for use;
- supervision of age restricted areas of the premises;
- self-exclusion schemes;
- clear notices of signage externally and internally regarding age restrictions and restricted areas;
- a notice specifying opening hours;
- policy and procedures regarding the employment of young persons (aged 16 and 17 where applicable);
- display of posters and information leaflets for organisations set up to assist people wishing to seek help and advice regarding gambling related issues.

This is not an exhaustive list and other conditions may be attached relevant to an individual application.

Unlicensed Family Entertainment Centres

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Board for a Gaming Machine permit. The applicant must show that that the premises will be wholly or mainly used for making gaming machines available for use.

Unlicensed FECs will be able to offer only category D machines (see Appendix I for machine categorisation) in reliance on a gaming machine permit. Any number of category D machines can be made available with such a permit. Permits cannot be issued to vessels or vehicles.

We note that the Board can grant or refuse a licence but cannot attach conditions to this type of permit.

The Board will comply with any guidance produced by the Gambling Commission, and when considering a permit application may request further information from an applicant regarding any matters of concern, which may include:

- the suitability of the applicant;
- the location of the premises;
- evidence that a premises will only operate as an unlicensed family entertainment centre;
- the applicant will be required to demonstrate that they fully understand the maximum stakes and prizes permissible in an unlicensed Family Entertainment Centre;

- confirmation of intended opening hours;
- ensuring a premises maintains acceptable levels of management supervision at all times during opening hours;
- ensuring a premises maintains acceptable levels of security at all times during opening hours;
- CCTV provisions at the premises; Surveillance of the premises;
- evidence that members of staff are appropriately trained and that they fully understand the maximum stakes and prizes permissible in an unlicensed Family Entertainment Centre;
- evidence of policy and procedures in respect of unsupervised very young children on the premises, or children causing perceived problems on/or around the premises;
- display of posters and information leaflets for organisations set up to assist people wishing to seek help and advice regarding gambling related issues;
- any other factors that are within the control of the permit holder or designated management.

The Board will give significant weight to all issues relating to the protection of children and young persons.

The Board may not refuse an application unless it has notified the applicant of the intention to refuse and the reasons for it, and given them an opportunity to make representations orally or in writing or both.

11. Club Gaming Permit

A Club Gaming Permit authorises Members' Clubs to provide, subject to certain restrictions, no more than 3 gaming machines (categories B4, C or D) (see Appendix for machine categorisation), equal chance gaming and other games of chance as prescribed in regulations.

The Club Gaming Permit also allows the Club to provide facilities for Gambling provided the gambling meets a number of conditions.

The Board may grant or refuse a permit, but it may not attach any conditions. The Board may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements of a member's or commercial club;
- the applicant's premises are used wholly or mainly by persons under the age of eighteen;
- an offence under the Act, or a breach of permit has been committed by the applicant in the course of gaming activities being carried on;
- a permit held by the applicant has been cancelled in the last ten years; or
- an objection to the application has been made by the Gambling Commission or the Police.

12. Club Machine Permit

If a club does not wish to have full range of facilities permitted by a club gaming permit or if they are a commercial club not permitted to provide non-machine gaming, they may apply to the Board for a club machine permit.

A club machine permit allows the holder to have up to 3 gaming machines. (Categories B4, C or D) (see Appendix for machine categorisation).

The Board may grant or refuse a permit, but it may not attach any conditions. The Board may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements of a member's or commercial club;
- the applicant's premises are used wholly or mainly by persons under the age of eighteen;
- an offence under the Act, or a breach of permit has been committed by the applicant in the course of gaming activities being carried on;
- a permit held by the applicant has been cancelled in the last ten years; or
- an objection to the application has been made by the Gambling Commission or the Police.

13. Prize Gaming Permit

Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming.

A prize gaming permit is a permit issued by the Board to authorise the provision of facilities for gaming and prizes on specified premises.

The Board will specify the form and manner in which an application must be made, and will specify the information and supporting documents required, these may include:

- plans of the proposed building;
- insurance certificates; and
- any other documents deemed necessary or appropriate.

The Board will comply with any guidance produced by the Gambling Commission, and when considering a permit application may request further information from an applicant regarding any matters of concern, which may include:

- the suitability of the applicant;
- the location of the premises;
- confirmation of intended opening hours;
- confirmation of the types of gaming to be offered;
- the applicant will be required to demonstrate they fully understand the limits to stakes and prizes that are set out in Regulations;
- the applicant will be required to demonstrate the gaming offered is within the law;

- ensuring a premises maintains acceptable levels of management supervision at all times during opening hours;
- ensuring a premises maintains acceptable levels of security at all times during opening hours;
- CCTV provisions at the premises; Surveillance of the premises;
- evidence that members of staff are appropriately trained;
- any other factors that are within the control of the permit holder or designated management.

The Board can grant or refuse an application for a permit, but not add conditions. The Board may grant a permit only if they have consulted the Chief Constable about the application.

The Board may not refuse an application unless they have notified the applicant of the intention to refuse and the reasons for it, and given them an opportunity to make representations orally or in writing or both.

14. Alcohol Licensed Premises – Gaming Machine Permit

On notifying the Board, premises licensed to sell alcohol for consumption on the premises, subject to certain restrictions, have an automatic entitlement to 2 gaming machines (of category C or D).

In certain circumstances the Board has the power to remove this right.

An Alcohol Licensed Premises Gaming Machine Permit is required if more than 2 gaming machines are sought. The issue of such a permit will effectively replace, not be in addition to any automatic entitlement to 2 gaming machines.

The Board will comply with any guidance produced by the Gambling Commission, and when considering a permit application may request further information from an applicant regarding any matters of concern, which may include:

- a plan showing the location and category of gaming machine being sought; and
- details of any proposed precaution for preventing persons under eighteen from using any category of gaming machine being sought and how it would be implemented.

The Board may decide to grant an application with a smaller number of machines and/or a different category of machine but cannot attach any other conditions.

15. Occasional Use Notices

Where there is betting on track on eight days or less in a calendar year betting may be permitted by an occasional use notice without the need for a full premises licence. The calendar year will commence on 1 January.

In considering an application for an occasional use notice the Board will consider the definition of a “track” and whether the applicant is permitted to avail him/herself of the notice.

A notice must be served on the Board and copied to the Chief Constable. The notice must be served by a person who is responsible for the administration of events on the track, or by an occupier of the track.

The notice must specify the day on which it has effect, and may be given in relation to consecutive days providing the overall limit of 8 days is not exceeded in a calendar year.

The Board will maintain a record of the number of notices served in a calendar year to ensure the limit of 8 days is not exceeded.

16. Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues.

An application for a Temporary Use Notice must be submitted to the Board not less than 3 months and one day before the day on which the gambling event will begin.

In addition a copy of the notice must also be served on:

- The Gambling Commission
- The Chief Constable of Grampian Police
- H M Revenue and Customs
- Any other licensing authority in whose area the premises are situated.

The person who is giving the temporary use notice must ensure that the notice and the copies are with the recipients within seven days of the date of the notice.

Each application for the grant of a Temporary Use Notice will be considered and determined on its individual merits.

The same premises may not be the subject of a temporary use notice for more than 21 days in any 12-month period, but may be the subject of several notices provided that the total does not exceed 21 days.

Should the Board or the other bodies served with copies of the temporary use notice consider that the gambling should not take place, or take place with modifications, they will issue a notice of objection to the applicant within 14 days of the date of the temporary use notice.

Where relevant representations are made a hearing will be held before the Board or sub committee as appropriate and the application will be determined once the application and representations have been considered. If all participants agree that a hearing is unnecessary, it may be dispensed with.

The Board will determine the application using and considering supporting evidence from the applicant and any objectors who have made representations.

If the Board considers that a temporary use notice should not have effect a counter-notice will be issued which may:

- Prevent the temporary use notice from taking effect;
- Limit the activities that are permitted;
- Limit the time period of the gambling; or
- Allow the activity to take place subject to a specified condition.

If the Board gives a counter notice, it must give reasons for doing so and must copy the counter notice to all those who received copies of the temporary use notice.

If the Board decides not to issue a counter notice, the temporary use notice will take effect. The Board will give notice of its decision to the person who gave the temporary use notice and others to whom it was copied.

17. Provisional Statements

This Board notes the Gambling Commission Guidance which states that “It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence” and that “Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully”.

In terms of representations about premises licence applications following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account by this authority unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances.

In addition, this authority may refuse the premises licence or grant it on terms different to those attached to the provisional statement only by reference to matters.

- a) which could not have been raised at the provisional licence stage or
- b) which, in the authority’s opinion, reflects a change in the operator’s circumstances.

This authority has noted the Gambling Commission Guidance that licensing authorities should not take into account irrelevant matters such as the likelihood of the applicant obtaining planning or building consent for the proposal.

18. Registration of Small Society Lotteries

Small society lotteries are non-commercial societies which are established and conducted:

- for charitable purposes
- for the purpose of enabling or participation in, or supporting, sport, athletics or a cultural activity; or

- for any other non-commercial purpose other than private gain.

All applications for registration must be made in the form specified by Scottish Ministers, and accompanied by any supporting documents specified by Scottish Ministers or required by the Board.

The Board will comply with any guidance produced by the Gambling Commission, and when considering an application for registration and may request further information from an applicant regarding any matters of concern, which may include:

- the application is on behalf of a bona fide non-commercial society;
- that all persons to be connected with the promotion of the lottery have no relevant convictions or cautions recorded against them;
- the purpose of the Society and; the purpose of the fund raising;
- confirmation of the appointment of two members of the society who have the authority to sign and complete the required financial returns;
- evidence that an external lottery manager holds an operators licence issued by the Gambling Commission.

If the Board is intending to refuse an application to join the register the applicant will be notified in writing of the reasons why it is considering refusal, and the evidence on which it has based that preliminary conclusion. The applicant will then be given the opportunity to provide further evidence in support of the application or to make representations regarding these matters.

19. Travelling Fairs

Travelling Fairs wholly or principally provide amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year.

The Board will also consider whether the applicant falls within the statutory definition of a travelling fair and that the facilities for gambling amount to no more than ancillary amusement. The Board will monitor the number of days a piece of land is used as a fair to ensure the maximum statutory 27 days is not exceeded in a calendar year.

20. Protecting Children & Other Vulnerable People

The Board has designated the Children and Young Peoples Partnership of the Moray Council, as the body competent to advise the Board about the protection of children from harm. The Board will consult with the Children and Young Peoples Partnership on any application that indicates there may be concerns over access for children or young persons.

Significant weight will be given to all matters relating to the protection of children and young persons. An applicant for a premises licence must comply explicitly with the Act regarding the permitted access or exclusion of children and young persons. No children or young person must be permitted to have access to, close observation of, or the invitation to participate in any gambling activities. Subject to the exemptions within the Act applicants for a premises licence may also be required to

provide evidence that employee age checks are carried out to ensure no child or young person is being employed when facilities for gambling are being provided. Where the Board determines that there may be a risk of harm to children in relation to particular premises, it may (where permitted) exclude or limit the access of children to the premises at specific times or when certain activities are taking place. The Board will not impose any condition that requires a licensed premises where the Act permits to access to children, but will in appropriate circumstances attach conditions to the premises licence specifically to ensure the protection of children and young persons. Issues of concern may be:

- The location and/or configuration of the premises;
- Supervision of entrances;
- Clear signage externally regarding age restricted premises (over 18 years of age);
- Age verification checks;
- Clear segregation of gambling and non gambling areas;
- Clear signage regarding age restricted areas;
- Supervision of access to gambling areas;
- Supervision of gambling machines;
- Age verification checks of employees, and persons employed through an employment agency.

The Board may, in appropriate circumstances, attach conditions to a premises licence in order to ensure adequate supervision by adult staff. It may also set requirements regarding the appropriate number of adult staff to be present at the premises based on the numbers of children present.

With regard to other vulnerable people the Board does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children and young persons but it will assume, for regulatory purposes, that ‘vulnerable people’ includes:

- People who gamble more than they want to;
- People who gamble beyond their means; and
- People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, excessive alcohol consumption or drug taking.

Applicants for premises licences, permits and authorisations will be expected to have awareness that for some people gambling activities can present a potential harm. An applicant will be required to ensure that all members of their staff receive adequate training and clear instruction regarding this issue, and will also be required to comply with any code of practice and guidance issued by the Gambling Commission. The Board may also consider it appropriate to attach a condition to all premises licences requiring the holder to display in a prominent position, posters/leaflets providing the contact details for various Support Groups and Organisations specifically set up to assist people who may wish to seek help or advice regarding gambling related issues.

21. Exchange of Information

Information supplied by an applicant for licence or permission to the Board will be held and processed by the Board for its purposes as a licensing authority. That data will be disclosed to the Gambling Commission, Police and other public bodies involved with licensing, processing and enforcement. The Board will enter data on its register of applications which may be inspected by members of the public on request and certified copies of entries on this register may be issued to members of the public on request and on payment of the appropriate fee. Applicants may check or amend data held or request deletion of data by contacting the Clerk of the Licensing Board, Council Offices, High Street, Elgin, IV30 1BX.

The Board has adopted a freedom of information scheme under section 23 of the Freedom of Information (Scotland) Act 2002. A copy of this scheme can be accessed on the Moray Council website - www.moray.gov.uk.

22. Interested Parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Act as follows:

“A person is an interested party in relation to an application for, or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”

We are required by regulations to state the principles we will apply in exercising our powers under the Act to determine whether a person is an interested party.

We will decide each case on its merits. We will not apply a rigid rule to our decision making but will apply local knowledge and integrity to each decision. We will consider the examples provided in the Gambling Commission’s Guidance to Licensing Authorities.

Persons desirous of making representations should note that the Gambling Act 2005 does not include as a specific licensing objective the prevention of public nuisance. Objections to new premises or requests for reviews should be based on the licensing objectives of the Gambling Act 2005.

23. Consideration of Applications

Section 153 of the Act requires us, in making decisions concerning premises licences and temporary use notices, to aim to permit the use of premises for gambling in so far as we think it is:

- In accordance with any relevant code of practice issued by the Gambling Commission
- In accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives, and
- In accordance with this Statement of licensing principles.

Nothing in this statement will:

- override the right of any person to make an application under the Act or to have that application considered on its individual merits;
- undermine the right of any person to make representations on an application or to seek a review of a licence where there is legal power to do so.

Under this legislation unmet demand is not a criterion for a licensing authority in considering an application and in accordance with Gambling Commission Guidance for Licensing Authorities, “moral objections to gambling are not a valid reason to reject applications for premises licences”. Therefore we will consider any application in accordance with the Act, on its own merits, without regard to demand or moral objection to gambling in general.

By section 155 of the Act, the Board may arrange for the delegation of certain of its functions to a Committee of the Board, the Clerk of the Board or any person appointed to assist the Clerk. We may delegate certain powers where we consider it appropriate.

24. Inspections of Premises

In exercising our functions under the Act with regard to the inspection of premises we will be guided by the Gambling Commission’s Guidance and our approach will be:

- Proportionate
- Accountable
- Consistent
- Transparent
- Targeted

We will adopt a risk based inspection programme. Premises will be subject to a scheme of routine inspection, the frequency of which will be determined by the risks posed; those premises considered to pose the greatest risk will be subject to more frequent inspections than those presenting a lower risk.

This authority will reserve stating the criteria we will use for risk base inspections until such time as the Gambling Commission has published its own risk criteria and a risk model for premises licences has been devised.

The main enforcement and compliance role for this licensing authority in terms of the Act will be to ensure compliance with premises licence and other permissions, which it authorises.

According to the principle of transparency, if this licensing authority adopts any enforcement and compliance protocols, copies will be available on request..

25. Complaints Against Licensed Premises

The Board will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainers are encouraged to raise the complaint directly with the licensee or business concerned to seek a resolution.

Where an interested party has made valid representations about licensed premises, or a valid application for a licence to be reviewed, the Board may initially recommend a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the Board consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

Due consideration will be given to all relevant representations unless they are considered to be frivolous, vexatious or repetitious.