

**South Hams District Council**

**STATEMENT OF PRINCIPLES (Gambling Act 2005) CONSULTATION RESPONSE**

NAME OR ORGANISATION	COMMENTS	APPRAISAL	SUGGESTED AMENDMENTS
<p><b>John Richards of Free Enterprise Group (supplier of gaming machines)</b></p>	<p>I have just reviewed your draft policy and have some suggestions for correction of minor errors (which have been common across several authorities!).</p> <p>Firstly though, I must compliment you on a very thorough and good quality document that seems fundamentally a good example.</p> <p>My concerns are my field of expertise, which is Club Gaming Machine Permits, where I am working with the Gambling Commission to correct their guidance.</p> <p>Your item 6 of requirements.</p> <p>There are no LEGALLY defined rules or definition for a Members' Club!</p> <p>Item 10 and 11 below is the main one of concern as there is no requirement for any club to have a constitution or even a set of rules, even though would be good practice. Further, unless in any rules, members do not have to approve a committee or elect them.</p> <p>Your item 7 of requirements.</p>	<p>Mr Richards supplies gaming machines to Tesco staff social clubs.</p> <p>There have been issues elsewhere in Devon over the legitimacy of these clubs as bona fide members' clubs. Our changes reflected the need for more guidance on what information would be taken into consideration when determining an application for a club gaming or club machine permit.</p> <p>There has been liaison with the Senior Officer for Compliance (South West Region) from the Gambling Commission and North Devon District Council who received a similar response from Mr Richards.</p> <p>The Gambling Commission Officer confirmed that Mr Richards was NOT working with them on their guidance and advised that it would be up to the Licensing Authority what information is required in support of applications to satisfy them that the applicant is a bona fide members' club. He advised that whilst it may not be a legal requirement that clubs have constitutions or rules, it is entirely reasonable to expect them to have</p>	<p><b>PART C</b> section 4.6 Amendment to wording of second sentence:</p> <p>In order to do this, <b>the Licensing Authority may ask for</b> additional information from the operator, for example:</p> <p><b>PART C</b> section 4.7 Amendment of the first sentence:</p> <p>When examining the club's constitution (<b>where available</b>), the Licensing Authority would expect to see evidence of the following:</p> <p><i>Change to text highlighted in bold above.</i></p>

	<p>This paragraph should not be included, as previously pointed out, a club does NOT require a constitution. Whilst the reasoning behind this paragraph is clear, it is not correct!</p> <p>Whilst I understand there will be very few times this part is used, there seems to be a problem with incorrect guidance from the Gambling Commission across all authorities that really does need correcting.</p>	<p>them and request this information where available.</p>	
<b>Devon and Cornwall Police</b>	<p>Confirmation that no amendments required.</p>	<p>None required</p>	<p>No amendment to policy required.</p>
<b>Gill Claydon on behalf of Stokenham Parish Council and Salcombe Town Council</b>	<p>Both councils felt that the changes being made were updating and compliance and therefore no need for any further comment.</p>	<p>None required</p>	<p>No amendment to policy required.</p>
<b>Fleur Barr, South Hams District Council and West Devon Borough Council BBfA lead Specialist</b>	<p>The Devon and Somerset Better Business for All (BBfA) Partnership are encouraging all members to incorporate the BBfA principles within internal regulatory Policy and Procedures. I have asked some members of the group for some examples, however I have put together something in the interim.</p> <p>I note many new Policies and Procedures are being produced now across the authority with different Regulators. Our Partnership is committed to embedding the BBfA principles now into all internal regulators Policy and Procedures. I hope if you are reviewing any you</p>	<p>The Gambling Statement of Principles is relevant to many businesses across the District.</p> <p>It would therefore be appropriate to include reference to the Council's commitment to the BBfA Partnership's principles when dealing with businesses.</p>	<p>Insert at 3.8 wording recommended by the Devon and Somerset BBfA:</p> <p>1.1 South Hams District Council are fully committed to the Devon and Somerset Better Business for All (BBfA) Regulatory Services Partnership, which is endorsed by the Better Regulatory Delivery Office (BRDO), part of the Department for Business, Innovation and Skills (BIS). The purpose is to build a local partnership between businesses and regulators across Devon and Somerset to promote economic prosperity, whilst maintaining public protection. This document</p>

	<p>will consider the attached document please, or discuss the item further for consideration.</p> <p>Better Business for All (BBfA) is not a short term project but a better way of working, which is mutually beneficial in times of austerity and beyond. The partnership is passionate about making a cultural change between businesses and regulators, which encourages the building of trust to establish good working relationships.</p>		<p>will ensure that the Regulator will work in accordance with the BBfA principles. In doing so the Authority will create an environment and culture which will support our local businesses by making the activity that is being regulated easy to access, simple and clear to understand, whilst ensuring public protection.</p> <p>1.2 The Council will listen to business needs and act in an open and transparent way to help shape the way support is provided, this will be done following business consultations and throughout service use.</p> <p>1.3 Better Business for All is business-focused, using business-led improvements to create better regulation, support business growth and create a level playing field for businesses. In order to achieve this the Policy will be implemented in a consistent manner with competent enforcement staff who are working with the right attitudes and behaviours for the benefit of our Communities.</p>
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