

## **Power Leisure Bookmakers Limited response to Harrow Council's Consultation on its draft Statement of Gambling Principles**

Paddy Power is Ireland's biggest Bookmaker and operates both a retail business through licensed betting offices and an online/telephone business. Paddy Power operates 251 licensed betting offices in Ireland and 325 betting offices in the United Kingdom.

Paddy Power is a leading national operator of betting premises with clear and proactive policies to promote the Gambling Licensing Objectives.

We respectfully remind the Licensing Authority that operators of premises licences have full authority to provide their services by the provision of an Operators' Licence granted by the Gambling Commission. Therefore, the Gambling Commission will have approved the measures implemented by operators to ensure that effective anti-money laundering procedures are implemented and that policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice.

We refer the authority to the Regulators' Code, which was introduced by the Legislative and Regulatory Reform Act 2006 that provides the code to which the Authority must have regard. Specifically, Regulators should avoid imposing unnecessary burdens and choose proportionate approaches to those they regulate and should have mechanisms in place for consultation.

### **General Policy Commentary**

Licensing Authorities are under the statutory obligation to aim to permit the use of premises for gambling so far as the authority believes that an application is reasonably consistent with the licensing objectives and in accordance with its own statement of principles. Authorities can request additional information in support of an application to assist with the determination in consideration of the above criteria. The draft statement of principles correctly identifies that unmet demand is not a criterion that can be considered along with the avoidance of duplication with other regulatory regimes, such as planning.

### **Location and local area risk assessment**

The Authority is again referred to the Regulators' Code, which provides that in making an assessment of risk, Regulators should recognise the compliance record of those they regulate and take an evidenced based approach to determining the priority risks in their area of responsibility.

The draft policy confirms that the Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. In order to fully address any potential concerns, all risk profiles should be based upon empirical evidence of gambling related harm in consideration of those measures already in place to mitigate actual rather than theoretical risk. The policy correctly identifies that there is a clear distinction between disorder and nuisance but it should be highlighted that nuisance was specifically rejected by Parliament as a licensing objective under the Gambling Act 2005. As part of any analysis of crime and disorder, the Authority may wish to consider the prevalence of illegal gambling and ensure that any measures proposed to address crime is proportionate to the existing operational procedures implemented by operators to address crime and disorder associated with any gambling provision.

The draft policy suggests that specific policies may be introduced regarding the location of specific gambling premises, but as details have not been provided with the current draft, it is impossible to assess the validity of the potential local area profiling that may be completed by the Licensing Authority and the evidence utilised to determine the theoretical risk in any area identified. Without a direct correlation with actual risk, it remains difficult for both the licensing authority and operators to implement detailed policies to address perceived risks without an assessment of any detrimental impact that any proposed gaming provision may have.

As a number of factors are identified that will be considered by the Licensing Authority with regard to the location of gambling premises, an effective analysis should be completed to ensure that the density of particular premises and any perceived risks correlate with actual harms caused by gaming related activities within those locations identified.

Any finalised policy should not suggest that gaming related applications pose an inherent risk to 'vulnerable people', regardless of status or evidence of actual harm. Where operators are asked to mitigate any perceived risks, sufficient parameters should be identified addressing the specific risks concerned relative to those individuals who may be at risk from the grant of any proposed application.