

## **APPENDIX B**

### **Consultation Responses**

#### **1. Poppleston Allen**

We act for Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited and have been asked to submit the following response to the Council's consultation on its draft Statement of Gambling Policy 2022.

**Letter received 27.01.2022**

#### **Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited response Harlow**

##### **Council's Consultation on its draft Statement of Gambling Principles 2022-2025**

The Merkur Group of companies is a leading national operator of bingo, AGC and FEC premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of premises licences have full authority to provide their services by the provision of an Operating Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the obligations and requirements now placed upon operators under the social responsibility provisions of the LCCP, introduced by the Gambling Commission.

#### **Foreward**

We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act

2005. Comments relating child sexual exploitation, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority's policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy's function, and it should be removed.

#### **Part B – 14.20-14.21 – Protecting children and other vulnerable persons from harm**

Whilst we acknowledge that protecting children from harm is fundamental, references to child sexual exploitation have no direct relevance to this objective and there is no evidence to support the inclusion of this content within the policy statement.

The Authority should recognise that the principal duty is to protect children and other persons from the potentially harmful effects of gambling, as opposed to wider societal harm. Whilst we agree that licence holders and all businesses throughout society should be aware of the risks of child sexual exploitation, commentary in this regard is not relevant to the objective under the Gambling Act

2005. Particularly when considering children are not permitted into adult gaming centres and most other gambling venues, there would already be the appropriate policies and procedures in place (for example, age verification/restricted access) to mitigate the risks of them being harmed or exploited by gambling – please see LCCP code provisions 3.2.3 to 3.2.6.

It should be noted that the Gambling Commission guidance states: ‘a licensing authority may identify the safeguarding of children as a key priority...in which case its statement would set out those policies, procedures and control measures it would expect licensees to follow to mitigate any risks relating to underage gambling’. We suggest that the policy is amended to reflect this. Merkur is a responsible operator and implements measures to address local risks that relate to activities which would take place within its premises.

## **Conclusion**

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives. We look forward to discussion on the proposed Statement of Principles with you.

## **2. Poppleston Allen**

We act for Power Leisure Bookmakers Ltd and have been asked to submit the following response to the Council’s consultation on its draft Statement of Gambling Policy 2022.

### **Letter received 27.01.2022**

#### **Power Leisure Bookmakers Limited response Harlow Council’s Consultation on its draft Statement of Gambling Principles 2022-2025**

Paddy Power is Ireland’s biggest Bookmaker and operate both as retail business through licensed betting offices and an online/telephone business. Paddy Power is a leading national operator of betting premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of premises licences have full authority to provide their services by the provision of an Operating Licence granted by the Gambling Commission. The UK’s gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the obligations and requirements now placed upon operators under the social responsibility provisions of the LCCP, introduced by the Gambling Commission.

## **Foreward**

We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act

2005. Comments relating child sexual exploitation, and the imposition of additional obligations/conditions placed on operators fail to consider the extensive social responsibility provisions now contained in the governing legislation. The Authority’s policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate

document to contain additional commentary, which is beyond the scope of the policy's function, and it should be removed.

### **Part B – 14.20-14.21 – Protecting children and other vulnerable persons from harm**

Whilst we acknowledge that protecting children from harm is fundamental, references to child sexual exploitation have no direct relevance to this objective and there is no evidence to support the inclusion of this content within the policy statement.

The Authority should recognise that the principal duty is to protect children and other persons from the potentially harmful effects of gambling, as opposed to wider societal harm. Whilst we agree that licence holders and all businesses throughout society should be aware of the risks of child sexual exploitation, commentary in this regard is not relevant to the objective under the Gambling Act

2005. As children are not permitted into betting premises, there would already be the appropriate policies and procedures in place (for example, age verification/restricted access) to mitigate the risks of them being harmed or exploited by gambling – please see LCCP code provision 3.2.7 and 3.2.8.

It should be noted that the Gambling Commission guidance states: 'a licensing authority may identify the safeguarding as a key priority...in which case its statement would set out those policies, procedures and control measures it would expect licensees to follow to mitigate any risks relating to underage gambling'. We suggest that the policy is amended to reflect this. Paddy Power is responsible operator and implements measures to address local risks that relate to activities which would take place within betting premises.

### **Conclusion**

We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives. We look forward to discussion on the proposed Statement of Principles with you.

### **3. Martin John Harris**

**From:** Martin John Harris [REDACTED]  
**Sent:** 18 December 2021 10:22  
**To:** Licensing  
**Subject:** Drafdt licensing policy

Dear Sir or Madam

Thank you for this consolation.

I believe the amendments are shown in red

I very much welcome the tightening of the policy to help ensure the safety of children.

Every best wish, Martin

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Martin Harris

Team Rector St Paul's and St Mary's



website: <http://stpaulsandstmarysharlow.co.uk>