

## DUMFRIES AND GALLOWAY LICENSING BOARD

Meeting of Friday 13 December 2024  
at 11.00am - This meeting will be held online

Tony Berretti – Mid and Upper Nithsdale;  
Linda Dorward – Lochar;  
Archie Dryburgh MBE – Annandale East and Eskdale;  
Iain Howie – Castle Douglas and Crocketford;  
Ivor Hyslop – Lochar;  
Kim Lowe – Abbey;  
Gail Macgregor – Annandale North;  
Jackie McCamon – Mid Galloway and Wigtown West;  
Stephen Thompson – Annandale North;  
Vacancy –

**VLAD VALIENTE**  
Clerk to the Licensing Board

## Dumfries and Galloway Licensing Board

Meeting of Friday 13 December 2024  
at 11.00am - This meeting will be held online

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES OF MEETING - 13 NOVEMBER 2024** 1 - 4
4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS GRANTED UNDER DELEGATED AUTHORITY** 5 - 10
5. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR NEW PREMISES LICENCES** 11 - 16
6. **LICENSING (SCOTLAND) ACT 2005: PERSONAL LICENCE APPLICATION - GRAEME WALDEN** 17 - 24
7. **LICENSING (SCOTLAND) ACT 2005: REVIEW OF PERSONAL LICENCE - CALLUM SCOTT** 25 - 34
8. **GAMBLING ACT 2005: SECTION 349 - PREPERATION STATEMENT OF PRINCIPALS (2005 TO 2028)** 35 - 66

Next Meeting Date: Thursday, 23 January 2025

## DUMFRIES AND GALLOWAY LICENSING BOARD

Minute of Meeting of Wednesday 13 November 2024 at 2.00pm  
Remote Hearing

### MEMBERS PRESENT

Tony Berretti	-	Mid and Upper Nithsdale
Linda Dorward	-	Lochar
Archie Dryburgh MBE	-	Annandale
Iain Howie	-	Castle Douglas and Crocketford
Ivor Hyslop	-	Lochar
Kim Lowe	-	Abbey
Jackie McCamon	-	Mid Galloway and Wigtown West
Stephen Thompson	-	Annandale North

### APOLOGIES

Gail Macgregor	-	Annandale North
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### IN ATTENDANCE

Sharon Davidson	-	Licensing Manager
Stuart Davidson	-	Licensing Standards Officer
Julia Farroll	-	Licensing Standards Officer
A/Sergeant Anna Parker	-	Police Scotland
Cheryl Syme	-	Senior Licensing Officer
Caroline Treanor	-	Solicitor

**VLAD VALIENTE**  
Clerk to the Licensing Boards

1. **APPOINTMENT OF CONVENER**

**AGREED** unanimously that Ivor Hyslop be appointed Convener of the Licensing Board for the term until after the next local authority election.

2. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**

8 Members present via MS Teams with one apology from Councillor Macgregor. The Convener approved Members' remote participation at the Hearing.

3. **DECLARATIONS OF INTEREST**

None

4. **MINUTES OF MEETINGS**

**Decision**

4.1 **AGREED** the minutes from the meeting of Annandale & Eskdale Divisional Licensing Board on 18 September 2024.

4.2 **AGREED** the minutes from the meeting of Stewartry Divisional Licensing Board on 27 September 2024.

4.3 **AGREED** the minutes from the meeting of Nithsdale Divisional Licensing Board on 2 October 2024.

5. **LICENSING (SCOTLAND) ACT 2005: APPLICATION GRANTED UNDER DELEGATED AUTHORITY – REPORT BY THE CLERK TO THE BOARDS**

**Decision**

**NOTED** the applications granted under delegated authority from during the period starting from the last former Divisional Licensing Board meetings in September 2024 to 31 October 2024.

6. **LICENSING (SCOTLAND) ACT 2005: SECTION 30 - APPLICATIONS FOR MAJOR VARIATIONS OF PREMISES LICENCES – REPORT BY THE CLERK TO THE BOARDS**

**Decision**

6.1 Hearing 1 – The Clubhouse Bar, Bankend Road, Dumfries.  
Having heard from the applicant and the Licensing Standards Officer, **AGREED** to grant the application.

6.2 Hearing 2 – Penny Petroleum, Inch Services, Castle Kennedy  
Having heard from the applicant's agent and the Licensing Standards Officer, **AGREED** to grant the application.

6.3 Hearing 3 – Petrol Station, Creebridge, Newton Stewart  
Having heard from the applicant's agent and the Licensing Standards Officer, **AGREED** to grant the application.

**7. LICENSING (SCOTLAND) ACT 2005: REVIEW OF PERSONAL LICENCE – LUCY FORTEATH – REPORT BY THE CLERK TO THE BOARDS**

Members heard from the licence holder and the Chief Constable's representative and considered all matters before them.

**MOTION** by **Jackie McCamon** seconded by **Archie Dryburgh** to take no action but to issue a warning letter in respect of the standards expected by the Licensing Board.

**AMENDMENT** by **Stephen Thompson** seconded by **Iain Howie** that the licence be endorsed as the Board is minded that it is necessary for the purposes of the Licensing Objectives (a) Preventing Crime and Disorder and (b) Securing Public Safety whilst acknowledging that the licence holder accepts that mistakes were made and that the standards applied fall below that expected by the Licensing Board.

On a vote taken by roll call, members voted as follows:-

**MOTION – 4 votes being:**

Tony Berretti, Linda Dorward, Archie Dryburgh and Jackie McCamon

**AMENDMENT – 4 votes being:**

Ivor Hyslop, Iain Howie, Kim Lowe and Stephen Thompson

On there being an equality of votes the Convener agreed to use his casting vote in favour of the Amendment.

**Decision**

**AGREED** that the licence be endorsed as the Board is minded that it is necessary for the purposes of the Licensing Objectives (a) Preventing Crime and Disorder and (b) Securing Public Safety whilst acknowledging that the licence holder accepts that mistakes were made and that the standards applied fall below that expected by the Licensing Board.

**8. LICENSING (SCOTLAND) ACT 2005: SECTION 12A – CHIEF CONSTABLE'S ANNUAL REPORT 2023/24 – REPORT BY THE CLERK TO THE BOARDS**

**Decision**

**AGREED** to receive and note the four Chief Constable's Reports for 2023/24 in respect of each previous Divisional Board area.

**9. LICENSING (SCOTLAND) ACT 2005 (THE ACT) : SECTION 9A: ANNUAL FUNCTIONS REPORT 2023/24 – REPORT BY THE CLERK TO THE BOARDS**

**Decision**

**AGREED** to approve the Functions report for 2023/24.

**PROCEDURE** – Councillor Iain Howie left the meeting during consideration of the following matter – **7 Members present**

**10. LICENSING (SCOTLAND) ACT 2005 (THE ACT) : SECTION 9B: ANNUAL FINANCIAL REPORT 2023/24 – REPORT BY THE CLERK TO THE BOARDS**

**Decision**

**AGREED** to approve the Financial report for 2023/24.

**DUMFRIES AND GALLOWAY LICENSING BOARD**

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**THE LICENSING (SCOTLAND) ACT 2005  
APPLICATIONS GRANTED UNDER DELEGATED AUTHORITY**

**1. Summary**

This report details licences which have been granted under delegated powers, by the Clerk to the Licensing Board during the period starting from 1 November 2024 to 20 November 2024 and invites Members to note the report and appendices.

**2. Applications**

2.1 The undernoted table details the number of occasional licences, extended hours and personal licences granted:

<b>Application Type</b>	<b>Total number granted</b>
Occasional licences – applied for by a personal licence holder	93
Occasional licences – applied for by a premises licence holder	7
Occasional licences – applied for by a voluntary organisation	25
Extended Hours	3
Personal Licences	11

2.2 The following appendices further detail applications granted in respect of:-

Minor variation of premises licences - Appendix 1

Transfer of premises licences - Appendix 2

Confirmation of provisional premises licence - Appendix 3

Cheryl Syme  
Senior Licensing Officer  
Kirkbank House  
English Street  
Dumfries  
DG1 2HS

Vlad Valiente  
Clerk to the Licensing Boards  
Kirkbank House  
English Street  
Dumfries  
DG2 2HS

5 December 2024

**Appendix 1****APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES**

	<b><u>Licence Holder</u></b>	<b><u>Name and address of Premises</u></b>	<b><u>Type of variation</u></b>	<b><u>Granted date</u></b>
1	Aldi Stores Limited	Aldi Stores Limited Goods Lane Newton Stewart DG8 6EH	Change of DPM to Sandra Davidson	01/11/2024
2	The Portpatrick Brewery Limited	Portpatrick Brewery 24 Main Street Kirkcolm Stranraer DG9 0NN	Change of DPM to Benjamin Fortnum	01/11/2024
3.	Polish Shop Dino Ltd	Polish Shop Dino Loreburn Shopping Centre Unit 11 High Street Dumfries DG1 2BD	Change to the DPM's home address	01/11/2024
4.	Iceland Foods Limited	Food Warehouse Unit 3 Cuckoo Bridge Retail Park Dumfries DG2 9BF	Change to the DPM's home address	06/11/2024
5.	RAD Limited	Hetland Hall Hotel Carrutherstown Dumfries DG1 4JX	Change of DPM to Kevin Hewitson	11/11/2024
6.	Hawthorn Leisure Scotco Limited	Stag Bar 48 Bank Street Dumfries DG1 2PA	Change of DPM to Kathryn Halliday	12/11/2024
7.	Tesco Stores Limited	Tesco Store Ernespie Road Castle Douglas DG7 1LD	Change of DPM to Mark Foley	14/11/2024
8.	Away Resorts Ltd	Moffat Manor Beattock Country Park Beattock Moffat DG10 9RE	Change of DPM to Toby Dawson	19/11/2024
9.	William Loch	Lochs Stores 41-43 George Street Stranraer DG9 7RJ	Change of DPM to Taylor Le-TeXier	21/11/2024

10.	Rasul Bros	Nisa Local 62-64 High Street Sanquhar DG4 6BL	Change of DPM to Diane Ponton	22/11/2024
11.	Rasul Bros	Nisa Local Scott Street Kelloholm DG4 6QT	Change of DPM to Lisa Bee	22/11/2024
12.	Tesco Stores Limited	Tesco Extra Cuckoo Bridge Retail Park Glasgow Road Dumfries DG2 9BF	Change of DPM to Matthew Bell	28/11/2024
13.	Lidl Great Britain Limited	Lidl Brooms Road Dumfries DG1 2DZ	Change of DPM to Jurgita Petraviciene	28/11/2024
14.	Whitbread Group plc	The Solway Gate Annan Road Dumfries DG1 3JX	Change of premises name to 'Dumfries Premier Inn'	29/11/2024
15.	The Olive Retreat Ltd	Nikos Greek Restaurant 139 King Street Castle Douglas DG7 1DX	Change of premises name to 'The Olive Retreat'	29/11/2024
16.	Southern Upland Limited	Chancers Nightclub 25 Munches Street Dumfries DG1 1ET	Change of DPM to Darren Thomson	05/12/2024
17.	Gillespie Leisure Limited	Brighthouse Bay Golf & Leisure Club & Shop Borgue Kirkcudbright DG6 4TS	Change of DPM to Catherine McGhee	05/12/2024

**Appendix 2****APPLICATIONS FOR TRANSFER OF PREMISES LICENCES**

	<b><u>Applicant</u></b>	<b><u>Name and address of Premises</u></b>	<b><u>New licence holder</u></b>	<b><u>Granted date</u></b>
1.	Lochmaben Golf Club	Lochmaben Golf Club Gastlehill Gate Lochmaben DG11 1NT	Lochmaben Golf Club (SCIO)	01/11/2024

**Appendix 3****APPLICATION FOR CONFIRMATION OF PROVISIONAL PREMISES LICENCE**

	<b><u>Licence Holder</u></b>	<b><u>Name and address of Premises</u></b>	<b><u>Date of grant of provisional premises licence</u></b>	<b><u>Effective date of confirmation</u></b>
1.	Motor Fuel Limited	Stranraer (London Road) Service Station London Road Stranraer DG9 8ES	12/09/2024	06/11/2024
2.	Aldi Stores Limited	Aldi Land at Oakwell Road Castle Douglas DG7 1HZ	28/04/2023	15/11/2024
3.	Welcome Break Group Limited	WH Smith @ Gretna Green Welcome Break Gretna Green Services Gretna	18/09/2024	19/11/2024
4.	Welcome Break Group Limited	Waitrose @ Gretna Green Welcome Break Gretna Green Services Gretna	18/09/2024	19/11/2024

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**DUMFRIES AND GALLOWAY LICENSING BOARD**

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**LICENSING (SCOTLAND) ACT 2005: SECTION 23  
APPLICATION FOR NEW PREMISES LICENCE**

**1. Reason for Report**

This report details an application received for a new premises licence. The Board is statutorily obliged to hold a Hearing in respect of such applications.

**2. Background**

2.1 The application received by the Licensing Service is listed below and is detailed in the attached hearing summary. The hearing summary contains details of the application and associated relevant material, for Members to consider and determine.

Application received

Hearing 1	11A Gala Park, Lockerbie, DG11 2QN Appendix 1 – details of application Appendix 2 – LSO report
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2.2 As is required by law, a copy of the application was sent to:

- Police Scotland
- The Local Authority
- Scottish Fire and Rescue Service (SFRS)
- Local Community Council
- NHS Dumfries and Galloway
- Neighbours: Persons having notifiable interest in neighbouring land (within 4 metres in any direction of any boundary of the premises).

2.3 In terms of the law, the Board is obliged to advertise notice of such applications on its website for a continuous period of 21 days. The applicant is also obliged to display a site notice of A4 size at or near the premises in a place and at a height where the notice can conveniently be read by the public on the same dates as the Board's notice.

2.4 On expiry of the 21 day advertising period, the applicant must submit to the Board signed Confirmation of Site Notice before the Board may determine the application.

2.5 Signed Confirmation of Site Notice has been received in respect of the application.

**3. Determining the application**

3.1 As democratically elected individuals, ultimate decision making power rests with elected Members and not Council Officers. Whilst officers can give advice, they cannot clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision taking into account the following:

- 3.2 The Board must consider whether any of the grounds for refusal apply and
- (i) If NO ground of refusal applies, the Board must GRANT the application
  - (ii) If ANY ground of refusal applies, the Board must REFUSE the application.

**3.3 The section 30(5) grounds for refusal are:-**

- The application must be refused under
  - Section 32(2) (where the Board has refused a premises licence variation application in respect of the same premises and seeking the same

variation and this is a subsequent application received within 12 months of the refusal)

- Section 64(2) (where the application is for 24 hour operation and exceptional circumstances justifying the sale of a 24 hour operation have not been proven)
- Section 65(3) (the application is for off sales outwith 10am to 10pm)

- Licensing Objectives ground of refusal

The Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives (preventing crime and disorder/securing public safety/preventing public nuisance/protecting and improving public health/protecting children and young persons from harm)

- Unsuitability of the premises

That having regard to:-

- a) the nature of the activities proposed to be carried on in the premises
- b) the location, character and condition of the premises; and
- c) the persons likely to frequent the premises

the Board considers that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation.

- Overprovision

That the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises (taking account of the variation), in the locality.

#### **4. Recommendation**

Members are asked to either GRANT or REFUSE the application.

Cheryl Syme  
Senior Licensing Officer  
Kirkbank House  
English Street  
Dumfries  
DG1 2HS

Vlad Valiente  
Clerk to the Licensing Boards  
Kirkbank House  
English Street  
Dumfries  
DG1 2HS

5 December 2024

**Hearing01 – Appendix 1**

<b>Applicant/Agent</b>	Hassard Licensing For. SR Freshway Ltd 165 The Broadway London SW19 1NE
<b>Address of Premises</b>	11A Gala Park Lockerbie DG11 2QN
<b>Description</b>	Convenience store in a residential area.
<b>Core Times</b>	<u>Off Sales</u> Monday 10.00am – 10.00pm Tuesday 10.00am – 10.00pm Wednesday 10.00am – 10.00pm Thursday 10.00am – 10.00pm Friday 10.00am – 10.00pm Saturday 10.00am – 10.00pm Sunday 10.00am – 10.00pm
<b>Activities</b>	Recorded Music within and outwith core hours.  <u>Outwith core hours information</u> Shop radio may be played in store during all trading hours. The shop may operate as a National Lottery outlet. General retail may commence from 6am until 11pm subject to local/seasonal demand.  <u>Any other Activities</u> The primary activity undertaken at the aforementioned premises will be the retail sale of, but not restricted to, the following commodities to the general public: Groceries, Confectionery, Bread & Cakes, Crisps & Snacks, Soft Drinks, Non Foods, Toiletries, Frozen Foods, Chilled Foods, Food to Go, Veg & Flowers, News & Magazines, Pocket Money Toys, Tobacco & Cigarettes, Wines & Spirits and other fermented, distilled and spirituous liquor, e.g. liqueurs, sherry, port, beers and ciders. Deliveries may be offered. Paypoint facilities may be installed within the store providing bill payment facilities and the purchase of mobile phone top ups/gift cards/TV Licence etc.
<b>Children and Young Persons</b>	<b>N/A</b>
<b>Capacity</b>	24.47m <sup>2</sup>
<b>Last Date for Objections/Representations</b>	Friday 29 November 2024

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**DUMFRIES & GALLOWAY LICENSING BOARDS  
LICENSING STANDARDS OFFICER REPORT**

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**LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR PREMISES LICENCE  
PREMISES: 11A GALA PARK, LOCKERBIE, DG11 2QN  
APPLICANT: HASSARD LICENSING FOR SR FRESHWAY LIMITED, 165 THE  
BROADWAY, LONDON, SW19 1NE**

1. This application involves the provision for off sales in a convenience store, 11A Gala Park, Lockerbie, DG11 2QN.
2. The primary activity undertaken at the premises will be the retail sale of goods associated with a convenience store including the sale of alcohol alcohol such as wines & spirits and other fermented, distilled, and spirituous liquor, e.g. liqueurs, sherry, port, beers and ciders.
3. The premises are currently licensed for the sale of alcohol (off-sales) by use of Occasional Licences and have utilised thirty 14-day applications from 3 July 2023 until 19 December 2024. All have been granted without any issues or concerns from a licensing perspective.
4. The hours applied for are: -

Off Sales

Monday to Sunday                    10.00am – 10.00pm

which are within the Board's Licensing Hours Policy.

5. The premises are an established local convenience store and SR Freshway Limited are experienced with other similar stores in the local area.
6. Other activities that are applied for are detailed within the application and state

Any other Activities – The primary activity undertaken at the aforementioned premises will be the retail sale of, but not restricted to, the following commodities to the general public: Groceries, Confectionery, Bread & Cakes, Crisps& Snacks, Soft Drinks, Non Foods, Toiletries, Frozen Foods, Chilled Foods, Food to Go, Veg & Flowers, News & Magazines, Pocket Money Toys, Tobacco & Cigarettes, Wines & Spirits and other fermented, distilled and spirituous liquor, e.g. liqueurs, sherry, port, beers and ciders. Deliveries may be offered. Paypoint facilities may be installed within the store providing bill payment facilities and the purchase of mobile phone top ups/gift cards/TV Licence etc.

7. Outwith core hours information

Shop radio may be played in store during all trading hours. The shop may operate as a National Lottery outlet. General retail may commence from 6am until 11pm subject to local/seasonal demand.

8. Capacity for the premises

Off sales – 24.47m<sup>2</sup> as per the layout plan.

9. The application was advertised on the Board's website page from Friday 8 November 2024, simultaneously a notice was displayed at the premises. The Notice was checked on Tuesday 12 November at which time it was correctly displayed.

10. I met with a connected person from SR Freshway as well as an employee (personal licence holder and future Designated Premises Manager if granted) at the premises and found them extremely helpful and professional as well as already having statutory signage in place.

I have no adverse comments to make.

Stuart Davidson  
Licensing Standards Officer  
12 November 2024

**DUMFRIES AND GALLOWAY LICENSING BOARD**

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**LICENSING (SCOTLAND) ACT 2005 (THE ACT): SECTION 74  
APPLICATION FOR A PERSONAL LICENCE  
APPLICANT: GRAEME WALDEN****1. Reason for Report**

As the Board has received an application for a Personal Licence and the Chief Constable has submitted a Notice stating a relevant offence and recommending that the application be refused, the Board must, in law, hold a Hearing.

**2. Background**

2.1 Graeme Walden submitted an application for a Personal Licence on 28 June 2024.

2.2 A Personal Licence, issued by a Licensing Board, authorises the licence holder to supervise or authorise the sale of alcohol.

2.3 The pre-licence conditions that must be met in law before an application can be granted have been met. Namely, that the applicant:

- is aged 18 or over;
- possesses a licensing qualification;
- does not already hold a Personal Licence; and
- has not held a Personal Licence that has previously been revoked within the last five years (other than it being revoked for failure to produce to the Board evidence of renewed Personal Licence Holder training)

**3. Police Response**

3.1 A copy of the application was forwarded to the Chief Constable and, within the 21-day statutory timeline, the Chief Constable responded with a Notice notifying relevant offences and recommending refusal of the application (**Appendix 1**).

3.2 In response to the Police letter, Graeme Walden has submitted a written statement (**Appendix 2**).

**4. Determining the application**

4.1 As democratically elected individuals, ultimate decision making power rests with elected Members and not Council Officers. Whilst Officers can give advice, they cannot clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision taking into account the following:

4.2 In terms of Section 74(6) of the Act, the Board must, after having regard to the Chief Constable's Notice:

- (a) if satisfied that a ground of refusal applies, REFUSE the application or
- (b) if not so satisfied, GRANT the application.

4.3 The grounds for refusal are:

- (a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a Personal Licence;
- (b) That it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives (preventing crime and disorder; securing public safety; preventing public nuisance; protecting and improving public health; and protecting children and young persons from harm).

**5. Recommendation**

Members are asked to either GRANT or REFUSE the application.

Vlad Valiente  
Clerk to the Licensing Board  
Kirkbank House  
English Street  
Dumfries  
DG1 2HS

5 December 2024

**OFFICIAL: POLICE AND PARTNERS**18<sup>th</sup> July 2024

Your Ref: DG/N/1206

Our Ref: AP/HJR/839443

Clerk of the Board  
Nithsdale Divisional Licensing  
Kirkbank House  
English Street  
Dumfries  
DG1 2HS



Dumfries & Galloway Division  
Police Headquarters  
Cornwall Mount  
Dumfries  
DG1 1PZ

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005**  
**APPLICATION FOR THE GRANT OF A PERSONAL LICENCE DG/N/1206**  
**APPLICANT: GRAEME WALDEN, BORN 12.05.1964**  
**ADDRESS: 10 OSBORNE CRESCENT, LOCHSIDE, DUMFRIES, DG2 9JU**

I refer to the above application.

In terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 (the 2005 Act) I give notice that, based upon the information provided and as far as the Chief Constable is aware, the applicant has been convicted of the following relevant offence.

Date	Court	Crime/Offence	Disposal
04.07.2023	Dumfries Sheriff Court	Road Traffic Act 1988 Section 5(1)(A)	Fine £500 Disqualified 14 months. Licensed Endorsed

About 0247 hours, on Friday 9<sup>th</sup> June 2023, Police were contacted in connection with a suspected drink driver. Individuals in Lochside, Dumfries, heard a loud noise and observed a black Volvo motor car abandoned on the wrong side of the roadway.

They observed a male person exiting the driver's side of the vehicle, locking the vehicle and then kick the driver's door before walking off towards Alloway Road, Dumfries. At that time the witnesses observed the male to appear to be heavily intoxicated.

A short time later Police attended at the locus and observed the same vehicle abandoned on the wrong side of the road with extensive front end damage (a broken axle). On closer inspection Police observed tyre marks on the road over a distance of approximately 150 metres, whereby it appeared the vehicle had been driven on the wrong side of the road, colliding with the kerb before coming to a stop.

About 0950 hours, same date (09/06/2023), Police managed to trace Mr Walden at his home address where roadside procedure was completed, and Mr Walden confirmed that it was himself

**OFFICIAL: POLICE AND PARTNERS**

that had been driving the vehicle. He provided a positive breath test and was arrested and conveyed to Dumfries Police Station.

At the Police Station Mr Walden was required to provide two specimens of breath for analysis on an approved device where he provided a lower reading of 48mg/100ml of breath, which exceeded the prescribed limit of 22mg/100ml of breath, contrary to the Road Traffic Act 1988 Section. He was cautioned and charged with the offence libelled and was released on a Police Undertaking to appear at Dumfries Sheriff Court on 4<sup>th</sup> July 2023.

I am unable to confirm the existence of any foreign offence in respect of the applicant.

Mr Walden's actions have shown poor judgement and decision making in relation to alcohol which has resulted in significant damage to his vehicle and thankfully on this occasion no one was hurt.

There are serious concerns that he may condone drink driving based on these actions and not act appropriately/ fail to intervene in the future if he were faced with a drink driving circumstance involving patrons which could affect public safety.

Being a Personal Licence holder is a position of considerable responsibility in respect of the sale and authorisation of sale of alcohol and Police Scotland do not believe that the applicant is a fit and proper person to undertake this role based on his previous decision making."

In light of the above, the Chief Constable considers that it is necessary for the purposes of the preventing crime and disorder and securing public safety licensing objectives, that the application be refused. The Chief Constable accordingly makes a recommendation to that effect in terms of section 73(4) of the 2005 Act.

Yours faithfully

Steven Meikle  
Chief Superintendent

**Appendix 2**

**From:** Graeme Walden <[wazz1@hotmail.co.uk](mailto:wazz1@hotmail.co.uk)>  
**Sent:** Wednesday, December 4, 2024 1:56 PM  
**To:** Licensing <[licensing@dumgal.gov.uk](mailto:licensing@dumgal.gov.uk)>  
**Subject:** Re: EXTERNAL: Re: Personal Licence Application

You don't often get email from [wazz1@hotmail.co.uk](mailto:wazz1@hotmail.co.uk). [Learn why this is important](#)

Dear, Members of the Board. First of all, I would like to introduce myself to the board. My name is Graeme Walden. I'm 60 years old and have been a personal license holder since its inception up until 2019. I've had 35 years' experience within the hospitality industry. I've managed and owned licensed companies since I was 21. During the time of my employment within the hospitality industry, I've trained numerous people to a high degree of success. Since leaving the industry in 2019, I've worked with the judiciary system, for three years' I worked as a prison custodial officer, then I worked with the Scottish Ambulance Service during Covid 19 as a Mobile Testing Unit Operative. After that, I became a Prison Officer with HMP Dumfries.

I would like to refer next to the application for a personal license. I submitted an application in April 2024. I knew I had to do a personal license course prior to the application and I went to college to attain the certification that was required for the application at a cost of £130. I proceeded with the application knowing that there would be an objection against the license being granted by the Chief Constable due to driving under the influence of alcohol incident that happened on the 9th of June 2023. Firstly, I totally agree with the concerns of the Chief Constable. I made a poor decision and judgement on that morning when the incident happened and that of which I am deeply ashamed and disappointed in the actions I took. Mitigation circumstances for the actions I took that resulted in the decision I made was, firstly my daughter tried to commit suicide that evening and secondly my brother had taken a stroke. I did try to get a taxi but there was nothing available. I know I made a mistake by taking the vehicle. Family incidents led to poor decision making by myself. I do hope this gives an insight into how this affected my mental state. After the incident happened, I took total responsibility for my actions and told the police that I was in control of the vehicle that morning. I believe in honesty and integrity and this is why I owned up to the misdemeanour. After being charged I felt so guilty for my actions, I went to my place of employment as a prison officer at HMP Dumfries and offered my resignation. They were happy that I was honest that I reported to them at the earliest opportunity. Since my resignation I have taken up a position at Lochmaben Golf Club as a Club Steward. I do believe I am still a fit and proper person to hold a personal license as of which, as just last month I received a commendation from Police Scotland for preventing a tragedy that would have resulted if it wasn't for the actions I took. I have disclosed these details in a link with these submissions. Lastly, I would like to thank the Board for taking the time to review the application and I would be hopeful that you grant the application. This could have a significant effect on my future career and plans. I look forward to hearing from you. This ends my submissions. Kind regards  
Graeme Walden.

Sent from [Outlook for iOS](#)

Your Ref:

Our Ref: PS-20241105-3985

Date 12<sup>th</sup> November 2024



**POLICE  
SCOTLAND**  
Keeping people safe  
**POILEAS ALBA**

*Mr Graham Walden  
10 Osborne Crescent  
Dumfries  
DG2 9JU*

Divisional Headquarters  
Cornwall Mount  
Dumfries  
DG1 1PZ

Telephone No: 101

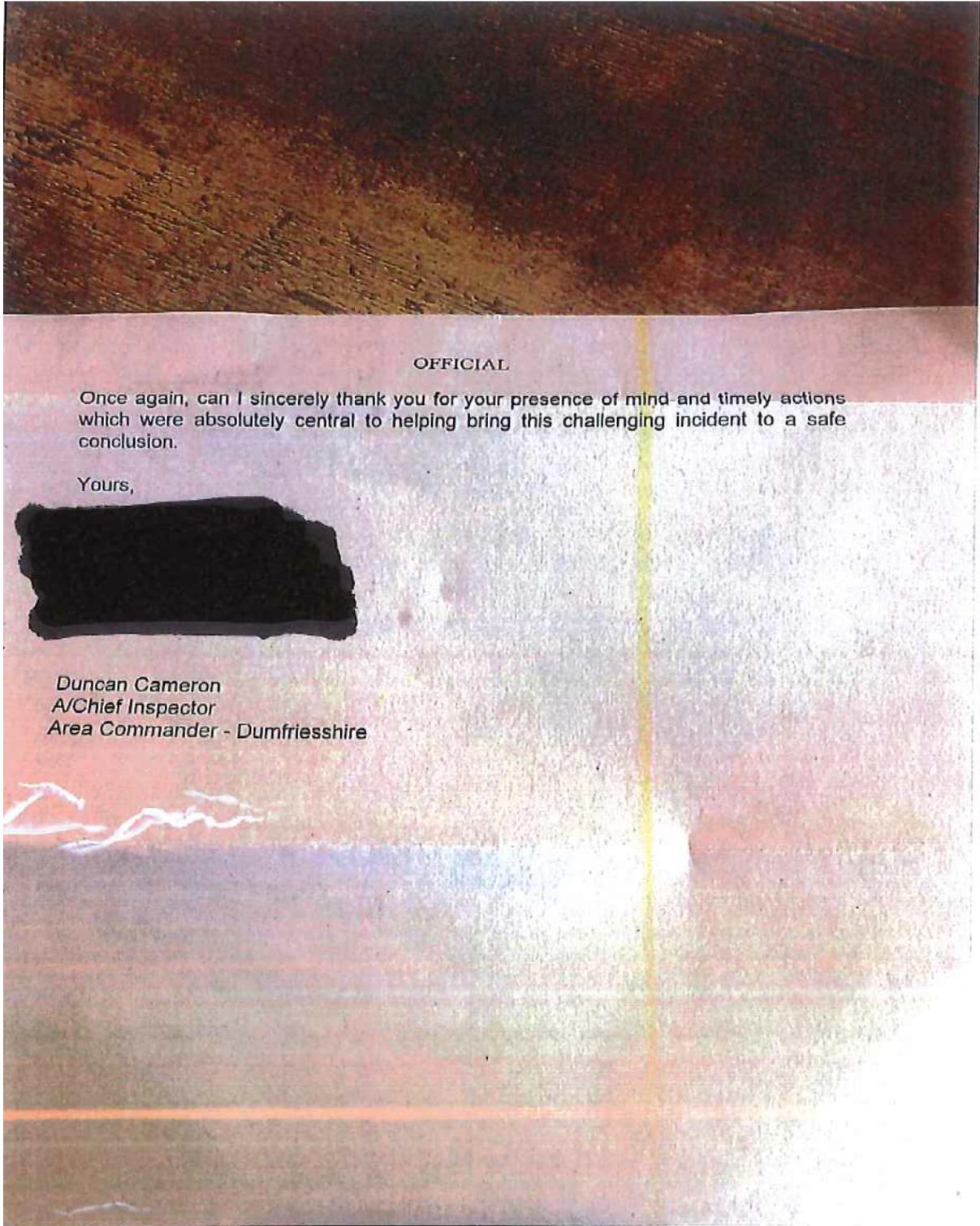
Dear Mr Walden,

**APPRECIATION FOR ASSISTANCE PROVIDED TO THE POLICE**

I wanted to write and personally thank you for the assistance you provided in relation to an incident which occurred on 5<sup>th</sup> November 2024 where I understand you and another member of the public provided vital assistance to another person who was placing themselves at risk of harm by being on the wrong side of the railing on an overbridge.

I believe that having been aware of concern for this person, and recognising the immediate risk of the situation, you displayed incredible bravery and quick thinking in holding on to the person and preventing them coming to harm, then assisting the officers who arrived on scene to bring the person safely over the barrier. You did this without thought for your own safety and the officers have commended your actions to me as undoubtedly helping prevent a tragedy.

*Without your intervention it seems likely the person would have come to harm prior to emergency services reaching him. Fortunately that was not the case and the person was able to receive the appropriate help required.*



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**DUMFRIES AND GALLOWAY LICENSING BOARD**

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**LICENSING (SCOTLAND) ACT 2005 (THE ACT): SECTION 84A  
CONDUCT INCONSISTENT WITH THE LICENSING OBJECTIVES  
PERSONAL LICENCE HOLDER: CALLUM SCOTT****1. Reason for Report**

As the Board has received a section 84A report from the Chief Constable it must, in law, hold a Hearing.

**2. Background**

2.1 On 6 May 2024, the Chief Constable, in terms of his power under section 84A of the Act, submitted to the Board a report alleging that Callum Scott, the holder of a personal licence, has acted in a manner that is inconsistent with the licensing objectives (1) Preventing Crime and Disorder, (2) Securing Public Safety and (3) Preventing Public Nuisance (**Appendix 1**).

2.2 In response to the Police letter, Callum Scott submitted a written statement to the Wigtown Divisional Licensing Board on 12 June 2024 (**Appendix 2**).

2.3 At said Board meeting, members agreed to defer consideration of this matter to a future hearing date and asked Police Scotland to bring forward updates to the Board in relation to the 3 pending charges.

2.4 Police Scotland updated the Licensing Board by letter dated 21 October 2024 (**Appendix 3**)

2.5 Callum Scott updated the Licensing Board by email dated 28 October 2024 (**Appendix 4**)

2.6 A Personal Licence issued by a Licensing Board authorises the licence holder to supervise or authorise the sale of alcohol.

**3. Determination**

3.1 At its Hearing the Board may, after giving

- the licence holder concerned and
- such other persons as they consider appropriate an opportunity to be heard and
- if satisfied that it is necessary to do so for the purposes of any of the licensing objectives, make an order to:
  - a) revoke the licence;
  - b) suspend the licence for a maximum 6 month period as the Board considers appropriate; or
  - c) endorse the licence. (an endorsement expires after five years)

3.2 It is also open to the Board to take no action.

3.3 If, at the Hearing, the Board is satisfied that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a personal licence then the Board must make an order revoking the licence.

**4. Recommendations**

4.1 Members are asked to consider whether they wish to:

- revoke;
- suspend; or
- endorse the licence or
- take no action; and

4.2 If a determination is made that the licence holder is not a fit and proper person to be the holder of the personal licence then the Board has no discretion as to which action it wishes to take as it must, in law, revoke the licence.

Vlad Valiente  
Clerk to the Licensing Board  
Kirkbank House  
Dumfries

5 December 2024

**OFFICIAL SENSITIVE: POLICE AND PARTNERS****APPENDIX 1**

06 May 2024

Your Ref: DG/W/0718

Our Ref:

Clerk of the Board  
 Wigtown Divisional Licensing  
 Kirkbank  
 Council Offices  
 English Street  
 Dumfries  
 DG1 2HS



**POLICE  
 SCOTLAND**

Keeping people safe

John Cairns

T/Chief Superintendent

Dumfries & Galloway Division  
 Police Headquarters  
 Cornwall Mount  
 Dumfries  
 DG1 1PZ

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - SECTION 84A  
 REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES  
 PERSONAL LICENCE HOLDER: CALLUM JAMES SCOTT  
 INCHYRA, ROWAN'S HILL CRESCENT, STRANRAER, DG9 0HL  
 LICENCE NO: DG/W/0718**

The Chief Constable hereby reports to the Licensing Board in terms of Section 84A of the Licensing (Scotland) Act 2005 that Callum James Scott has acted in a manner which is inconsistent with the licensing objectives articulated at Section 4(1) of the Act, namely:

- Preventing Crime and Disorder
- Securing Public Safety
- Preventing Public Nuisance

Mr Scott holds a personal licence issued by Wigtownshire Licensing Board on the 22 September 2021, which is due to expire on 21 September 2031. At the time of the incident being reported he worked within the Bar Pazzarello, Stranraer.

The following information is provided for the Board's consideration.

About 0005 hours on Saturday 4 May 2024, CCTV operatives have made officers aware of an assault that had taken place outside the Bar Pazzarello. Mr Scott was observed on CCTV to exit the premises in an irate manner, pointing a finger at a member of the public. As he approaches the member of the public he is assaulted by this person who then leaves the area and the Police arrive a short time thereafter to establish the circumstances.

**OFFICIAL SENSITIVE: POLICE AND PARTNERS**

On police arrival Mr Scott refused to engage stating he had not been assaulted and that he had simply been defending his staff. At the time Mr Scott was asked who was in charge of the premises and he identified himself, he was also wearing a staff uniform. He refused to engage with officers and was in an agitated state.

Police raised concerns with Mr Scott regarding his being in charge of the premises as officers believed him to be under the influence of alcohol due to his demeanour and the distinct smell of alcohol emanating from his breath. Mr Scott immediately became hostile and aggressive, shouting and swearing at officers. Mr Scott repeatedly refused to listen and made several attempts to leave the area. Despite being advised to calm down and desist Mr Scott continued to be verbally abusive and as such was arrested under the Criminal Justice and Licensing (Scotland) Act 2010 Section 38, for Threatening and Abusive Behaviour.

After being arrested Mr Scott resisted by pulling his arms away, grabbing at the officers' handcuffs and body armour which led to him being taken to the ground. Once on the ground Mr Scott again tried to take possession of the handcuffs and pull his arms away. When being led to the police van, he continued to shout and swear at officers.

Mr Scott was taken to Stranraer Police Station where he was also charged with Licensing (Scotland) Act 2005 Sect 114, Licence Holder Drunk on Relevant Premises and Resist Arrest.

Police Scotland are committed to maximising the safety of our communities and minimising the risk to our officers. Having completed the necessary training to apply for and be granted a personal licence Mr Scott would be well aware of his requirement to adhere to the licensing objectives and co-operate with Police Scotland's enquiries. The behaviour shown falls far below that which could be reasonably expected of licence holder working at one of the busier premises within Stranraer.

It is the Chief Constable's view that the Board should consider all options open to them under Sect 84(7) or 84(7A) of the Act.

In signing this report, I confirm that this report is made under the authority of the Chief Constable of Police Service of Scotland:

Signed:

John Cairns  
T/Chief Superintendent

The following information is provided for the board's consideration  
Callum Scotts personal licence review statement

About 00.05 on Saturday 4th May 2024 Courtney Davies who was working at the front door refused a group of boys entry as they were being verbally abusive towards her. I finished my shift at 22.00 hrs and I stayed out to have a few drinks as I was going away to Lanzarote on holiday the next day, the door steward Mark was upstairs dealing with an issue in the toilets so I went outside and told the lads they were not getting in and to move on as they were not gaining entry to the building and the police were about tonight. Someone at this point has tried to swing for me and it led to a bit of commotion outside and the police then arrived, the police officer I felt was trying to pressurise me into giving a statement against a well known individual to them, I told him I wasn't giving a statement as I didn't think it was much of an issue and I don't think he was very pleased with me as I just wanted to go back into the bar and continue with my evening. The police officer then kept going on about giving a statement I said again I didn't think it was a big deal and didn't want to press charges and tried to walk away, then I was grabbed and took up the alleyway beside the bar by the policeman who I thought was being heavy handed with me. In the alleyway I was forced to the ground and handcuffed to which I was very unhappy and aggrieved with as I felt I had done nothing wrong apart from not giving a statement against the person who had allegedly assaulted me. I never told any officer at any time that I was on duty and in charge of the bar, I told them I finished at 10 and that my dad would be in later and he was in charge. I have worked in Bar Pazz for 7 years and worked my way up to help run our family business, I understand my obligations as a personal licence holder when I am working in bar but I was off duty at the time of the incident, I did have a few drinks but felt I had done nothing wrong outside to justify being arrested and treated so harshly.

Thanks  
Callum Scott

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**OFFICIAL SENSITIVE: POLICE AND PARTNERS****APPENDIX 3**

21 October 2024

Your Ref: DG/W/0718

Our Ref:

Clerk of the Board  
 Wigtown Divisional Licensing  
 Kirkbank  
 Council Offices  
 English Street  
 Dumfries  
 DG1 2HS



**POLICE  
 SCOTLAND**

Keeping people safe

Steven Meikle  
 Chief Superintendent

Dumfries & Galloway Division  
 Police Headquarters  
 Cornwall Mount  
 Dumfries  
 DG1 1PZ

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - SECTION 84A  
 REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES  
 PERSONAL LICENCE HOLDER: CALLUM JAMES SCOTT  
 INCHYRA, ROWAN'S HILL CRESCENT, STRANRAER, DG9 0HL  
 LICENCE NO: DG/W/0718**

I refer to the above Personal Licence held by Callum Scott and Police Scotland's previous correspondence dated 6 May 2024. The matter was heard by Wigtownshire Divisional Licensing Board on 12 June 2024 at which time the decision was taken to defer the matter until the pending case had been heard at court and the outcome known.

I can now confirm Mr Scott has the following conviction:

Date	Court	Crime/Offence	Disposal
18.10.2024	Stranraer Sheriff	1. Criminal Justice & Licensing (Scotland) Act 2010 Section 38(1)  2. Police and Fire Reform (Scotland) Act 2012 Section 90(2)(A)	Chg(s) 1-2 Fine £220, cumulo  Chg(s) 2 Victim Surcharge £20

**OFFICIAL SENSITIVE: POLICE AND PARTNERS**

In signing this report, I confirm that this report is made under the authority of the Chief Constable of Police Service of Scotland:

Signed:

Steven Meikle  
Chief Superintendent

## APPENDIX 4

**From:** James Scott

**Sent:** Monday, October 28, 2024 3:28 PM

**To:** Licensing <[licensing@dumgal.gov.uk](mailto:licensing@dumgal.gov.uk)>

**Subject:** Re: Automatic reply: EXTERNAL: Callum scott personal license

You don't often get email from [jwscott68@icloud.com](mailto:jwscott68@icloud.com). [Learn why this is important](#)

Callum Scott Personal License

To whom it may concern

On Friday 18th October I was up at court regarding police charges ,I pled guilty to swearing and resisting arrest, all charges regarding the licensing issues were dropped by the procurator fiscal,I was fined £220 pounds and it is my duty to let the license board know the outcome .

Thanks

Callum Scott

On 28 Oct 2024, at 15:22, Licensing <[licensing@dumgal.gov.uk](mailto:licensing@dumgal.gov.uk)> wrote:

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**DUMFRIES AND GALLOWAY LICENSING BOARD**

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**GAMBLING ACT 2005: SECTION 349  
STATEMENT OF PRINCIPLES (2025 to 2028)****1. Reason for Report**

To request the Licensing Authority (in Scotland, the Licensing Board) to approve and adopt the revised gambling Statement of Principles (2025 to 2028) detailed at **Appendix 1**.

**2. Background**

2.1 The Gambling Act 2005 (the Act) makes provisions about gambling in Great Britain.

2.2 The Licensing Objectives enshrined in section 1 of the Act are:

- 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; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.3 The Act establishes the Gambling Commission – a statutory, regulatory body that regulates gambling. Its responsibilities include:

- Issuing Personal licences and Operating licences;
- Issuing Codes of Practice about the manner in which facilities for gambling are provided;
- Issuing statutory Guidance to Licensing Authorities on how Licensing Authorities should carry out their functions under the Act;
- Ensuring compliance with provisions of the Act and Codes of Practice;
- Investigating and prosecuting offences under the Act (no prosecution powers in Scotland) and
- Advising Central Government and Scottish Ministers about incidences of gambling.

2.4 The role and responsibilities of a Licensing Authority (in terms of section 2 to the Act, a Licensing Board in Scotland) include the following:

- Issuing premises licences for gambling premises including casinos, betting offices and race tracks, bingo clubs, adult gaming centres and licensed family entertainment centres;
- Issuing permits for gaming machines in members' clubs, alcohol licensed premises and for prize gaming and unlicensed family entertainment centres;
- Issuing Temporary Use Notices and Occasional Use Notices;
- Registering small non-commercial society lotteries;
- Generally working in partnership with the Gambling Commission to regulate gambling activities and
- Taking the lead on local regulation of gambling, including collecting fees to cover this local regulation.

2.5 In terms of Section 349 of the Act, a Licensing Authority must prepare a Statement of the principles that they propose to apply in exercising their functions under the Act and publish that Statement every 3 years.

2.6 The current Statement of Principles (2022 to 2025) came into effect on 31 January 2022 and lasts for a 3 year period. The Boards therefore require to prepare and publish a revised Statement of Principles by **31 January 2025**.

### 3. Statement of Principles: Sources

The principal sources relating to the preparation and publication of the revised Statement of Principles are: -

- The Gambling Act 2005 (Section 349 in particular);
- The Gambling Act 2005 (Licensing Authority Policy Statement) (Scotland) Regulations 2006 (2006 Regulations) and
- Gambling Commission Guidance to Licensing Authorities (last updated 20 June 2024 in respect of formatting changes only)  
<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

### 4. Consultation

4.1 Section 349 of the Act provides that, in preparing the Statement of Principles a Licensing Authority must consult: -

- The Chief Constable;
- Persons who appear to the authority to represent local gambling businesses in the Licensing Authority's area and
- Persons who appear to the authority to represent the interests of persons likely to be affected by the exercise of the Authority's functions under the Act.

4.2 With regard to the revised Statement of Principles detailed at Appendix 1, the Licensing Authority undertook a six week consultation from **11 October 2024 to 22 November 2024**.

4.3 A list of those who were consulted is detailed at **Appendix B** of the revised Statement of Principles appended to this report (see the list at paragraph 5.2.4 below).

4.4 This Consultation involved sending out written correspondence and the Licensing Authority used its current Statement of Principles (2022 to 2025) as the document upon which to concentrate the consultation process.

4.5 Three responses were received to the consultation advising as follows:-

- 1) Police Scotland – *'please consider Police Scotland as fully consulted with nothing to add to the Statement of Principles'*.
- 2) Scottish Fire and Rescue Service – *'I can confirm that the SFRS has no additional comments to make in relation to the proposed 'Statement of Principles' as set out in the consultation'*.
- 3) Gretna Bowling Club – *'Happy with the status quo'*.

### 5. Revised Statement of Principles (2025 to 2028)

5.1 General sundry changes have been made to the revised Statement of Principles (eg: changes to dates and timelines and general tightening of terminology). As these amendments are minor and numerous, they have not been detailed in this report.

5.2 The following changes have been made:

5.2.1 Reference to Dumfries and Galloway Licensing Board

Following a meeting of Full Council on 27 June 2024, Members agreed to revoke the previous determination that the Council's area be divided into divisions for the purposes of Licensing Boards and resolved that there be a unitary Board. Election of Members to the unitary Board took place at Full Council meeting on 3 October 2024 whereby, in law, all four Divisional Boards were dissolved.

Reference to the former Divisional Licensing Boards has therefore been removed and the Policy Statement now refers to the single Dumfries and Galloway Licensing Board.

5.2.2 Casinos (paragraph 4.4 of the Statement of Principles)

Updated narrative has been inserted to reflect the change to a unitary Licensing Board, whereby the previous Wigtown Divisional Licensing Board was dissolved in law culminating in it no longer having a right to issue a small casino licence in terms of the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008.

5.2.3 Equality Outcomes (paragraph 9 of the Statement of Principles)

Revised narrative inserted to reflect the Board's Equality Outcome in respect of the protected characteristic 'age'.

5.2.4 Appendix B: List of those who were consulted for the purposes of the revised Statement:

The list of those who were consulted for the purposes of the revised Statement of Principles may be found at Appendix B and is as follows:

- Community Councils in Dumfries and Galloway
- The Gambling Commission
- Police Scotland
- Scottish Fire & Rescue Service
- Planning
- Building Standards
- HM Revenues and Customs
- All licensed gambling premises
- Registered Clubs
- NHS Dumfries and Galloway
- Alcohol and Drugs Partnership
- Youth Groups
- Minority/Equality Groups
- Harm Groups
- Child Protection
- Local Chambers of Trade/Commerce
- Citizens Advice Bureau
- Gamblers' Anonymous and other Gambling Support Groups

## 6. Next steps

6.1.1 Next steps are as follows:

6.2 In terms of the procedure to be followed when preparing and publishing a Statement of Principles, the Licensing Authority must publish a Notice of its Intention to publish a revised Statement. This Notice must:

- state that it is the intention of the Licensing Authority to publish a revised Statement;
- specify the date on which the revised Statement will take effect (31 January 2025);
- specify the date on which the revised Statement will be published (this date must be at least 4 weeks prior to 31 January 2025 i.e. no later than 3 January 2025);
- specify the internet address on which the revised Statement will be published and
- specify the address of the premises at which the revised Statement may be inspected.

6.3 The Notice of Intention must also be published at least 4 weeks prior to the date the Statement of Principles takes effect on the Licensing Authority's website and in a local newspaper circulating in the Licensing Authority's area.

6.4 The Licensing Authority must also publish the revised Statement of Principles on its website and make it available for inspection by members of the public at its principal office and/or in a library within its area for a period of at least 4 weeks prior to 31 January 2025.

6.5 The revised Statement of Principles and Notice of Intention will therefore be published no later than **3 January 2025**.

## 7. Recommendations:

Members are asked to: -

7.1 Consider whether they wish to approve and adopt the revised Statement of Principles detailed at Appendix 1;

7.2 If approval and adoption are agreed, authorise the Clerk to the Boards and his staff to arrange advertising and publication of the revised Statement of Principles and its Notice of Intention as legally required.

Sharon Davidson  
Licensing Manager  
Kirkbank House  
English Street  
Dumfries

5 December 2024

### Background Papers:

Gambling Commission Guidance:

<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

**Appendix 1:** Revised Gambling Statement of Principles

# **Dumfries and Galloway Licensing Board**

## **Statement of Principles under the Gambling Act 2005, Section 349 2025-2028**

# Dumfries & Galloway Licensing Board

## Index

### 1. Statement of Principles

- 1.1 Preamble
- 1.2 Licensing Objectives
- 1.3 Introduction
- 1.4 Preparation of Statement
- 1.5 Glossary of Terms
- 1.6 Licence Types
- 1.7 Licensable Premises and Permits
- 1.8 General Principles
- 1.9 Human Rights Act 1998
- 1.10 Advisory body for the protection of children from harm
- 1.11 Consultees
- 1.12 Information Exchange

### 2. Legislation, Policies and Strategies

- 2.1 Legislation
- 2.2 Data Protection and Freedom of Information
- 2.3 Relationship with Planning Policies
- 2.4 National Strategies
- 2.5 Integrating Strategies

### 3. Decision Making

- 3.1 Scheme of Delegation
- 3.2 Licensing Reviews

### 4. Local Standards

- 4.1 Assessment of Need
- 4.2 Compliance and Enforcement
- 4.3 Inspection of Premises
- 4.4 Casinos
- 4.5 Unlicensed family entertainment centre gaming machine permits

### 5. Prevention of Crime and Disorder etc. Objectives

### 6. Ensuring that Gambling is Conducted in a Fair and Open Way Objective

### 7. The Protection of Children and Vulnerable Persons Objective

- 7.1 Access to licensed premises
- 7.2 Vulnerable persons

### 7A. Local Risk Assessments

*(Inserted as revision to the Statement agreed at the Conjoined Board meeting held on 24 March 2016)*

### 8. Complaints against Licensed Premises

### 9. Equality Outcomes

### 10. Further Information

### 11. Commencement and Duration

### 12. Appendix A – Map of Region

### 13. Appendix B – Consultees

### 14. Appendix C – Relevant Authority Contact Details

### 15. Appendix D – Scheme of Delegation

### 16. Appendix E – Statement of Principles : Family Entertainment Centre Gaming Machine Permits

# 1. STATEMENT OF PRINCIPLES

## 1.1 Preamble

This document is a Statement of Principles that the Dumfries and Galloway Licensing Board proposes to apply in exercising its functions as the Licensing Authority under the Gambling Act 2005.

In this document where the word “Authority” or “Board” is used, it refers to Dumfries and Galloway Licensing Board unless otherwise specified.

## 1.2 Licensing Objectives

The Gambling Act 2005 enshrines the following three licensing objectives:

- 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; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

## 1.3 Introduction

Dumfries and Galloway is a mainly rural area in south west Scotland. It covers around 6475 square kilometres (2500 square miles), with a population of around 146,000. The main settlements are Dumfries (around 31,600 residents), Stranraer (10,920), and Annan (7,990). All other settlements have populations of under 5,000. The former Divisional Board areas are:-

- Annandale & Eskdale – is essentially a rural area without any city or large town to provide a central or focus point. The population is around 38,000. Among its settlements, Annan has the highest population. The other main settlements are Lockerbie, Gretna, Eastriggs, Moffat, Lochmaben and Langholm.
- Nithsdale – is Dumfries and Galloway’s most populated area with a total population of around 59,000 with Dumfries as the largest town in Dumfries and Galloway. The other main settlements include Sanquhar, Kirkconnel and Thornhill.
- Stewartry – covers an area of 1,760 square kilometres (680 square miles) and has a high quality natural environment that includes 2 National Scenic Areas, with the coastal waters providing an important recreational resource. This area is the least densely populated area within Dumfries and Galloway with a population of some 24,000. More than half the population live in the countryside or in settlements of fewer than 1,000 people. The remainder are concentrated in the towns of Dalbeattie, Castle Douglas and Kirkcudbright.
- Wigtown – with a population of under 29,000, Wigtown accounts for nearly 20% of the total population of Dumfries and Galloway. The 2 main towns, Stranraer and Newton Stewart, account for around 50% of the population. All other settlements in the area have populations of under (or just over) 1,000. Wigtown enjoys a vast length of varied coastline, boasts a main ferry route and indeed the “gateway” to Ireland.

## 1.4 Preparation of Statement

The final “Statement of Principles” has been:-

- Prepared having regard to the Licensing Objectives, the Guidance prepared by the Gambling Commission Guidance to Licensing Authorities published 1 April 2021 and the provisions of the Gambling Act 2005 and Regulations made under that Act.
- Adopted by the Board following a full consultation.

The Statement will come into effect on 31 January 2025 following adoption by the Board, advertisement and publication and shall be reviewed from time to time and if they think it is necessary in light of that review then they shall revise the Statement.

## 1.5 Glossary of Terms

Within this Statement of Principles, the following words and terms are defined as stated:-

<b>Licensing Objectives:</b>	As defined in section 1.2 above.
<b>Board:</b>	Dumfries and Galloway Licensing Board
<b>Licences:</b>	As defined in section 1.6 below.
<b>Applications:</b>	applications for Licences or Permits defined in section 1.7 below.
<b>Notifications:</b>	Notifications of Temporary Use Notices and Occasional Use Notices.
<b>The Act:</b>	The Gambling Act 2005.
<b>Regulations:</b>	Regulations made under the Gambling Act 2005.
<b>Premises:</b>	Any place and includes a vehicle, vessel or moveable structure.
<b>Code of Practice:</b>	Any code of practice under section 24 of the Gambling Act 2005.
<b>Mandatory Condition:</b>	Any specified condition provided by regulations to be attached to a licence.
<b>Guidance</b>	Gambling Commission's Guidance to Licensing Authorities published 1 April 2021
<b>Responsible Authority:</b>	For the purposes of the Act, the following are responsible authorities in relation to premises: <ul style="list-style-type: none"> <li>• Dumfries and Galloway Council</li> <li>• The Gambling Commission</li> <li>• Police Scotland</li> <li>• Scottish Fire &amp; Rescue Service</li> <li>• Planning, Dumfries and Galloway Council</li> <li>• Housing Services, Dumfries and Galloway Council</li> <li>• Scottish Environmental Protection Agency (SEPA)</li> <li>• Social Work Services, Dumfries and Galloway Council</li> <li>• HM Revenues and Customs.</li> </ul>
<b>Interested Party:</b>	For the purposes of the Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person: <ul style="list-style-type: none"> <li>• Lives sufficiently close to the premises to be likely to be affected by the authorised activities;</li> <li>• Has business interests that might be affected by the authorised activities; this could also include, for example, partnerships, trade associations, charities, faith groups and medical practices;</li> <li>• Represents persons who satisfy either of the above; for example Residents' and Tenants' Associations and Trade Unions.</li> </ul>

When considering whether a person is an interested party, each case will be judged on its merits taking into consideration the relevant circumstances, including those contained in the Guidance.

## 1.6 Types of Licence

This document sets out the principles that the Board will apply when making decisions upon applications or notifications made for:

- 1) Premises Licences;
- 2) Temporary Use Notices;
- 3) Occasional Use Notices;
- 4) Permits as required under the Act; and
- 5) Registrations as required under the Act

## 1.7 Licensable Premises and Permits

This policy relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, namely: -

- 1) Casinos;
- 2) Bingo Premises;
- 3) Betting Premises;
- 4) Tracks;
- 5) Adult Gaming Centres;
- 6) Licensed Family Entertainment Centres;
- 7) Unlicensed Family Entertainment Centres;
- 8) Club Gaming Permits;
- 9) Prize Gaming and Prize Gaming Permits;
- 10) Occasional Use Notices;
- 11) Temporary Use Notices; and
- 12) Registrations of small society lotteries.

1.7.1 For gaming machine stakes and prize information and the UK government's maximum stake on FOBT (B2) gaming machines to £2, please refer to the Gambling Commission's Website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) .

## 1.8 General Principles

Nothing in this Statement of Principles will:

- 1) Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; or
- 2) Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

It must also be underlined that the Authority will aim to permit the use of premises for gambling in so far as it thinks that the use of the premises is: -

- In accordance with a code of practice issued by the Gambling Commission (Section 24);
- In accordance with guidance issued by the Gambling Commission to local authorities (Section 25);
- Subject to any code of practice and Gambling Commission Guidance, reasonably consistent with the licensing objectives; and
- Subject to any code of practice and the licensing objectives, in accordance with this Statement of Principles.

The starting point in determining applications will be to grant the application, without conditions. Conditions will only be considered where they are needed to meet the requirements of the licensing objectives and any conditions applied will not be overly onerous and will be proportionate to the scale of the application, the 'risks' involved and the business, organisation or individual concerned. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation. The Board will draw principally upon the advice issued by the Gambling Commission and attach conditions relative to the given circumstances of each individual case. Conditions attached to premises licences will, so far as possible, reflect local crime prevention strategies. For example, the provision of CCTV may be appropriate for some premises.

All applicants for premises licences will be requested to set out how they will promote the Licensing Objectives, as specified in section 1.2 above, and what measures they intend to employ to ensure compliance with them. This will include how they will display and make available information and materials relating to support groups such as 'Be Gamble Aware' and 'Gamcare'.

When determining an application to grant a premises licence or whether to review a premises licence, regard will be taken regarding the proximity of the premises to schools, vulnerable adult centres, or to residential areas with a high concentration of families with children. The proximity of premises etc. taken into consideration will vary depending upon the size and scope of the gambling premises concerned. Each case will, however, be determined on its merits. Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

Licensing is about the regulation of licensed premises, Temporary Use Notices or Occasional Use Notices within the terms of the Act and in the public interest. Conditions may be attached to licences that will cover matters that are within the control of individual licensees.

When considering any conditions to be attached to licences, the Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. Scottish Ministers may, by regulation, provide for specific conditions to be attached to a Premises Licence as either "mandatory" or "default" conditions.

In determining an application, the Licensing Authority cannot have regard to the expected demand for the facilities which it is proposed to provide.

In this respect, the Board recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur within or around licensed premises, including:

- 1) Planning controls;
- 2) Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and Council Departments;
- 3) Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;
- 4) The power of the police, other responsible authorities or a local resident or business to seek a review of the licence.

Objectors will be required to relate their objection to one or more of the Licensing Objectives, as specified in section 1.2 above, before the Board will be able to consider it.

Where a person, whether or not directly affected by an application or living in the vicinity of a licenseable premises under consideration, puts themselves forward as representing the interests of residents in the vicinity, the Board will normally ask them to provide evidence that they are acting as representatives of others.

The Board, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups. It will also ensure that the licensing function will be carried out in the public interest.

## **Human Rights Act 1998**

**1.9** The Board recognises that as a Public Authority in terms of Section 6 of the Human Rights Act 1998 it would be unlawful to act in a way which is incompatible with a right under the European Convention on Human Rights and Fundamental Freedoms. In considering applications and taking enforcement action the Authority will bear in mind the terms of the Act and Convention and in particular:-

- Article 1 of Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest;
- Article 6 – right to a fair hearing;
- Article 8 – respect for private and family life: in particular removal or restriction of a licence may affect a person's private life;
- Article 10 – right to freedom of expression.

**1.9A** The Board notes that moral objections to gambling are not a valid reason to refuse applications for premises licences.

### **1.10 Advisory body for the Protection of Children from Harm**

The Board, as the Licensing Authority, designates the Service Director, Social Work Services as the competent Authority to provide advice on the protection of children from harm.

The Service Director, Social Work Services has the specialist knowledge and expertise to fulfil this role.

### **1.11 Consultees**

This Statement of Principles has been subject to formal consultation with:

- 1) Police Scotland;
- 2) Scottish Fire & Rescue Service;
- 3) Representatives of and the holders of the various licences for premises in the area who will be affected by this Statement;
- 4) Community Councils
- 5) Persons and businesses likely to be affected by authorised gambling within the area, and organisations who represent such business and persons including voluntary organisations working with children and young persons, or working with problem gamblers, equality and diversity groups, harm groups, NHS and advocacy organisations and trade organisations.

For further information on a list of those who were consulted, see Appendix B

### **1.12 Information Exchange**

In fulfilling its functions and obligations under the Act the Board will exchange relevant information with other regulatory bodies and will work towards establishing protocols in this respect. In exchanging such information the Board will conform to the requirements of the Act, data protection and freedom of information legislation, the Gambling Commission's Guidance to Licensing Authorities and will adopt the principles of good regulation.

Contact details of those persons making representations and details of the representations will be made available to applicants in terms of transparency and, in the event of a hearing being held, will form part of a public document. Anyone making representation or applying for a review of a premises licence will be informed that these details will be disclosed.

## **2. LEGISLATION, POLICIES AND STRATEGIES**

### **2.1 Legislation**

In undertaking its licensing function under the Gambling Act 2005, the Board may also be bound by other legislation, including:

- 1) Health and Safety at Work etc. Act 1974;
- 2) Environmental Protection Act 1990;
- 3) The Equality Act 2010

However, the Board has a firm commitment to ensuring the avoidance of duplication with other regulatory regimes so far as possible. For example, it will be slow to act under the Act when an issue is better dealt with under, for example, health and safety at work or fire safety.

### **Data Protection and Freedom of Information**

**2.2** As the Board is a public body appointed by the Dumfries and Galloway Council, the Board has signed up to the Council's Data Protection Policy Scheme which can be accessed on the Council's website. The Board is a separate public body for the purpose of the Freedom of Information (Scotland) Act 2002 and has produced a Publication Scheme which has been approved by the Scottish Information Commission responsible for enforcing the 2002 Act. The Publication Scheme may be accessed on the Council's website.

### **2.3 Relationship with Planning Policies**

When determining an application, regard cannot, under the terms of the Act, be given to planning or building control permissions and/or any planning restrictions.

The issue of a Provisional Statement of a premises licence is a separate and distinct process to the granting of Planning Permission. Planning and Building Control permissions will have to be sought and approved before any development takes place.

The Board recognises that licensing applications should not be seen as a re-run of the planning application process and there will be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency.

### **2.4 National Strategies**

The Board will also seek to discharge its responsibilities identified by other Government Strategies, so far as they impact on the objectives of the licensing function.

### **2.5 Integrating Strategies**

By consulting widely prior to this Statement of Principles being published the Board will endeavour to secure proper integration with local crime prevention, planning, transport, tourism, cultural and health and wellbeing strategies.

There are a number of wider issues which may need to be given due consideration when dealing with applications. The Board will therefore receive reports, when appropriate, on the -

- 1) Needs of the local tourist economy;
- 2) Cultural strategy for the area;
- 3) Employment situation in the area and the need for new investment and employment where appropriate;
- 4) Local Crime Prevention Strategies

- 5) Equality Strategies and Outcomes
- 6) Health and Wellbeing priorities.

### 3. DECISION MAKING

#### 3.1 Scheme of Delegation

A Scheme of Delegation has been prepared in accordance with the Act and Guidance to ensure that some applications will, where competent, be dealt with by officers and applications will only be submitted to the Board for the Board's consideration where they are not dealt with via delegated authority. This Scheme of Delegation forms Appendix D to this Statement.

#### 3.2 Licensing Reviews

The Board will carry out a review of a premises licence where it has received a formal application for review in accordance with the Act that is relevant to one or more of the Licensing Objectives. Representations may be that activities, including the following, are taking place:

- 1) Use of licensed premises for the sale and distribution of drugs in contravention of the Misuse of Drugs legislation and the laundering of the proceeds of drugs crimes;
- 2) Use of licensed premises for the sale and distribution of illegal firearms;
- 3) Use of licensed premises for prostitution or the sale of unlawful pornography;
- 4) Use of licensed premises as a base for organised criminal activity;
- 5) Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- 6) Use of licensed premises for the sale of smuggled tobacco or goods;
- 7) The use of licensed premises for the sale of stolen goods.
- 8) Children and/or vulnerable persons are put at risk.

Due consideration will be given to all relevant representations unless they fit the following:

- a) they do not raise an issue relevant to the principles to be applied in accordance with Section 153;
- b) the grounds are frivolous;
- c) the grounds are vexatious;
- d) the grounds are irrelevant;
- e) the grounds will not cause the Board to revoke or suspend a licence or to remove, amend or attach conditions on the Premises Licence;
- f) the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
- g) the grounds are substantially the same as representations made at the time the application for a Premises Licence was considered.

A Premises Licence may also be reviewed by the Board on its own volition.

### 4. LOCAL STANDARDS

#### 4.1 Assessment of Need

Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence under the Gambling Act 2005.

## 4.2 Compliance and Enforcement

The Board appreciates the direction of travel of national developments relating to enforcement and compliance : the effectiveness of the regulatory regime depends on the establishment and maintenance of an open, co-operative and effective relationship between operators, individuals, licensing authorities and the Commission; regulators may indeed help businesses to comply and should freely offer information and guidance : more use should be made of “ earned recognition” – approaches can be developed that incentivise and reflect businesses’ own efforts to comply with the law.

As recommended by the Commission the Board will follow good practice in enforcement including the principles of good regulation (Proportionate; Accountable; Consistent; Transparent; and Targeted) and the Regulators’ Compliance Code:-

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow;
2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views;
3. Regulators should base their regulatory activities on risk;
4. Regulators should share information about compliance and risk;
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply;
6. Regulators should ensure their approach to their regulatory activities is transparent.

The Board will always act in a proportionate manner reflecting the impact of any breach and the consequences of the breach.

The Board will therefore pursue a risk based approach to compliance, the basis of which will be to assess when and where to take action depending on the assessment of how likely it is that the licence conditions or Code of Practice may be breached and with what impact. In so doing account will always be taken of:-

- The licensing objectives
- Relevant Codes of Practice
- Commission Guidance and
- The principles contained in this Statement.

Recognition must be given to the fact that the Board is involved with other forms of regulation including alcohol licensing. Furthermore the Council is the Licensing Authority for a full range of licensed activities including those licensed under the Civic Government (Scotland) Act 1982. Close working relations with other regulators within the Council and the decision to have the Licensing Standards Officers (in terms of the Licensing (Scotland) Act 2005 liquor licensing) as authorised officers under the Act and under the 1982 Act will allow for an overview of the regulatory sector and give an overall realism to the respective risk assessments undertaken for regulated premises.

The Board notes the terms of the advice note issued by the Commission “The Role of Authorised Persons in Scotland” regarding the regulatory and enforcement functions of local authorities. It notes that Dumfries and Galloway Council’s Licensing Standards Officers currently are not, simply by virtue of their role, authorised persons for the purposes of section 304 of the Act. The Board notes that the advice note suggests the means by which Council officers can be authorised persons, on the basis of their other statutory functions

## 4.3 Inspection of Premises

Premises will be subject to a scheme of inspection, the frequency of which will be determined by the risks imposed by the premises: those premises considered to pose a greater risk will be subject to more frequent inspections to those posing a lower risk. When determining risk, consideration will be given to:-

- The nature of the gambling activities carried out on the premises;
- The location of the premises in relation to schools etc
- The procedures put in place by management to ensure compliance and to meet and promote the licensing objectives.

It is for gambling operators to ensure compliance with the terms of their licences and they should be able to demonstrate to regulators that their business is compliant.

However, the Act gives Licensing Authorities, the Commission and the police parallel powers in respect to premises: close liaison will take place with colleagues within the Commission and the police and other agencies, to ensure that each is aware of the other's activities and to avoid duplication of effort. The Board supports partnership working with relevant statutory agencies.

Protocols are necessary to ensure that any appropriate action is undertaken by the agency best suited to deal with the breach. For example:-

- Where the breach relates to both the premises licence (issued by the Board) and the operating licence (issued by the Commission) it may be more appropriate for the Commission to take action. If a particular breach is committed by a large national or regional operator, which may have wider implications for the gambling industry as a whole, or if the breach is deemed to be "high impact" then it would be anticipated that the Commission would wish to take primacy. A response from the Commission that they would not wish to take primacy would be necessary before the Board would consider taking enforcement action in these circumstances;
- However where the breach of the premises licence is confined to the Board's area and is a particular priority for the Authority it may be that the Board should initiate action;
- For breaches of permits the Board may only be called upon to lead as the Commission has no remit relating to permits other than the general power to prosecute illegal gambling;
- A one off breach will normally be best dealt with by the Board whereas repeat offences suggesting systemic breaches of licence conditions will fall within the Commission's remit;
- Assessment of the suitable enforcement outcome may suggest the most appropriate agency to initiate proceedings;
- Even where the Board has decided that it is the most appropriate agency to address a breach, contact must be made with the Commission. This requirement will, for example, avoid impeding Commission investigation;
- Where the Board considers that enforcement is justified but due to the scale of activities or other reason does not have sufficient investigative powers or resources contact will be made with the Commission;
- In line with Commission Guidance the type of case when the police will be contacted to initiate action include:-
  - when non gambling offences are discovered for example large scale thefts or other serious crime which extends beyond the reach of licence conditions;
  - assistance with Commission investigations for example enquiries into other criminal activities.

The Board appreciates the distinction between:-

- Those who conduct gambling operations under a licence or permit but breach the terms of the licence or permit and

- Those who seek to profit from providing facilities without a licence or permit.

Although both situations result in illegal gambling the latter situation is considered by the Board to be the more serious. However, this position does not undermine or seek to undermine the seriousness of the former unlawful conduct.

#### **4.4 Casinos**

Under section 166 of the Act a Licensing Authority may resolve not to issue a casino premises licence. Currently, there is no resolution to prohibit casinos in Dumfries and Galloway. However, the Board reserves its right to review this situation

Should the Board choose to make such a resolution, this will be a resolution of the Board following considered debate and the reasons for making the resolution will be given.

At Full Council meeting on 27 June 2024, Members agreed to revoke the determination that there be four Divisional Licensing Boards and agreed that there be a unitary Licensing Board for Dumfries and Galloway.

At its meeting on 3 October 2024, Members were elected to that Unitary Board, the consequence of which was that all four Divisional Licensing Boards were dissolved in law on that day.

Whilst previous Wigtown Divisional Licensing Board is still referred to, (at the time of reviewing this Statement), in the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 (2008 Order) as a Licensing Authority which may issue a small casino premises licence, as this Board is now dissolved in law the 2008 Order has no effect in respect of the previous Wigtown Board.

#### **4.5 Unlicensed Family Entertainment Centre gaming machine permits**

Where a set of premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Board for this permit.

An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre (wholly or mainly used for making the allowed Categories of gaming machines available for use), and if the Chief Constable has been consulted on the application.

The Board's Statement of Principles relating to their functions under schedule 10 to the Gambling Act 2005 concerning Family Entertainment Centre Gaming Machine Permits forms Appendix E to this Statement.

### **5. LICENSING OBJECTIVE: PREVENTING GAMBLING FROM BEING A SOURCE OF CRIME OR DISORDER, BEING ASSOCIATED WITH CRIME OR DISORDER, OR BEING USED TO SUPPORT CRIME**

The Board will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder.

The Gambling Commission, in its Guidance, suggests that Licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it." The Board agrees with this statement.

Applicants are encouraged to discuss the crime prevention procedures in their premises with the Board, the Council and the local Police before making a formal application.

In considering licence applications, the Board will particularly take into account:-

- 1) The design and layout of the premises;
- 2) The training given to staff in crime prevention measures appropriate to those premises;
- 3) Physical security features installed in the premises: this may include matters such as the position of cash registers or the standard of CCTV that is installed;
- 4) Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;
- 5) The likelihood of any violence, public order or policing problem if the licence is granted.

## **6. LICENSING OBJECTIVE: ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY**

In terms of the Guidance, the Board notes that the Gambling Commission would not expect licensing authorities to find themselves dealing with issues of fairness and openness frequently. Fairness and openness are likely to be a matter for either the way specific gambling products are provided and therefore subject to the operating licence or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. However, if the Board suspects that gambling is not being conducted in a fair and open way this shall be brought to the attention of the Gambling Commission so that it can consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.

## **7. LICENSING OBJECTIVE: THE PROTECTION OF CHILDREN AND OTHER VULNERABLE PERSONS FROM BEING HARMED OR EXPLOITED BY GAMBLING**

### **7.1 Access to licensed premises**

With limited exceptions, the access of children and young persons to those gambling premises, which are adult only environments, will not be permitted.

The Board will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

The Board will consult with the Service Director, Social Work Services on any application that indicates there may be concerns over access for children or vulnerable persons.

The Board will judge the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as:

- 1) Supervision of entrances;
- 2) Segregation of gambling areas from areas frequented by children;
- 3) Supervision of gaming machines in non-adult gambling specific premises.

The Act provides for a Code of Practice on access to casino premises by children and young persons and the Board will work closely with the police to ensure the appropriate enforcement of the law.

The Board notes the Guidance at Part 19 with regard to protection of children and young persons in relation to Betting Premises and, in particular, Social Responsibility (SR) code 3.2.1.2 in the Licence Conditions and Codes of Practice (LCCP) which states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling. Children and young persons are not allowed to be employed at premises with a betting premises licence.

7.1.1 Reference is made to the Board's Statement of Principles relating to their functions under schedule 10 to the Gambling Act 2005 concerning Family Entertainment Centre Gaming Machine Permits forming Appendix E to this Statement.

7.1.2 The Board is also mindful of exempted gaming in which children and young persons are free to participate but are also mindful of the potential of this leading to a gambling mind-set and the onset of problem gambling later in life. The Board will produce information material for parents, schools and event organisers to raise awareness of this potential.

### **7.2 Vulnerable Persons**

The Board does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children but it will assume, for regulatory purposes, that 'vulnerable persons' 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, alcohol or drugs.

The Board is aware that problem gambling impacts not only on the vulnerable people themselves but also their families and other dependents.

## 7A. LOCAL AREA RISK ASSESSMENTS

The following section seeks to offer assistance to Premises Licence Holders regarding their duty to prepare Local Area Risk Assessments. The previous Boards consulted with the Chief Constable, NHS Dumfries and Galloway, the Association of British Bookmakers and current operators and received one response only on behalf of the ABB.

7A.1 In terms of section 10 of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), premises licence holders should conduct a local risk assessment for their premises. Included in this risk assessment is assessing the local risks to the Licensing Objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks.

7A.2 In making local risk assessments, licensees must take into account relevant matters identified in this Policy.

7A.3 The LCCP states that licensees must review (and update as necessary) their local risk assessments:-

- (a) to take account of significant changes in local circumstance, including those identified in this Policy;
- (b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- (c) when applying for a variation of a premises licence; and
- (d) in any case, undertake a local risk assessment when applying for a new premises licence.

7A.4 The Board will expect the local risk assessment to consider as a minimum:

- whether the premises are in an area of deprivation;
- whether the premises are in an area subject to high levels of crime and/or disorder;
- the ethnic profile of residents in the area;
- the demographics of the area in relation to vulnerable groups;
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.

7A.5 In any case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

7A.6 Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this;
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored;
- The layout of the premises so that staff have an unobstructed view of persons using the premises;
- The number of staff that will be available on the premises at any one time: If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises;
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.;
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality;

- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

7A.7 Licensees must share their local risk assessment with the Board when applying for a premises licence or when applying for a variation to an existing premises licence or otherwise at the request of the Board.

## 8. 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 local 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.

## 9. EQUALITY OUTCOMES

The Board has an agreed Equality Outcome: Its Equality Outcome is:-

**Protected Characteristic: Age (children and young persons)**

**Reduce the opportunities for children and young people to be involved in risky behaviours relating to alcohol and gambling**

- Support awareness programmes about the dangers of under-age consumption of alcohol and gambling
- Support reductions in opportunities for alcohol and gambling to be available to children and young people

The Licensing Board is generally willing to support awareness programmes and campaigns supporting this Equality Outcome when it is able to do so.

## 10. FURTHER INFORMATION

Further information about the Gambling Act 2005, this Statement of Principles and about the application process, including application forms and guidance notes can be obtained from:

The Clerk  
Dumfries and Galloway Licensing Board  
Kirkbank House  
English Street  
Dumfries  
DG1 2HS  
Tel: 030 33 33 3000  
E-mail: [licensing@dumgal.gov.uk](mailto:licensing@dumgal.gov.uk)

Information is also available from the

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP  
Tel: 0121 230 6666 Fax: 0121 230 6720  
Website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

## **11. COMMENCEMENT AND DURATION**

This Statement will come into effect on 31 January 2025 and will subsist for a period of 3 years. The Authority may undertake a review of the Statement during that time.

# Appendix A



**Consultees**

- Community Councils in Dumfries and Galloway
- The Gambling Commission
- Police Scotland
- Scottish Fire & Rescue Service
- Planning
- Building Standards
- HM Revenues and Customs
- All licensed gambling premises
- Registered Clubs
- NHS Dumfries and Galloway
- Alcohol and Drugs Partnership
- Youth Groups
- Minority/Equality Groups
- Harm Groups
- Child Protection
- Local Chambers of Trade/Commerce
- Citizens Advice Bureau
- Gamblers' Anonymous and other Gambling Support Groups

## Appendix C

### Contact Details for Responsible Authorities

**Dumfries & Galloway Council**

**Council Offices  
English Street  
Dumfries  
DG1 2DD**

**The Gambling Commission**

**Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP**

**Police Scotland**

**Headquarters  
Cornwall Mount  
Dumfries  
DG1 1HP**

**Scottish Fire & Rescue Service**

**Headquarters  
Brooms Road  
Dumfries  
DG1 2DZ**

**Social Work**

**Irish Street  
Dumfries  
DG1 2AW**

**HM Customs & Excise**

**Excise Processing Teams  
BX9 1GL  
United Kingdom**

# APPENDIX D

## DUMFRIES AND GALLOWAY LICENSING BOARD SCHEME OF DELEGATION UNDER THE GAMBLING ACT 2005

Matter to be dealt with	Board	Clerk
Final approval of three year licensing policy	✓	
Policy not to permit casinos	✓	
Fee setting (when appropriate)		✓
Application for premises licences	Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence	Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence	Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for a provisional statement	Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence	✓	
Application for club gaming/club machine permits	Where objections have been made (and not withdrawn)	Where no objections made/ objections have been withdrawn
Cancellation of club gaming/club machines permits	✓	
Applications for other permits		✓
Cancellation of licensed premises gaming machine permits		✓
Consideration of temporary use notice		✓
Decision to give a counter notice to a temporary use notice	✓	
Applications for and Registration of Small Society Lotteries	Where objections/complaints have been made (and not withdrawn) and where application must or may be refused or may be revoked	All administrative tasks and other actions and activities including cancellation of registration on non-payment of Annual Fee

**DUMFRIES AND GALLOWAY LICENSING BOARD  
STATEMENT OF PRINCIPLES RELATING TO THE BOARD'S FUNCTIONS UNDER  
SCHEDULE 10 TO THE GAMBLING ACT 2005 CONCERNING FAMILY ENTERTAINMENT  
CENTRE GAMING MACHINE PERMITS**

**1. Introduction**

In Scotland the Licensing Board is the Licensing Authority under the Gambling Act 2005. In Dumfries and Galloway our Council has agreed to establish a single Licensing Board for the whole area. In respect of the former 4 Divisional Board areas, the following information is provided:-

- Annandale & Eskdale – is essentially a rural area without any city or large town to provide a central or focus point. The population is around 38,000. Among its settlements, Annan has the highest population. The other main settlements are Lockerbie, Gretna, Eastriggs, Moffat, Lochmaben and Langholm.
- Nithsdale – is Dumfries and Galloway's most populated area with a total population of around 59,000 with Dumfries as the largest town in Dumfries and Galloway. The other main settlements include Sanquhar, Kirkconnel and Thornhill.
- Stewartry – covers an area of 1,760 square kilometres (680 square miles) and has a high quality natural environment that includes 2 National Scenic Areas, with the coastal waters providing an important recreational resource. This area is the least densely populated area within Dumfries and Galloway with a population of some 24,000. More than half the population live in the countryside or in settlements of fewer than 1,000 people. The remainder are concentrated in the towns of Dalbeattie, Castle Douglas and Kirkcudbright.
- Wigtown – with a population of under 29,000, Wigtown accounts for nearly 20% of the total population of Dumfries and Galloway. The 2 main towns, Stranraer and Newton Stewart, account for around 50% of the population. All other settlements in the area have populations of under (or just over) 1,000. Wigtown enjoys a vast length of varied coastline, boasts a main ferry route and indeed the "gateway" to Ireland.

**2. Preparation of this Statement**

2.1 The Board has valued the efforts towards developing this Statement of Principles. It has provided Members the opportunity to become more aware of a growing social and health issue among young people which is little recognised: children and young persons need to be protected from the potential harm of becoming involved in gambling behaviours.

2.2 It is hoped that the development and introduction of this Statement will assist in raising awareness of this issue not only within the trade but also to the wider community, parents and guardians of children and young persons.

2.2.1 A literature review of research into this issue has given focus and perspective for the preparation of this statement:-

- a correlation between permissive laws and problem gambling
- links between fruit/gaming machine playing to early onset of gambling and gambling problems (welte et al (2009))
- operant conditioning arising from the attraction of fruit/gaming machines, where players feel compelled to continue beyond what they can afford or control, temporarily removes feelings of stress, anxiety or depression through the excitement of the activity (Willans, 1996)

- this negative reinforcement generates habitual gambling behaviours that become enduring and lead to other forms of participation. (Nower & Blaszczunski, 2004).
- the majority of adolescents, and those responsible for their care, are unaware of warning signs and the risks surrounding frequent gambling or the potential harm it causes (Essau, 2008)
- the majority of adults who attend gamblers anonymous have problems with fruit machine addiction that began in their youth (Reith, 2006)
- retrospective studies among adults show that problem gamblers commonly started participating before the age of ten (Nower & Blaszczunski, 2004) and
- early age of onset is one of the highest risk factors for adolescent problem gambling (Johansson et al, 2009).

2.3 In preparing this Statement due regard has been given to:-

- The provisions of the Gambling Act 2005 which include The Licensing Objectives:
  - 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; and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- The Gambling Act 2005 (Licensing Authority Policy Statement) (Scotland) Regulations 2006
- The Gambling Commission Guidance to Licensing Authorities published 1 April 2021

2.4 The Commission's Guidance to Licensing Authorities on preparing this Statement of Principles is:-

‘A Licensing Authority may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises will particularly appeal to children and young persons, licensing authorities may want to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group.’

2.4.1 However, the Board recognises that the suitability of an applicant for a permit is only one aspect of the Board's functions in respect of Family Entertainment Centre Gaming Machine Permits. The Board's views on criteria which they will consider are set out in other Sections of this Statement including Paragraphs 5.3, 6.2 and 6.3 of the Statement.

2.5 The consultation period was from 10 August 2018 to 5 October 2018.

In addition to an online consultation which was open to anyone having an interest and written correspondence being sent to those consultees referred to in Appendix B, responses were specifically invited from:-

- Holders of current Family Entertainment Centre Gaming Machine Permits
- Local Multi-Agency Group set up to promote Public Health and Wellbeing, such as the Risky Behaviour Sub-Groups
- The Gambling Related Harm Among Young People Working Group
- The Chief Constable as the statutory consultee on all applications for permits
- The Trade Organisation BACTA
- The Gambling Commission.

### **3. Licensing Objectives**

3.1 The Board see the Licensing Objectives as the cornerstone of any regulation of activities under the Gambling Act 2005.

3.2 The Board will therefore have the Licensing Objectives at the forefront of their decision making in respect of Family Entertainment Centre Gaming Machine Permits.

3.3 The Licensing Objectives are:-

- 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; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

#### **4. Unlicensed Family Entertainment Centres**

4.1 Premises which are the subject of a Family Entertainment Centre Gaming Machine Permit are often called “Unlicensed Family Entertainment Centres”.

4.2 This may be because:-

- An Operating Licence granted by the Gambling Commission
- Personal Licences granted by the Gambling Commission
- A Premises Licence granted by the Licensing Authority (in Scotland a Licensing Board) are not required. Instead the sole requirement is the grant of a Family Entertainment Centre Gaming Machine Permit by the local Licensing Board.

4.3 This Permit entitles the operator to make available for use Category D Gaming Machines which have the lowest stake and payout levels.

Children and young persons are allowed access to Unlicensed Family Entertainment Centres; they need not be accompanied by an adult.

4.4 “Child” and “young person” are defined for the purposes of the Gambling Act as:-

“Child” means an individual who is less than 16 years old.

“Young person” means an individual who is not a child but who is less than 18 years old.

4.5 Although the Permit only relates to Gaming Machines, the Permit Holder is also entitled to have available for use other machines which as they are not considered to involve games of chance are commonly known as “Skill With Prizes” (SWP) Machines. Although prizes are won by skills such as :-

- Knowledge
- Dexterity
- Logic
- Memory
- Hand-to-eye co-ordination
- Reaction
- numerical and lexical ability,

there is still the potential for a customer to lose money especially for a child or young person to lose more than they can reasonably afford. The Board therefore recommends that the principles set out within this Statement should be applied in relation to the use of SWP Machines equally as they apply to the use of the Gaming Machines allowed by the Permit.

#### **5. Applying for a Family Entertainment Centre Gaming Machine Permit**

5.1 When determining an application for a permit the Board will wish to be sure that granting the permit will be consistent with the Licensing Objectives. The Board must therefore have before it the fullest information reasonably available.

5.2 The legislation provides that an application for a permit must:-

- Be made in the form and manner as the Licensing Authority may direct
- Specify the premises in respect of which the permit is sought

- Be accompanied by the fee
- Contain or be accompanied by such other information as the Licensing Authority may direct.

5.3 In respect of this last point, the Board will require the following information to accompany the application:-

- Evidence that the applicant has a full understanding of the maximum stakes and prizes of the gambling that is permissible in an unlicensed Family Entertainment Centre
- Written details of the training of staff. The matters to be covered comprise Appendix 1 to this Statement and include a requirement to ensure all staff will have a full understanding of the maximum stakes and prizes that are permissible.
- A written statement on the measures to be put in place to safeguard the Licensing Objectives
- Details of advertising and marketing strategy and written confirmation that any advertising will be in line with the Gambling Commission's Code of Practice which applies to the form and media in which they advertise their gambling facilities and services.
- Evidence that machines to be provided are supplied by a legitimate gambling machine supplier or manufacturer who holds a valid gaming machine technical operating licence issued by the Gambling Commission and that all acquisitions, repairs and maintenance will only be undertaken by a contractor holding the necessary authorisation from the Gambling Commission
- A plan of the premises for which the permit is sought showing the layout or proposed layout of the UFEC including the positioning of the gaming machines, change machines, other facilities available to patrons and staff counters/supervisory points
- Proof that the applicant has a legal right to occupy the proposed premises, for example, a copy of the lease or other title deed.

5.4 The only statutory consultee on an application for a permit is the Chief Constable. The Board will, in addition to the Chief Constable, consult on an application with:-

- The Board will also seek a report from a Licensing Standards Officer/Authorised Officer, which report will be expected to include an assessment on the impact on the Licensing Objectives if the application were to be granted.
- Local Multi-Agency Group set up to promote Public Health and Wellbeing, such as the Risky Behaviour Sub-Groups

## 6. Board's Powers

6.1 Are as follows:

- The Board has no power to attach conditions to a permit
- There is no general power to consider revoking or suspending a permit or varying its terms during the currency of the permit, for example due to conduct on the part of the permit holder or staff which is inconsistent with one or more of the Licensing Objectives.
- However, the Board does have power to notify a permit holder that the premises are not being used as a Family Entertainment Centre. On notifying the permit holder of this, the permit would cease to have effect. This power is discussed further at Section 6.3.

6.2 However, the Board appears to have wide power to refuse an application. The Board must refuse an application for an unlicensed Family Entertainment Centre permit if they are not satisfied that the premises are going to be used as an unlicensed Family Entertainment Centre. Any other ground for refusal will most likely be linked to the Licensing Objectives.

6.2.1 A Board may not refuse an application unless they have

- notified the applicant of their intention to refuse the application and their reasons and
- given the applicant an opportunity to make representations.

6.2.1.1 The wording “intention to refuse the application” is taken directly from the legislation. It may at first sight appear to mean that the Board intend refusing the application whatever information or argument is submitted to the hearing. This is a reflection of the strict wording of the Act but will never be the aim of the Board.

6.2.1.2 The Board will not prejudge the full merits of an application. The Board will satisfy (b) by arranging a hearing at which the Board will allow oral representations, written representations or both.

6.2.1.3 It will be the function of the hearing to allow all relevant information and arguments to be provided to the Board to take into account before final determination of the application on its merits.

6.2.1.4 Further, the Board eagerly recognises its responsibilities as a Public Authority under the Human Rights Act 1998 to act in a way which is compatible with the European Convention on Human Rights and Fundamental Freedoms. This includes an applicant’s right to have a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law as provided by Article 6.

6.2.1.5 When the Board has received an application for a permit and they are “intending to refuse” that application the Board will arrange a hearing giving the applicant reasonable notice of the hearing, reasons why there is an intention to refuse and details of the material upon which this initial view has been taken. Notice of the hearing will also be given to anyone, including any Statutory Agency, who has submitted material recommending refusal of the application

6.2.1.6 The applicant will be given the opportunity to make written submissions to the Board in support of the application and in rebuttal of any material received by the Board recommending refusal of the application.

6.2.1.7 The applicant and anyone, including any Statutory Agency, who has submitted material recommending refusal of the application will be entitled to make oral representations at the hearing. The applicant will be the last to be heard before the Board make a final determination of the application.

### **6.3 Board’s Power during the currency of a Permit**

6.3.1 The Board may notify a permit holder that the premises are not being used as a Family Entertainment Centre (Paragraph 14 of Schedule 10 to the Act). On notifying the permit holder of this, the permit would cease to have effect.

6.3.2 Although it is ultimately for the courts to interpret legislation the Board sees this provision as covering a wide range of situations and giving the Board power effectively to terminate or revoke a current permit in certain circumstances.

6.3.3 The Gambling Commission foresees the possibility of notification being necessary when the main use is not as a Family Entertainment Centre. The Board sees this as only one example.

6.3.4 A more obvious example would be that the premises are closed.

6.3.5 However, the question of whether premises are being used as a Family Entertainment Centre is a wider one:-

- Only Category D Gaming Machines may be available for use. If other Category Gaming Machines were available for use this fact could be a reason for notification.
- Also if the Gaming Machines are not specifically Categorised, the Board must be satisfied by the necessary documentation produced by the permit holder that all Gaming Machines comply with Category D and Category D alone.

- Unless this documentation is made available to the Board when requested, the Board may decide that the premises are no longer being operated as a UFEC and move to give notice to this effect to the permit holder when the permit will cease to have effect
- Unlicensed Family Entertainment Centres must be operated in a way which promotes and safeguards the Licensing Objectives. If circumstances are brought to the Board's attention that indicate that this is not the position with any particular premises the Board will investigate.
- Where they consider that such circumstances means that the premises are no longer being operated as a Family Entertainment Centre they may, following a hearing, decide to notify the permit holder that the premises are not being used as a Family Entertainment Centre that the permit ceases to have effect. Examples of relevant circumstances may be:-
  - Inadequate, ineffective and inconsistently applied staff training
  - Children and Young Persons being allowed access to the premises during school term hours
  - Substantiated reports of children, young persons and other vulnerable individuals being allowed to spend disproportionate amounts in stake money
  - Substantiated reports that the premises are being frequented and/or staffed by individuals involved in criminal or antisocial activities
  - Substantiated reports of gaming not being fair such as prizes legitimately won not being honoured
  - Substantiated reports of customers being allowed credit facilities
  - Targeting children and young people through advertising/marketing.

6.3.6 These circumstances are given as examples and should not be considered as conclusive or comprehensive. Each set of circumstances will be considered on its merits at a hearing before the Board. At the hearing the permit holder and anyone who has submitted to the Board that the premises are not being used as a Family Entertainment Centre will be entitled to submit written representations and to address Members

## **7. Finalisation, Introduction and Duration of the Statement of Principles**

7.1 This statement of principles was prepared by the Board in terms of Paragraph 7 of Schedule 10 to the Gambling Act 2005.

7.2 Each (former) Divisonal Licensing Board in November 2018, agreed this Statement of Principles.

7.3 Following publication on the Dumfries and Galloway Council's web-site the Statement of Principles came into effect on 21 January 2019.

7.4 This Statement of Principles will continue in effect until withdrawn or reviewed.

7.5 The Board will consider at any time whether the terms of the Statement require to be reconsidered, reviewed, revisited or renewed and at that time will consult, as the Board considers appropriate, prior to amending the Statement of Principles.

**TRAINING – MATTERS TO BE COVERED**

1. The basis of the requirement for training as outlined in Dumfries & Galloway Council's Statement of Principles in relating to Family Entertainment Centre Gaming Machine Permits.
2. The licensing objectives should be known to all staff -
  - 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; and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
3. Social responsibility in protecting children and young persons from harm

This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children and young persons from harm and be able to evidence this. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits; however, they should include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised young children being on the premises, measures / training covering preventing the same children and young persons from regularly using machines, measures / training covering dealing with children or young persons who are frequently attending the premises or children and young persons causing perceived problems on / around the premises.

4. Current maximum stakes and prizes for Category D gaming machines should be known to all staff.
5. Required signage -

The permit holder must make sure all machines on the premises clearly display the category of machine and the percentage pay out of the machine. In addition social responsibility stickers should be displayed throughout the premises. All staff must be aware of the signage requirements.

6. Difference between a Skill With Prize machine and a Gaming machine

A skill with prizes machine (SWP) is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine.

7. Problem gambling and sources of support

Staff should be familiar with Gambling Helplines that offer support to individuals with Gambling Related Problems, including  
 GamCare Telephone 0808 8020 133  
 Gambling Anonymous Scotland Telephone 0370 050 8881

8. Self exclusion

Self-exclusion means a customer asking a gambling provider to exclude the customer from gambling with them for a length of time, usually between six months and five years. All gambling providers must provide customers with this option, allowing any customer who has requested self-exclusion to be refused service and prevented from gambling during the requested time period. All staff should be made aware of the possibility of this request from customers or their parents or guardians.