



Quaker Action on Alcohol and Drugs

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RESPONSE OF QUAKER ACTION ON ALCOHOL AND DRUGS TO THE CONSULTATION OF THE GAMBLING COMMISSION ON GUIDANCE TO LOCAL AUTHORITIES

Quaker Action on Alcohol and Drugs (QAAD) is an independent national charity concerned with the use and misuse of legal and illegal drugs. We also have a particular concern with gambling, and gave oral evidence to the Parliamentary Joint Select Committee on the Draft Gambling Bill. QAAD provides advice, information and education services within the Religious Society of Friends. We do not represent the Religious Society of Friends generally, but our comments are rooted in our Quaker principles. Trustees also speak from professional or voluntary experience in the prevention or treatment of dependent behaviours.

We have the following specific comments on the Guidance Notes:

Paragraph 5.20 We have some concerns about the wording of this section, which says that special considerations in relation to the protection of vulnerable persons need to be '**balanced**' with the authority's objective to aim to permit the use of premises for gambling. This seems a weaker position than that set out in Section 153 of the Act - namely, that licensing authorities should aim to permit the use of premises for gambling '**in so far as** they think it ...in accordance with the licensing objectives.' Whereas 'balancing' implies finding a position between two factors of similar importance, 'in so far as' implies that permits should be contingent on the three objectives of the Act being upheld. We would like to see this point strengthened and clarified, particularly in view of the fact that Licensing Authorities are likely to be cautious, and to want to avoid appeals to the courts or judicial review.

Paragraphs 6.15 – 8 We are glad to see a requirement that a body representing the protection of children should be consulted about the statement of licensing policy. We would like to suggest that a body representing 'vulnerable' people also be so nominated (statutory, voluntary, or self-help groups may be appropriate, depending on local circumstances).

Paragraphs 6.12 and 6.29 We would like to see a more robust and less qualified statement that proximity to vulnerable adult centres or residential areas with high concentrations of families with children is an important licensing criterion. In stressing the individual nature of every application, the present wording of these sections

undermines the validity of this as a general principle when there is some evidence-base to support it, at least for some groups (see, for example, Westphal, J.R., Rush, J.A., Stevens, L., Johnson, L.J. (1998) "Gambling behaviour of adolescents in residential placement in northwest Louisiana." *Southern Medical Journal* 91 (11): 1038-1041). This is a significant way in which licensing authorities could address the third objective of the Act, and we hope that this wording will be strengthened to enable them to feel confident in doing so.

Specifically, then, we would like to see the adjective 'large' removed from the phrase 'will depend to a large extent on the type of gambling...' (paragraph 6.12) We also think that applicants should be required to demonstrate a stronger indication than 'how they **might** overcome licensing objective concerns.' Similarly, the phrase 'where this is relevant' (paragraph 6.29) seems unnecessarily timid, since it is difficult to imagine any licensing authority to which this kind of general consideration would not be 'relevant' at all.

We feel that Licensing Authorities and other bodies may be better placed to comment on the format of these Guidelines, but in general we found them accessible, and the 'freestanding' nature of each element seems practical. We hope that guidance to Local Authorities will also encourage them to monitor any local indicators of problem gambling, and to relay such information to the Gambling Commission.

We are pleased that we have been afforded this opportunity to comment on these Guidance Notes.

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