

## High turnover bingo operators and multi-operator self-exclusion requirements

### Consultation response

---

- 1.1** This template is provided for responses to the Gambling Commission's consultation on *High turnover bingo operators and multi-operator self-exclusion requirements*. Please use this template if possible.
- 1.2** The templates leaves space for responses to all the questions asked in the consultation. However, we understand that respondents to the consultation may wish to answer only those questions, which are relevant for their business, organisation or interests.
- 1.3** All responses should be sent by email to [consultation@gamblingcommission.gov.uk](mailto:consultation@gamblingcommission.gov.uk) by **25 May 2016**

Alternatively, responses can be sent by post to:

Consultation co-ordinator  
Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP

**Name:**

**Gemma Hammacott**

**Organisation:**

**Castle Leisure Limited**

**Email address:**

**gemmah@castleleisure.co.uk**

- 1.4** If you are responding on behalf of an organisation, please indicate which type of organisation:

Industry body		Regulatory body	
Government body		Charity	
Local authority		Help group	
Academic institution		Faith group	
Other (please specify)	Bingo Operator		

- 1.5** If you are responding as an individual, please indicate your own interest:

### Section 3.1 – 3.2 of the consultation:

**Q1. Do you agree that SR Code 3.5.6 should be amended to create an exemption for operators of high turnover bingo in alcohol licensed premises and clubs?**

To ensure the fair and effectiveness of LCCP relating to Social Responsibility it is essential that robust systems are maintained between Local Authorities and the Gambling Commission for identifying operators that qualify for the proposed exemption.

Ongoing regulation of operators qualifying for the exemption should be undertaken on an equivalent scope to operators who are not exempt.

Access to information of operators who fall within the exemption should be made available.

Further clarity should be provided to operators to ensure their full understanding of the proposed exemption in order to maintain effective Compliance with LCCP.

**Q2. Do you have any views on the SR Code as redrafted?**

The proposed wording of the redrafted Social Responsibility code is not clear.

To avoid confusion and aid compliance it is paramount that all operators can determine their responsibilities under LCCP.

The wording of the redrafted Social Responsibility code should provide more clarity and definition between the operators who hold operating licences and operators who hold bingo premises licences and the associated implications for compliance with the Social Responsibility code.

- 1.6** Please note that responses may be made public or published in a summary of responses of the consultation unless you state clearly that you wish your response or name to be treated confidentially. Confidential responses will be included in any statistical summary of numbers of comments received. If you are replying by email or via the website, unless you specifically include a request to the contrary in the main text of your submission, the Commission will assume your consent overrides any confidentiality disclaimer that is generated by your organisation's IT system.
- 1.7** Any information or material sent to us and which we record may be subject to the Freedom of Information Act 2000 (FOIA). The Commission's policy on release of information is available on request or by reference to our website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).
- 1.8** The Commission will treat information marked confidential accordingly and will only disclose that information to people outside the Commission where it is necessary to do so in order to carry out the Commission's functions or where the Commission is required by law to disclose the information. As a public authority the Commission must comply with the requirements of FOIA and must consider requests for information made under the Act on a case-by-case basis. Therefore when providing information, if you think that certain information may be exempt from disclosure under FOIA, please annotate the response accordingly so that we may take your comments into account.

**1.9** All information provided to the Commission will be processed in accordance with the Data Protection Act 1998. However, it may be disclosed to government departments or agencies, local authorities and other bodies when it is necessary to do so in order to carry out the functions of the Commission and where the Commission is legally required to do so.

## High turnover bingo operators and multi-operator self-exclusion requirements

### Consultation response

- 1.1** This template is provided for responses to the Gambling Commission's consultation on *High turnover bingo operators and multi-operator self-exclusion requirements*. Please use this template if possible.
- 1.2** The templates leaves space for responses to all the questions asked in the consultation. However, we understand that respondents to the consultation may wish to answer only those questions, which are relevant for their business, organisation or interests.
- 1.3** All responses should be sent by email to [consultation@gamblingcommission.gov.uk](mailto:consultation@gamblingcommission.gov.uk) by **25 May 2016**

Alternatively, responses can be sent by post to:

Consultation co-ordinator  
Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP

**Name:**

**Cherry Hosking**

**Organisation:**

**The Bingo Association**

**Email address:**

**cherry@bingo-association.co.uk**

- 1.4** If you are responding on behalf of an organisation, please indicate which type of organisation:

Industry body	X	Regulatory body	
Government body		Charity	
Local authority		Help group	
Academic institution		Faith group	
Other (please specify)			

- 1.5** If you are responding as an individual, please indicate your own interest:

--

## Section 3.1 – 3.2 of the consultation:

**Q1. Do you agree that SR Code 3.5.6 should be amended to create an exemption for operators of high turnover bingo in alcohol licensed premises and clubs?**

High turnover bingo is when the aggregate levels of stakes or prizes for games of bingo exceed £2,000 in a seven day period. Under S.281 of the Gambling Act, persons who offer high turnover bingo must obtain a bingo operating licence from the Gambling Commission which brings with it the obligation to comply with the LCCP.

The Operating Licence granted by the Gambling Commission also imposes a requirement on operators to comply with the requirements of the LCCP and as such recognises that providing all forms of licensed operations should be regulated and have social responsibility conditions attached to the licence.

Venues that operate high turnover bingo typically also have gaming machine entitlements through gaming or machine permits issued by their Licensing Authority to offer up to 3 gaming machines from categories B3A/B4/C or D (only one B3A permitted). To complicate matters, an unidentifiable number of these venues may also have bingo premises licences issued by Licensing Authorities. If alcohol licensed premises and clubs hold bingo premises licences and do not operate high turnover bingo, it is assumed that this consultation does not apply to them.

The Commission is of the opinion that the provision of high turnover bingo is low-risk gambling **unless** these operators also hold a bingo premises licence (issued by a Licensing Authority) which gives the same gaming machine entitlements as commercial bingo clubs.

While The Bingo Association is not opposed to the proposals in this Consultation it feels the need to make the following observations.

It is not clear how the Gambling Commission will satisfy itself that it knows which operators qualify for this significant exemption from the requirement to comply with Social Responsibility Code 3.5.6. (multi-operator self-exclusion). The Commission relies on individual Licensing Authorities to supply it with information relating to any bingo premises licences that it has granted in its locality and it appears that this information is incomplete. To assist clarity, will the Commission commit to the creation of an accurate register of these types of premises, identifying which permits they also have and whether or not they also hold a bingo premises licence?

It is equally difficult to regulate a sector which is itself unclear which regulations it must comply with. Following receipt of a letter from GC in February about self-exclusion, a number of social clubs contacted The Bingo Association about joining the Bingo Industry Self-Exclusion Scheme, bewildered about what the LCCP was, let alone the social responsibility obligations set out therein. Given that these premises have social responsibility conditions to comply with including a current obligation to offer self-exclusion on a premises basis, it would be useful to understand how often these premises have had a compliance visit from the Gambling Commission and to see evidence that this indeterminate sector is clearly exemplary in its approach to social responsibility.

The Bingo Association takes issue with the timing of this consultation which has worked to ensure maximum confusion for high turnover bingo operators; this is not evidence of effective regulation.

The consultation was launched in March 2016 when the deadline to comply with the multi-operator self-exclusion requirements of the LCCP was 6<sup>th</sup> April 2016. Even though the possibility of an exemption was mooted in the summer of 2015, there was clearly no urgency about formally

addressing this. In summary, whilst the Commission believes that this may be the right thing to do, it also seems that the decision was reached as an afterthought and not based on firm evidence. The Commission's approach in this consultation appears unbalanced and favours strict regulation of the compliant commercial bingo industry while giving an exemption to a sector which up to now it has given little attention.

## Q2. Do you have any views on the SR Code as redrafted?

The proposed amendment to the wording of Social Responsibility code provision 3.5.6 is not clear enough in its intent.

Those who operate high turnover bingo **are** licenced – they hold a bingo operating licence issued by the Gambling Commission, but the proposed wording could cause some confusion. The wording should emphasise that only licensed operators **who also hold** a bingo premises licence granted by a licensing authority are obliged to offer a multi-operator self-exclusion scheme.

- 1.6** Please note that responses may be made public or published in a summary of responses of the consultation unless you state clearly that you wish your response or name to be treated confidentially. Confidential responses will be included in any statistical summary of numbers of comments received. If you are replying by email or via the website, unless you specifically include a request to the contrary in the main text of your submission, the Commission will assume your consent overrides any confidentiality disclaimer that is generated by your organisation's IT system.
- 1.7** Any information or material sent to us and which we record may be subject to the Freedom of Information Act 2000 (FOIA). The Commission's policy on release of information is available on request or by reference to our website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).
- 1.8** The Commission will treat information marked confidential accordingly and will only disclose that information to people outside the Commission where it is necessary to do so in order to carry out the Commission's functions or where the Commission is required by law to disclose the information. As a public authority the Commission must comply with the requirements of FOIA and must consider requests for information made under the Act on a case-by-case basis. Therefore when providing information, if you think that certain information may be exempt from disclosure under FOIA, please annotate the response accordingly so that we may take your comments into account.
- 1.9** All information provided to the Commission will be processed in accordance with the Data Protection Act 1998. However, it may be disclosed to government departments or agencies, local authorities and other bodies when it is necessary to do so in order to carry out the functions of the Commission and where the Commission is legally required to do so.