CLACKMANNANSHIRE LICENSING BOARD

THIS PAPER RELATES TO ITEM 6

ON THE AGENDA

Report to the Clackmannanshire Licensing Board

Date of Meeting: 1 December 2026

Subject: Statement of Gambling Policy

Report by: Depute Clerk to the Licensing Board

1.0 Purpose

1.1. The purpose of this report is to enable the Licensing Board to consider and approve of the consultation of the draft Statement of Gambling Policy 2027-2030.

1.2. The draft statement sets out the principles the board proposes to apply when exercising its functions under the Gambling Act 2005 (the Act).

2.0 Recommendations

2.1. It is recommended that the Board:

2.1.1. Approve the draft Statement of Gambling Policy 2027-2030, attached at appendix 1, for statutory consultation.

2.1.2. Approve the consultation period from 11 December 2026 to 22 January 2027.

2.1.3. Agree that a further report, summarising consultation responses and recommending final wording be submitted to the Board before adoption.

3.0 Considerations

3.1. The Act has three licensing objectives: preventing gambling from being a source of crime or disorder or being used to support crim; 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

3.2. The revised draft strengthens and clarifies the Board's approach to local risk assessments, premises near sensitive uses, safeguarding, age verification, self-exclusion, customer interaction, support signposting, inspection and proportionate enforcement.

3.3. The consultation will be targeted to statutory consultees, responsible authorities, gambling operators and permit holders, Community Councils, equality and safeguarding interests, public health and support organisations and organisations assisting people affected by gambling-related harm.

4.0 Sustainability Implications

4.1. None.

5.0 Resource Implications

5.1. Financial Details

5.2. There are no direct additional financial implication arising from approval and submission of the consultation process.

5.3. Staffing

5.4. There are no direct staffing implications arising from this report. Any future proposal affecting the workforce would be subject to assessment, engagement with trade unions, consultation and relevant employment processes.

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities**

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	☐
Our families; children and young people will have the best possible start in life	☐
Women and girls will be confident and aspirational, and achieve their full potential	☐
Our communities will be resilient and empowered so that they can thrive and flourish	☐

(2) **Council Policies**

Complies with relevant Council Policies	☐

8.0 Impact Assessments

8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Yes ☒

8.2 If an impact assessment has not been undertaken you should explain why:

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Statement of Gambling Policy – 2027-2030

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No ☒

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Dale Bell	Deputy Clerk to the Licensing Board	2086

Approved by

NAME	DESIGNATION	SIGNATURE
Dale Bell	Deputy Clerk to the Licensing Board	[redacted]

CLACKMANNANSHIRE
LICENSING BOARD

STATEMENT OF GAMBLING POLICY

UNDER SECTION 349 OF THE GAMBLING ACT 2005

DRAFT FOR CONSULTATION

POLICY PERIOD

Proposed period: 2027 - 2030

Consultation opens: 11 December 2026 Consultation closes: 22 January 2027

Board authority to consult: [INSERT DATE]

Revision copy: new and materially amended provisions are identified in blue labels.

Consultation contact: Licensing, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa FK10 1EB
Email: licensing@clacks.gov.uk

Document control and revision marking [NEW]

IMPORTANT STATUS

This is a consultation-ready working draft. Square-bracketed fields must be confirmed before publication. Statutory figures, service names, contact routes and the Board's Scheme of Delegation require final Legal Services verification against the law and guidance in force on the publication date.

Version	Status	Date	Owner
0.1	Draft for consultation	[INSERT]	Clerk to Clackmannanshire Licensing Board

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1. Introduction

1.1 General

Clackmannanshire Licensing Board (the "Board") is a licensing authority under the Gambling Act 2005 ("the Act") for the whole local government area of Clackmannanshire. This Statement sets out the principles the Board proposes to apply when exercising its functions under the Act.

Section 349 of the Act requires the Board, before each successive three-year period, to prepare and publish a statement of the principles it proposes to apply. The Statement may be reviewed and revised at any time, following the consultation required by the Act.

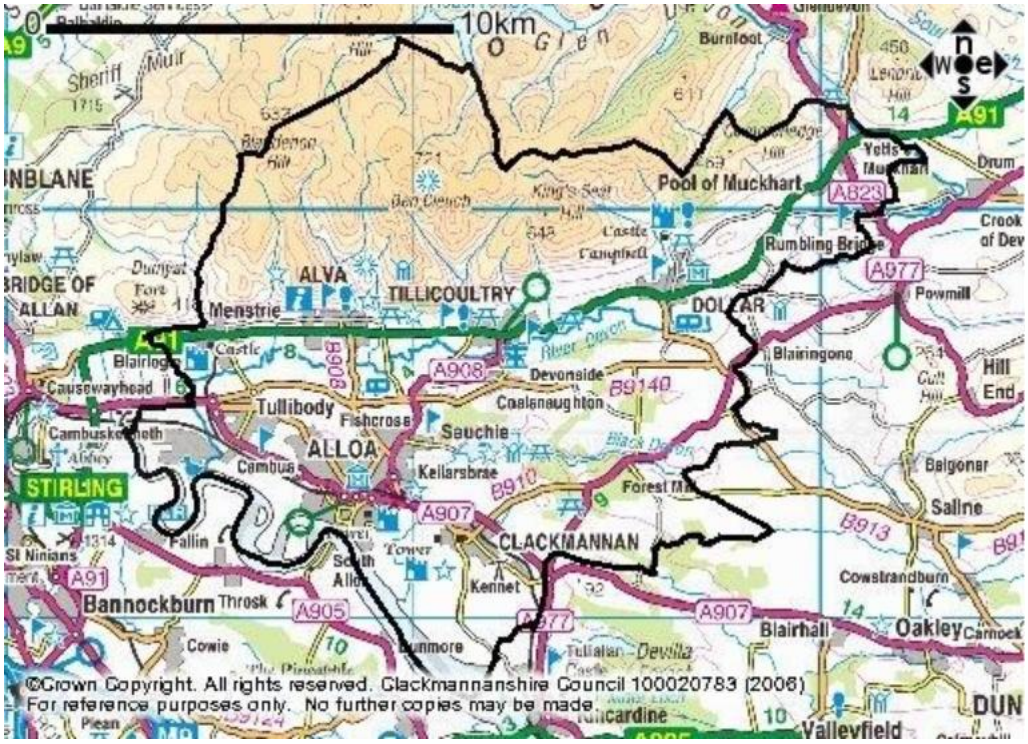
This Statement should be read with the Act, regulations made under it, relevant codes of practice, and the Gambling Commission's Guidance to Licensing Authorities. It is a policy statement and not a substitute for legal advice or an operational guide.

The Board will carry out its functions transparently, consistently and in the public interest. It will seek to avoid unnecessary duplication with planning, building standards, fire safety, health and safety and other regulatory regimes.

The Gambling Commission Guidance was last updated publicly in July 2025, with further section updates thereafter.

1.2 Profile of Clackmannanshire

Clackmannanshire is the smallest mainland local authority area in Scotland with a population of 51,610 as of 30 June 2025[1]. Alloa is the principal commercial and administrative centre. Other main settlements include Sauchie, Clackmannan, Tillicoultry, Devonside, Coalsnaughton, Tullibody, Cambus and Alva. The area of Clackmannanshire is shown below



The Board will use current local knowledge and available evidence when considering how local circumstances engage the licensing objectives. Relevant evidence may include population and demographic information,

[1] As published by the National Records of Scotland

deprivation indicators, locations used by children and young people, treatment and support services, and information supplied by responsible authorities and public health partners.

1.3 Policy period and review

This Statement will take effect on [INSERT DATE] and will remain in force until [INSERT DATE], unless reviewed and revised earlier. The Board will keep the Statement under review and may consult on amendments where local circumstances, legislation, guidance or evidence materially changes.

2. Consultation and declaration

2.1 Consultation

The Board is consulting on this draft from [INSERT DATE] until [INSERT DATE]. The draft is available on the Council website and in any other formats or locations specified in the consultation notice. Representations should be sent to licensingcon@clacks.gov.uk or to the Clerk to the Licensing Board at Kilncraigs, Greenside Street, Alloa FK10 1EB.

In accordance with section 349(3), the Board will consult the Chief Constable; persons representing gambling businesses in the area; and persons representing people likely to be affected by the exercise of the Board's functions. The wider consultation list is at Appendix 1.

The Board will consider all competent responses before determining the final wording. A consultation report will identify the main issues raised and the Board's response, subject to legal requirements concerning personal information and confidentiality.

2.2 Declaration

In adopting the final Statement, the Board will have regard to the licensing objectives, the Gambling Commission's Guidance to Licensing Authorities and the responses received during consultation.

PART A - PRINCIPLES

3. Licensing objectives and functions [AMENDED]

3.1 Licensing objectives

In carrying out its premises licensing and permit functions, the Board will have regard to the three licensing objectives in section 1 of the Act:

- 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.

3.2 Board functions

The Board will be responsible for considering and determining applications, notices, permits, registrations and entitlements allocated to licensing authorities by the Act.

There are five types of premises licensed under the Gambling Act, namely:

- Casino Premises
- Bingo Premises
- Betting Premises, including tracks;
- Adult Gaming Centre; and
- Family Entertainment Centres.

The other main regulatory functions of the Board under the Act relate to:

- premises licenses and provisional statements for casinos, bingo premises, betting premises and tracks, adult gaming centres and family entertainment centres;
- club gaming permits and club machine permits;
- unlicensed family entertainment centre gaming machine permits;
- prize gaming permits;
- gaming machine notifications and permits for alcohol-licensed premises;
- temporary use notices and occasional use notices;
- registration of small society lotteries; and
- functions relating to travelling fairs.

The Board does not license remote gambling or issue operating and personal licenses. Those matters are regulated by the Gambling Commission.

4. General approach to applications

Each application will be considered on its own facts and merits. This Statement does not override any person's statutory right to apply, make a competent representation or seek a review.

The Board will not take account of expected demand for gambling facilities or moral objections to gambling. It may apply relevant local knowledge and evidence.

The Board will not determine an application by reference to whether planning permission, building warrant or another regulatory approval is likely to be granted. The regimes will be kept separate, while information may be shared where relevant.

For premises licenses and temporary use notices, the Board will aim to permit gambling so far as it considers the proposal:

- in accordance with relevant Gambling Commission codes of practice;

- in accordance with relevant Gambling Commission guidance;
- reasonably consistent with the licensing objectives; and
- in accordance with this Statement.

4.1 Local area profile and local risk assessments

The Board has considered whether to publish a separate local area profile. At the date of this draft, the Board considers that this Statement, local knowledge and engagement with responsible authorities provide an appropriate framework. The Board may prepare or publish a local area profile if evidence indicates that it would assist operators, communities or decision-making.

Operators subject to the relevant Licence Conditions and Codes of Practice must assess local risks to the licensing objectives and implement policies, procedures and controls to mitigate them. The Board expects a suitable local risk assessment to accompany an application for a new premises licence or a material variation, and to be provided on request.

A local risk assessment should address the premises, locality, customer profile, nearby sensitive uses, staffing, supervision, age verification, self-exclusion, safeguarding, incident management, advertising and any other factor relevant to the licensing objectives.

5. Premises licenses and provisional statements

5.1 General policy

Premises licenses are subject to statutory mandatory and default conditions. The Board may exclude a default condition or attach proportionate conditions where authorised and appropriate.

Premises means any place. The Board will decide as a matter of fact and degree whether different parts of a building can properly be treated as separate premises, having regard to the Act and Gambling Commission guidance.

A premises licence should relate to premises capable of being used for gambling within a reasonably near future. Where construction or significant alteration remains outstanding, a provisional statement may be the appropriate route.

5.2 The “Aim to Permit” Duty (Section 153)

The Board recognises that under Section 153 of the Gambling Act 2005, a they have a statutory duty to "aim to permit" the use of premises for gambling, provided any application is reasonably consistent with the three licensing objectives, Gambling Commission codes of practice and this policy.

Section 153(2) explicitly prohibits a Licensing Board from considering the expected demand for gambling facilities. Guidance from the Gambling Commission confirms that applications cannot be refused merely because there are already other betting shops or gambling venues in the area.

5.3 Location and sensitive uses

Applications near schools, places regularly used by children or young people, residential areas with a high concentration of families, vulnerable-adult services or addiction treatment services will receive scrutiny under the licensing objectives. Proximity alone will not determine an application. The applicant should explain the local risks and demonstrate effective mitigation.

5.4 Crime and disorder

Relevant considerations may include the design and layout of the premises, staff training, cash handling, CCTV, physical security, age-verification procedures, incident records and evidence of violence, disorder or organised crime. Nuisance and general antisocial behaviours are not separate Gambling Act licensing objectives, although evidence may be relevant where it demonstrates crime, disorder or harm under an objective.

5.5 Fair and open gambling

The Gambling Commission generally leads on fair and open gambling through operating and personal licenses. The Board will nevertheless consider any matter within its statutory remit and may liaise with the Commission.

5.6 Protecting children and vulnerable persons

The Board may consider proof-of-age schemes, supervision, staff training, premises layout, segregation of adult-only areas, signage, opening hours, self-exclusion arrangements, information about support services and controls concerning advertising and promotions.

For policy purposes, vulnerable persons may include people who gamble more than they intend, beyond their means, or who may be unable to make informed or balanced decisions because of cognitive impairment, mental ill-health, alcohol or drug dependency, or other circumstances. This is not an exhaustive definition.

5.7 Conditions

Any condition imposed by the Board will be lawful, necessary and proportionate; directly related to the premises and type of gambling; fairly related to the scale and type of premises; and reasonable in all other respects. The Board will not duplicate conditions imposed by the Act, regulations or the Gambling Commission unless legally justified.

5.8 Adult Gaming Centres

Applicants must demonstrate effective measures preventing access by anyone under 18. Measures may include monitored entrances, Challenge 25 or an equivalent age-verification scheme, CCTV, staff training, self-exclusion and the display of support information.

5.9 Licensed Family Entertainment Centres

Applicants must ensure that under-18s cannot access adult-only Category C gaming-machine areas. Physical separation, supervision, sightlines, signage and staff procedures should be addressed in the application and local risk assessment.

5.10 Casinos

The Board has not passed a resolution under section 166 not to issue casino premises licenses.

5.11 Bingo Premises

Where children and young people are admitted, Category C and higher machines must be located and managed so that under-18s cannot access them. The Board will consider barriers, designated entrances, supervision, staff visibility and prominent age-restriction notices.

5.12 Betting Premises

The Board may consider lawful conditions concerning betting machines, taking account of premises size and layout, counter positions, staffing and the ability to monitor access and use by children, young people and vulnerable persons.

5.13 Tracks

Track applications must identify all gambling areas, temporary betting areas, entrances, age-restricted areas and gaming-machine locations. Measures must prevent under-18s entering adult gambling areas or using machines other than those they may lawfully use.

5.14 Travelling Fairs

The Act defines a traveling fair as “wholly or principally” providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year.

The Board will consider whether gambling amounts to no more than an ancillary amusement and whether the statutory limit on use of the land is met. It may liaise with neighbouring authorities where land crosses boundaries.

5.15 Provisional Statements

Following the grant of a provisional statement, later representations or different licence terms are restricted by the Act. The Board will apply the statutory tests and will not take irrelevant planning or building-control considerations into account.

6. Review of premises licenses

The Board may initiate a review of a class of premises licence or particular premises where authorised by the Act. Before initiating a review, it may use proportionate informal engagement, mediation or other resolution where appropriate, without prejudicing the need for prompt formal action.

In considering an application for review, the Board will consider whether the operation is consistent with relevant codes and guidance, the licensing objectives and this Statement. It may reject an application on a statutory ground, including where it is frivolous or vexatious, would certainly not justify regulatory action, or substantially repeats earlier grounds without a material change of circumstances.

Following a review, the Board may take any action authorised by the Act including:

- adding, removing or amending license conditions;
- excluding or changing a default condition;
- suspending the premises licence for the statutory period not exceeding three months; and
- revoking the premises license.

Action will be evidence-based and proportionate.

7. Permits

Permits issued under the Act are subject to statutory conditions.

7.1 Club Gaming and Club Machine Permits

The Board may not attach conditions to a Club Gaming Permit or Club Machine Permit. When considering grant or variation, the Board will have regard to the licensing objectives and Gambling Commission guidance and will consider whether any statutory ground for refusal applies.

7.2 Unlicensed Family Entertainment Centre Gaming Machine Permits

The premises must be wholly or mainly used for making gaming machines available. The permit authorises Category D machines only. The Board may consider the suitability of the applicant and premises, including locality, relevant convictions, safeguarding procedures, staff suitability and training, knowledge of lawful stakes and prizes, and measures protecting children and vulnerable persons.

7.3 Prize Gaming Permits

The Board will have regard to Gambling Commission guidance and may consider the suitability of the applicant and premises. Applicants should demonstrate safeguarding arrangements, knowledge of lawful stakes and prizes, staff training and that the proposed gaming is lawful.

7.4 Alcohol-licensed premises: automatic entitlement and permits

Where Gaming machines are present on the premises, qualifying alcohol-licensed premises must notify the Board of an automatic entitlement to up to two Category C or D gaming machines and pay the prescribed fee.

The Board may remove the entitlement on a statutory ground.

Where an alcohol licence is transferred and the new licence holder wishes to retain the automatic gaming machine entitlement, they must notify the Licensing Board and pay the prescribed fee.

The licensing Board will issue a certificate of notification in relation to any premises seeking to take advantage of the automatic entitlement arrangements in the Act.

An application for more than two machines requires a Licensed Premises Gaming Machine Permit. Applications will be considered on their merits, with particular regard to supervision, visibility from the bar or service point, staff training, age controls and the licensing objectives. The Board may grant fewer machines or different categories than requested where authorised but may not attach additional conditions to the permit.

8. Temporary and Occasional Use Notices

8.1 Temporary Use Notices

A set of premises may be subject to temporary use notices only within the statutory maximum in a 12-month period. In deciding whether locations form one set of premises, the Board may consider ownership, occupation, control, layout and the practical effect of the notices. The Board will be alert to notices that would effectively permit regular gambling without a premises licence.

8.2 Occasional Use Notices

An Occasional Use Notice may permit betting at a genuine track without a premises licence, subject to the Act. The Board will consider whether the location is a “track”, whether the notice is given by a person entitled to do so and whether the statutory annual day limit would be exceeded. The Board will maintain the required register.

[VERIFY] Insert the current statutory day limits for Temporary Use Notices and Occasional Use Notices only after Legal Services has checked the Act and current amendments. The previous draft stated 21 and 8 days respectively.

9. Protection of children and vulnerable persons

9.1 Designated advisory body

Under section 157, the Board must designate in writing a body competent to advise it about the protection of children from harm. The body should have responsibility across the whole Board area and relevant safeguarding expertise.

The Board designates Child Protection, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB, for this purpose.

9.2 Advice concerning vulnerable persons

The Board may seek advice concerning vulnerable adults from the Chief Social Work Officer, the Clackmannanshire and Stirling Health and Social Care Partnership, Adult Protection services, Alcohol and Drug Partnership services, public health partners and other competent bodies, as appropriate to the matter.

10. Interested parties and representations

Under section 158, a person is an interested party in relation to a premises licence if, in the Board's opinion, the person lives sufficiently close to be likely to be affected; has business interests that might be affected; or represents a person falling within either category.

The Board will decide status case by case. The person making representations should provide enough information to allow the Board to determine interested-party status and the relevance of the representation.

10.1 "Sufficiently close"

Relevant factors may include:

- the size and nature of the premises;
- the distance between the premises and the person's home or other relevant location;
- the likely number of customers and routes to and from the premises;
- the nature, duration and timing of the authorised activities; and
- any circumstance making the person more susceptible to adverse impact than people generally.

10.2 Business interests

Relevant factors may include the size and nature of the premises, the likely catchment area, and whether the person has a business interest in that area which might be affected. Mere commercial competition in the same gambling sector is not sufficient. Demand or lack of demand is not relevant.

10.3 Representatives

Serving MPs and MSPs whose constituency includes the premises, serving councilors whose ward includes the premises, and the relevant Community Council may ordinarily represent interested parties without producing individual written authorities. Other representatives should provide the name and address of the person represented, information establishing that person's status and written authority to act. A Board member asked to represent a party should consider the rules on conflicts, impartiality and participation in the Board's decision.

10.4 Form and publication of representations

Representations must comply with the Act and regulations, be submitted within the statutory period and address matters relevant to the licensing objectives, Gambling Commission guidance, relevant codes or this Statement. Details may be shared with the applicant and included in Board reports, subject to law and any justified personal-safety restriction.

11. Use and exchange of information

The Board may collect, hold, publish and exchange information where authorised or required by the Act and other law. This includes exchange with the Gambling Commission and persons specified in Schedule 6 to the Act.

The Board will process personal data in accordance with UK data protection law, including the UK GDPR and the Data Protection Act 2018, and will have regard to relevant guidance. Information may also be disclosed under freedom of information legislation, subject to applicable exemptions.

Application and representation details referred for determination may be published in statutory reports. The identity and contact details of a person making representations will ordinarily be disclosed where necessary for a fair process. A request to restrict publication on personal-safety grounds will be considered individually, but complete anonymity cannot be guaranteed where this would be incompatible with legal obligations or procedural fairness.

12. Inspection and enforcement

In carrying out inspection and enforcement, the Board and authorised officers will have regard to Gambling Commission guidance and recognised better-regulation principles. Action will be:

- proportionate, intervening only where necessary and matching action to risk;
- accountable, with decisions capable of explanation and scrutiny;
- consistent, applying rules and standards fairly;
- transparent and open, providing clear information and guidance; and
- targeted, focusing resources on risks to the licensing objectives.

The Board will use a risk-based inspection approach. Inspection frequency and intensity may reflect the premises type, compliance history, complaints and intelligence, management controls, changes in operation and risks identified in local risk assessments.

The Board's principal local role is compliance with premises licenses, permits, notices and other permissions it administers. Operating and personal licence matters will normally be referred to the Gambling Commission. The Board will cooperate with Police Scotland, the Scottish Fire and Rescue Service, Council services and other regulators where lawful and appropriate.

Operators with multiple premises in the area may be asked to nominate a senior single point of contact with sufficient authority to address compliance concerns promptly.

PART B - SCHEME OF DELEGATION [NEW / VERIFY]

LOCAL APPROVAL REQUIRED

This Part is drafted as a model. It must be reconciled with the Board's formally approved Scheme of Delegation before consultation. If the Board maintains a separate scheme, replace this Part with an accurate cross-reference.

B1. General

The Scheme supports timely, efficient and effective decision-making. Delegations are subject to the Act, regulations, codes, guidance and any later amendment. The Clerk or Depute Clerk may refer any delegated matter to the Board.

B2. Functions reserved to the Board

The following matters are reserved to the Board:

- adopting or materially revising this Statement;
- resolving under section 166 not to issue casino premises licenses;
- determining premises licence, variation or provisional statement applications where competent, relevant representations remain outstanding;
- determining a premises licence transfer where a competent Gambling Commission representation remains outstanding;
- premises licence reviews;
- deciding whether to issue a counter-notice where legislation requires Board determination; and
- determining contested permit applications where competent representations remain outstanding, subject to the Act and the Board's approved scheme.

B3. Delegated functions

All other functions capable of delegation are delegated to the Clerk or Depute Clerk, subject to the Board's approved scheme. These may include uncontested applications, administrative and non-material variations, registrations, notifications, statutory registers, acceptance or rejection of plans which do not comply with prescribed requirements, and substitution of a plan where the authorised gambling or gaming provision is not materially changed.

The Clerk or Depute Clerk may delegate functions to appropriately authorised officers where permitted by law and the approved scheme.

Comments, contact and accessible formats

Comments on this consultation draft should be sent by Friday 22 January, 2027 to the Clerk to Clackmannanshire Licensing Board, Kilncraigs, Greenside Street, Alloa FK10 1EB, or by email to licensing@clacks.gov.uk.

If you require this document in another language, large print, Easy Read or another accessible format, please contact the Licensing Service using the details above.

Appendix 1 - Proposed consultees

The final consultation distribution list should use current organisational names and contact routes. Proposed categories include:

- Chief Constable, Police Scotland;
- Gambling Commission;
- Scottish Fire and Rescue Service;
- HM Revenue and Customs;
- relevant Clackmannanshire Council Planning, Environmental Health, Legal, Trading Standards, Education, Housing and Social Work services;
- Chief Social Work Officer, Child Protection and Adult Protection bodies;
- Clackmannanshire and Stirling Health and Social Care Partnership;
- local Alcohol and Drug Partnership and public health partners;
- all Clackmannanshire Community Councils and relevant residents' organisations;
- Citizens Advice and organisations supporting people affected by gambling harm;
- GamCare, GambleAware and other relevant treatment or support organisations;
- local Gambling Act premises licence and permit holders;
- relevant gambling, amusement and licensed-trade bodies;
- the Community Connector for Gambling – CTSI, 27 High Street, Alloa
- elected members; and
- any person or organisation requesting inclusion or identified as likely to be affected.

Appendix 2 - Responsible Authorities

For applications where the Act requires notice to Responsible Authorities, applicants must use the authorities and contact details prescribed by law and published by the Board at the application date. The schedule should include, as applicable:

Responsible authority	Postal address	Email / electronic contact
Clackmannanshire Licensing Board	Licensing Team, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB	licensing@clacks.gov.uk Tel: 01259 450000
Gambling Commission	Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP	General enquiries: info@gamblingcommission.gov.uk.
Chief Constable, Police Scotland	Chief Constable, Police Scotland, Force Headquarters, PO Box 21184, Alloa, FK10 9DE	check
Scottish Fire and Rescue Service	Fire Safety Enforcement, Scottish Fire and Rescue Service, Stirling Fire Station, 6 Raploch Road, Stirling, FK8 1TJ	E.SCF.FireSafety@firescotland.gov.uk for Stirling and Clackmannanshire fire-safety enquiries.
Planning authority	Planning Services, Clackmannanshire Council,	planning@clacks.gov.uk Tel: 01259 450000

	Kilncraigs, Greenside Street, Alloa, FK10 1EB	
Environmental health authority	**Environmental Health, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 1EB**	**ehealth@clacks.gov.uk** **Tel: 01259 450000**
Authority designated for the protection of children from harm	**Clackmannanshire Child Protection Committee, Kilncraigs, Greenside Street, Alloa, FK10 1EB**	**childcare@clacks.gov.uk.** **Tel: 01259 450000**
HM Revenue and Customs	**HM Revenue and Customs, Excise Processing Team, BX9 1GL, United Kingdom**	**NRUBettingGaming@hmrc.gov.uk.** **Telephone: 0300 200 3700.**
Authority in relation to vessels, where applicable: SEPA	**Scottish Environment Protection Agency, Moray House, 2A Forthside Way, Stirling, FK8 1QZ;**	**Customer Hub: 0300 099 6699. For legal service only: serviceonsepa@sepa.org.uk.**
Authority in relation to vessels, where applicable: Maritime and Coastguard Agency	**1 Prince of Wales Dock, Edinburgh EH6 7DX**	**engagement@forthports.co.uk, john.stevenson@forthports.co.uk** **Tel: +44 (0)131 555 8700**

[VERIFY] Insert current postal and electronic service details only after confirmation by Licensing and Legal Services.

Appendix 3 - Children, young persons and vulnerable persons

The third licensing objective is to protect children and other vulnerable persons from being harmed or exploited by gambling. Under the Act, a child is a person under 16, a young person is aged 16 or 17, and an adult is aged 18 or over.

The Act contains detailed restrictions on participation and access. In summary, and subject always to the Act, regulations, licence conditions and current Gambling Commission guidance:

- betting shops and adult gaming centres are adult-only premises;
- bingo premises may admit under-18s, but controls must prevent them participating in gambling other than lawful Category D machine play;
- family entertainment centres may admit under-18s, but Category C machines must be segregated and restricted to adults;
- alcohol-licensed premises may admit under-18s where the premises licence permits, but under-18s must not use Category C machines;
- clubs must control machine use by under-18s in accordance with the permit and legislation; and
- tracks must prevent under-18s participating in unlawful gambling or accessing adult-only machine areas.

Operators should consider inclusive safeguarding arrangements, including age verification, staff training, safe intervention, self-exclusion, customer interaction, signposting to support, advertising controls and procedures for concerns involving children or adults at risk.

Appendix 4 - Gaming machines: signposting and verification schedule

WHY THIS APPENDIX DOES NOT REPRODUCE FIXED FIGURES

Machine stakes, prizes, categories and entitlements can change through regulations. To reduce the risk of publishing outdated figures, the consultation draft signposts the current statutory sources. A verified table may be inserted before final adoption if the Board considers this useful.

Before the final policy is adopted, Licensing and Legal Services should verify and record:

- current maximum stakes and prizes for Categories A, B1, B2, B3, B3A, B4, C and each Category D sub-category;
- current numerical and ratio entitlements for casinos, bingo premises, betting premises, adult gaming centres and family entertainment centres;
- entitlements for unlicensed family entertainment centres, clubs, miners' welfare institutes and alcohol-licensed premises;
- any transitional rights based on the date premises were first licensed; and
- the effect of the Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025 and any later amendment.

The Gambling Commission's Guidance to Licensing Authorities, including its gaming-machine appendices and machines toolkit, should be used with the Act and current regulations. Where an inconsistency arises, the legislation prevails.

Internal pre-publication sign-off [NEW]

Check	Owner / date	Complete
Policy period and consultation dates inserted		☐
Current Gambling Commission Guidance checked		☐
Current LCCP checked		☐
Statutory notice day limits checked		☐
Machine categories and entitlements checked		☐
Casino resolution and 2025 changes checked		☐
Scheme of Delegation reconciled		☐
Responsible Authorities verified		☐
Safeguarding bodies and service names verified		☐
Information Governance approval		☐
Equalities and accessibility review		☐
Current operators and consultees verified		☐
Hyperlinks and contact details tested		☐

Board authority to consult recorded		☐

Equality and Fairer Scotland Impact Assessment (EFSIA) Summary of Assessment

Title: Clackmannanshire Licensing Board Statement of Gambling Policy 2027-2030.

Key findings from this assessment (or reason why an EFSIA is not required):
The proposal is relevant to equality and socio-economic disadvantage and requires a full EFSIA. The Statement applies to the Licensing Board's functions under the Gambling Act 2005 and contains safeguards intended to protect children and other vulnerable persons. Potential positive impacts arise from age controls, supervision, local risk assessments, self-exclusion, customer interaction, support signposting and proportionate enforcement. Potential adverse or unintended impacts may arise if information and consultation are inaccessible, if vulnerability is approached through assumptions rather than evidence, or if local deprivation data is used in a way that stigmatises communities. Particular relevance has been identified for age, disability and socio-economic disadvantage, with implementation and accessibility considerations for the other protected characteristics.

Summary of actions taken because of this assessment:
The draft Statement, the Gambling Act 2005, Gambling Commission guidance, the licensing objectives, Scottish Census 2022 information and socio-economic evidence have been considered. The assessment recommends accessible consultation, targeted engagement with safeguarding, equality, public-health, advice and gambling-harm organisations, and review of consultation evidence before the Statement is adopted. The policy wording and implementation arrangements should remain evidence-led, proportionate and non-stigmatising.

Ongoing actions beyond implementation of the proposal include:
The Licensing Board will monitor consultation accessibility, equality-related complaints or barriers, concerns involving children or vulnerable persons, recurring issues in local risk assessments and relevant inspection or enforcement outcomes. The EFSIA should be updated after consultation, reviewed after three years of operation, or earlier if significant evidence or legal guidance changes.

Lead person(s) for this assessment: Dale Bell

Senior officer approval of assessment: Dale Bell

DATE: 13 November 2026

Equality and Fairer Scotland Impact Assessment (EFSIA)

An Equality and Fairer Scotland Impact Assessment (EFSIA) must be completed in relation to any decisions, activities, policies, strategies or proposals of the Council (referred to as 'proposal' in this document). The first stage of the assessment process will determine the level of impact assessment required.

This form should be completed using the guidance contained in the document: ['NAME']. Please read the guidance before completing this form.

The aim of this assessment is to allow you to critically assess:

- the impact of the proposal on those with protected characteristics and, where relevant, affected by socio-economic disadvantage (referred to as 'equality groups' in this document);
- whether the Council is meeting its legal requirements in terms of Public Sector Equality Duty and the Fairer Scotland Duty;
- whether any measures need to be put in place to ensure any negative impacts are eliminated or minimised.

The Fairer Scotland Duty requires public authorities to pay 'due regard' to how they can reduce inequalities of outcome caused by
socio-economic disadvantage, when making **strategic decisions**. Strategic decisions are key, high-level decisions such as decisions about setting priorities, allocating resources, delivery or implementation and commissioning services and all decisions that go to Council or committee for approval.

Step A – Confirm the details of your proposal

1. Describe the aims, objectives and purpose of the proposal.

The purpose of the proposal is to adopt and publish a three-year Statement of Gambling Policy under section 349 of the Gambling Act 2005 for the proposed period 2027-2030. The Statement sets out the principles the Licensing Board will apply when exercising its functions relating to premises licences, provisional statements, permits, notices, reviews, inspection and enforcement, having regard to the licensing objectives, Gambling Commission guidance and the statutory aim-to-permit duty.

2. Why is the proposal required?

Section 349 of the Gambling Act 2005 requires the Licensing Board to prepare and publish a statement of principles before each successive three-year period. The Statement provides transparency and consistency for applicants, operators, responsible authorities, communities and people affected by gambling premises or activities.

3. Who is affected by the proposal?

The proposal may affect gambling operators and employees; applicants; customers; children and young people; adults who may be vulnerable to gambling-related harm; families and affected others; residents and businesses near gambling premises; responsible authorities; treatment and support services; community organisations; Board members and officers. As the Statement applies across Clackmannanshire, it has the potential to affect the wider community.

4. What other Council policies or activities may be related to this proposal? The EFSIAs for related policies might help you understand potential impacts.

Gambling Act 2005; Gambling Commission Guidance to Licensing Authorities and Licence Conditions and Codes of Practice; the Board's Scheme of Delegation; child and adult protection arrangements; equality, accessibility and information-governance policies; community planning, public health, Alcohol and Drug Partnership and poverty-reduction activity; and related planning and enforcement processes, recognising that these are separate regulatory regimes.

5. Is the proposal a strategic decision? If so, please complete the steps below in relation to socio-economic disadvantage. If not, please state why it is not a strategic decision:

Yes. Adoption of a three-year statutory Statement sets the Licensing Board's high-level approach across Clackmannanshire and influences regulatory decisions, enforcement priorities, public protection and engagement. The Fairer Scotland Duty is therefore relevant because gambling-related harm can interact with deprivation, debt and financial insecurity.

Step B – Consider the level of EFSIA required

You should consider the available evidence and data relevant to your proposal. You should gather information in order to:

- *help you to understand the importance of your proposal for those from equality groups,*
- *inform the depth of EFSIA you need to do (this should be proportionate to the potential impact), and*
- *provide justification for the outcome, including where it is agreed an EFSIA is not required.*

6. What information is available about the experience of those with protected characteristics in relation to this proposal? Does the proposal relate to an area where there are already known inequalities? Refer to the guidance for sources of evidence and complete the table below.

Equality Group	**Evidence source** (e.g. online resources, report, survey, consultation exercise already carried out)	**What does the evidence tell you about the experiences of this group in relation to the proposal?** NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Age	Draft Statement sections 3, 5, 9 and Appendix 3; Scottish Census 2022; consultation evidence.	Children and young people are expressly protected by the third licensing objective. Adult-only access, machine segregation, age verification, supervision and safeguarding may have a positive impact. Risks include exposure to gambling environments and inconsistent age controls.
Disability	Draft Statement sections 5.6, 9 and Appendix 3; Scottish Census 2022; Adult Protection, HSCP and disability-sector evidence.	Some cognitive impairments or mental-health conditions may increase vulnerability in particular circumstances. Physical, sensory, communication or learning disabilities may create barriers to consultation, information, complaints or participation. Disability must not automatically be equated with vulnerability.
Race	Scottish Census 2022; consultation with equality and community organisations.	Language, literacy, digital access and trust in public bodies may affect awareness and engagement. Decisions and enforcement must be consistent and evidence-based and must not rely on assumptions about ethnicity or locality.
Sex	Consultation responses; gambling-harm and service-provider evidence.	Gambling participation, product use, help-seeking and effects on family finances may differ. Evidence should consider people experiencing direct harm and affected family members without stereotyping.
Gender Reassignment	Consultation and equality stakeholder feedback.	No direct differential treatment is proposed. Discrimination, privacy concerns or barriers in premises, consultation or complaint handling remain implementation risks.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Sexual orientation	Consultation and equality stakeholder feedback.	No direct differential policy effect has been identified. Inclusive communication and fair treatment remain relevant to implementation.
Religion or Belief	Consultation and equality stakeholder feedback.	Views on gambling differ within and between faith and belief groups. Moral objection is not a licensing ground, but consultation must be inclusive and the statutory framework explained neutrally.
Pregnancy or maternity	Consultation and equality stakeholder feedback.	No direct differential policy effect has been identified. Flexible and accessible participation arrangements may be required, and wider household financial harm should be considered where supported by evidence.
Marriage or civil partnership	Employment-related review, if applicable.	The proposal is not an employment policy and no differential treatment has been identified.
Socio economic disadvantage (if required)	Scottish Index of Multiple Deprivation; local debt, welfare, public-health and gambling-harm evidence; consultation responses.	Gambling losses and harm may compound low income, debt, insecure housing and financial stress. Area-level deprivation should be contextual evidence only and must not be used as a proxy for individual vulnerability or as an automatic basis for refusing an application.

7. Based on the evidence above, is there relevance to some or all of the equality groups? Yes. If yes or unclear, proceed to further steps and complete full EFSIA
If no, explain why below and then proceed to Step E:

The available evidence indicates clear or potential relevance to age, disability and socio-economic disadvantage, with implementation and accessibility considerations for the remaining protected characteristics. A full EFSIA is therefore required. Evidence gaps will be tested through statutory and targeted consultation and must not be treated as evidence that no impact exists.

Step C – Stakeholder engagement

This step will help you to address any gaps in evidence identified in Step B. Engagement with people who may be affected by a proposal can help clarify the impact it will have on different equality groups. Sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your proposal on equality groups.

8. Based on the outcome of your assessment of the evidence under Step B, please detail the groups you intend to engage with or any further research that is required in order to allow you to fully assess the impact of the proposal on these groups. If you decide not to engage with stakeholders, please state why not:

The statutory consultation should include responsible authorities and gambling businesses and should also target Child Protection, Adult Protection, Education and youth representatives, the Chief Social Work

Officer, Clackmannanshire and Stirling Health and Social Care Partnership, public-health and mental-health partners, Alcohol and Drug Partnership services, Citizens Advice and welfare/debt services, disability and advocacy organisations, equality groups, Community Councils, and organisations supporting people affected by gambling harm. The draft and consultation information should be available in accessible formats, with responses accepted online, by email and by post and with a telephone contact.

9. Please detail the outcome of any further engagement, consultation and/or research carried out:

[TO COMPLETE AFTER CONSULTATION: summarise equality and socio-economic issues raised, evidence received, the Board's response and any revisions made to the Statement or EFSIA.]

Step D – Impact on equality groups and steps to address this

10. Consider the impact of the proposal in relation to each protected characteristic under each aim of the general duty:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

If relevant, consider socio-economic impact.

Age	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Retain age-verification, supervision and segregation safeguards. Consult child-protection and youth interests. Ensure local risk assessments consider nearby schools and youth facilities, routes, advertising, sightlines and supervision. Monitor incidents involving under-18s.
potential for developing good relations	X			
potential to advance equality of opportunity	X			

Disability	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Provide accessible consultation and policy formats and reasonable adjustments. Assess vulnerability case by case and avoid equating disability with vulnerability. Seek evidence from Adult Protection, HSCP, mental-health and disability organisations.
potential for developing good relations	X			
potential to advance equality of opportunity	X			

Race	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Use clear language and offer translation or interpretation where reasonably required. Monitor equality-related complaints and ensure decisions and enforcement rely on relevant evidence rather than assumptions about ethnicity or locality.
potential for developing good relations	X			
potential to advance equality of opportunity	X			

Sex	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Seek evidence from support services about different patterns of harm and help-seeking. Ensure support signposting is inclusive and consider affected family members and competent evidence concerning domestic or financial abuse.
potential for developing good relations	X			
potential to advance equality of opportunity			X	

Gender Reassignment	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Use inclusive language, protect privacy and ensure complaints are handled respectfully and confidentially. Monitor relevant complaints and representations.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Sexual Orientation	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Maintain inclusive consultation and non-discriminatory implementation. Monitor evidence, complaints and representations.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Religion or Belief	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Explain the statutory framework and relevance tests clearly. Permit lawful participation while distinguishing evidence linked to the licensing objectives from moral objection.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Pregnancy/maternity	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Provide flexible and accessible engagement routes. Consider supported evidence about household financial harm without stereotyping pregnant people or parents.
potential for developing good relations			X	
potential to advance equality of opportunity			X	

Marriage/civil partnership	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)			X	No material impact identified because the proposal is not an employment policy. Continue standard non-discrimination monitoring.

Socio-economic disadvantage	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. To mitigate any impact, maximise positive impact, or record your justification to not make changes
	Yes	No	No impact	
(If required) Will the proposal reduce inequalities of outcome caused by socio-economic disadvantage?	X			The safeguards and partnership approach may help reduce harm, but the policy cannot remove wider inequalities on its own. Use SIMD, public-health and advice-service evidence contextually; avoid stigma or automatic refusal rules; encourage proportionate local risk assessment and support signposting; and monitor geographic patterns carefully.

11. **Describe how the assessment might affect the proposal or project timeline?**

The EFSIA should be issued with, or made available during, consultation. Time should be allowed after consultation to analyse equality and Fairer Scotland evidence, amend the Statement and EFSIA, complete Legal Services and Information Governance checks and obtain senior-officer approval before adoption. Additional resource is expected to be limited to officer time, accessible formats, targeted engagement and any specialist support required.

- **Communication plan**: do you need to communicate with people affected by proposal in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach certain groups?
- **Cost**: do you propose any actions because of this assessment which will incur additional cost?
- **Resources**: do the actions you propose require additional or specialist resource to deliver them?
- **Timing**: will you need to build more time into the project plan to undertake research, consult or to complete any actions identified in this assessment?

12. **Having considered the potential or actual impacts of your proposal, you should now record the outcome of this assessment**. Choose from one of the following:

Please select (X)	**Implications for the proposal**
	No major change Your assessment demonstrates that the proposal shows no risk of unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.
X	**Adjust the proposal and/or implement mitigations** You have identified ways of modifying the proposal to avoid discrimination or to better advance equality of opportunity or foster good relations. In addition, or alternatively, you will introduce measures to mitigate any negative impacts. Adjustments and mitigations should be recorded in the tables under Step D above and summarised in the summary sheet at the front of the document.
	Continue the proposal with adverse impact The proposal will continue despite the potential for adverse impact. Any proposal which results in direct discrimination is likely to be unlawful and should be stopped and advice taken. Any proposal which results in indirect discrimination should be objectively justified and the basis for this set out in the tables under Step D above and summarised in the summary sheet at the front of the document. If objective justification is not possible, the proposal should be stopped whilst advice is taken.
	Stop the proposal The proposal will not be implemented due to adverse effects that are not justified and cannot be mitigated.

Step E – Discuss and review the assessment with decision-makers

13. You must discuss the findings of this assessment at each stage with senior decision makers during the lifetime of the proposal and before you finalise the assessment. Record details of these discussions and decisions taken below:

[TO COMPLETE] The draft assessment should be discussed with relevant officers, senior decision-makers and the Licensing Board. The record should include the date, attendees, equality and Fairer Scotland issues considered, consultation evidence, agreed mitigations, changes to the Statement and any remaining risk before final adoption.

Step F – Post-implementation actions and monitoring impact

It is important to continue to monitor the impact of your proposal on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

14. **Record any post-implementation actions required.**

The final Statement and completed EFSIA will be published in accordance with Council requirements. Accessible formats and contact routes will remain available. Officers will establish monitoring arrangements for equality and accessibility complaints, under-18 incidents, safeguarding concerns, local risk-assessment issues and relevant review or enforcement outcomes. Any unforeseen impact will be considered through established Licensing Board processes.

15. **Note here how you intend to monitor the impact of this proposal on equality groups**.

The impact will be monitored through complaints and representations, feedback from operators and communities, information from Police Scotland, safeguarding, public-health, treatment and advice partners, inspection and enforcement activity, and recurring weaknesses in local risk assessments. Data will be interpreted cautiously and lawfully, with small numbers protected against identification and without treating area-level deprivation as a proxy for individual vulnerability.

16. **Note here when the EFSIA will be reviewed as part of the post-implementation review of the proposal:**

This EFSIA will be updated after consultation and before adoption of the final Statement. It will then be reviewed every three years, or earlier if legislation, Gambling Commission guidance, the policy or significant local evidence changes, or if monitoring identifies an unforeseen disproportionate impact.

Step G – Assessment sign off and approval

Lead person(s) for this assessment:

Signed: Dale Bell

Date: 13/11/2026

Senior officer approval of assessment:

Signed: Dale Bell

Date: 13/11/2026

All full EFSIAs must be published on the Council's website as soon as possible after the decision is made to implement the proposal.