

Appendix 2: Public Notices

Newspapers	Copy of Public Add
<p>Amusement Permit Policy – Add Specification:</p> <p>Derry Journal / Sentinel</p> <p>Strabane Chronicle / Ulster Herald</p> <p>Strabane Weekly / Tyrone Constitution</p>	 <p><b>Public Notice</b></p> <p><b>'Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985'</b>  <b>Consultation on Proposed Amusement Permit Policy</b></p> <hr/> <p>Derry City and Strabane District Council is directly empowered to grant or refuse amusement permits in the Council jurisdiction under the 'Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985' as amended, ('the 1985 Order').</p> <p>This means that the Council issue amusement permits to premises with planning permission, typically described as amusement arcades, which have 'amusement with prizes machines' normally known as gaming machines.</p> <p>In doing so, we aim to support a vibrant business environment, create opportunities for businesses and provide diversity and consumer choice, while at the same time preventing nuisance and inconvenience, protecting public safety and averting crime and disorder.</p> <p>Currently we are reviewing our policy with respect to amusement arcades.</p> <p><b>We would welcome comments and recommendations on the proposed policy that Council ought to consider.</b></p> <p><b>The proposed Policy can be viewed at <a href="http://www.derrystrabane.com/licensing">www.derrystrabane.com/licensing</a></b></p> <p>Further details and information on how you can contribute to this consultation may be obtained, at:  <a href="http://www.derrystrabane.com/licensing">www.derrystrabane.com/licensing</a>  or, by contacting the Licensing Team:  e-mail <a href="mailto:licensing@derrystrabane.com">licensing@derrystrabane.com</a></p> <p><b>Please Note.</b>  <b>All comments and recommendations must be forwarded before 12 noon on 30th June 2018.</b></p> <hr/> <p><b><a href="http://www.derrystrabane.com">www.derrystrabane.com</a></b></p> <hr/> <p>John Kelpie MEng., CEng., MStrucE., MEE  <b>Chief Executive</b>  Derry City and Strabane District Council</p> <hr/> <p><b>Derry</b> C/o Council Offices, 98 Strand Road,  Derry BT48 7NN</p> <p><b>Strabane</b> C/o Council Offices, 47 Derry Road  Strabane BT62 8DY</p>

## Appendix 3: Responses to Consultation

(a) Respondent '1'

### Consultation on proposed 'Amusement Permit

#### Policy' About you

Name: [REDACTED]	
Address: [REDACTED]	
Tel. [REDACTED]	e-mail: [REDACTED]

Which of the following best describes you? (insert a tick ✓)

I own an amusement arcade	<input type="checkbox"/>
I own a business premises	<input type="checkbox"/>
I am a local resident	<input type="checkbox"/>
Other	<input type="checkbox"/>
(please specify)	Representing an amusement arcade owner

#### Comments on proposed policy

In relation to the proposed amusement permit policy is there any comments that you wish to make?	
Policy Paragraph Reference	Comment
3.0	Planning regulations and policy already assess the suitability of a location. Recent grants of planning permission for the change of use of a premises should be given significant weight, as many of these applications include expert assessments carried out such as noise impact and include consultation with Environmental Health officers within the council to determine the suitability of an amusement arcade.
3.03	Does not take into the consideration an applicant may be looking to transfer an amusement permit from one premises to another. There is no facility to do this, yet it is practically the same as a renewal. Part (a) of this also makes references to outdated planning policy (PPS 5) and puts significant weight on DCAN 1, which is simply planning advice and does not carry significant weight in making planning decisions.
3.04	Similarly, this criterion does not take into consideration an instance where an owner wishes to transfer an amusement permit. Currently an owner has to apply for a new permit, so if the premises was on the same street a new permit would not be granted as one already exists at that owner's current premises. Again, in part (a) of this paragraph out dated planning policy has been referred to, which questions the basis of this criteria as part (a) of these paragraphs is the "justification" behind the criteria. We also do not believe that 1 premises should be the maximum allowed on a street, as it is unrealistic to consider two a "cumulative build-up". This will also be site specific in terms of the length of the street and the surrounding area.
3.05	Does not clarify what locations are tourism assets or gateway locations in Derry City & Strabane Town Centre.
3.06	Clarification that commercial units with residential flats located above should not be considered within these criteria. The justification and clarification also relates to DCAN 1, which is an advice note from 1983 which in planning terms has very little weight in making a decision.
3.07	This criteria makes the assumption that "vulnerable people" will be attracted to gambling and the use of amusement arcades. It is also the responsibility of the owner and operator to ensure fair and responsible gambling takes place at the premises. This is currently a requirement in the application process now that the applicant/owner is a suitable character to provide this cover. There also are age restrictions placed on gambling which ensures underage gambling does not take place. The proposal that the council will not permit amusement arcades within 200m of a school, youth centre or residential institution is not a fair restriction, as if people want to visit an amusement arcade they will travel or walk further than that anyway.

### Any other comments

There currently is no opportunity for an arcade owner who already has an amusement permit at current premises to transfer the permit to another premises. Currently an owner of an amusement arcade who, due to reasons out of their control, may wish to relocate their business to an alternative premise will have to apply for a new amusement permit. This draft policy is clearly set out to make obtaining a new amusement permit more difficult. Some of the policies discussed above restrict an amusement arcade owner to transfer an existing permit.

There is no evidence of substantial research or justification behind the policies which are included within this document. We believe the council should have carried out in depth discussions with stakeholders regarding this proposed policy. This should have included business owners, amusement arcade owners, members of the public and community groups across the city. We believe the criteria included should all be challenged as to the reasoning behind each of these and the council should have carried out in-depth studies as to what the trends are within the city and policy should be formed on the back of in-depth research.

This form should be

- sent to The Licensing Team, Derry City and Strabane District Council, 98 Strand Road, Derry, BT48 7NN, or 47 Derry Road, Strabane, BT82 8DY
- e-mailed to: [licensingderrvstrabane.com](mailto:licensingderrvstrabane.com)

**Before 12 noon on 30th June 2018**

**Thank you for taking the time to submit your comments and/or suggestions**

(b) Respondent '2'

Consultation on proposed 'Amusement Permit Policy' About you

Name: [REDACTED]
Address: [REDACTED] church, [REDACTED] [REDACTED] [REDACTED] e-mail: [REDACTED]

**Which of the following best describes you? (insert a tick ✓)**

I own an amusement arcade	<input type="checkbox"/>
I own a business premises	<input type="checkbox"/>
I am a local resident	<input type="checkbox"/>
Other	<input type="checkbox"/>
(please specify)	[REDACTED] people of the council area

**Comments on proposed policy**

In relation to the proposed amusement permit policy is there any comments that you wish to make?	
Policy Paragraph Reference	Comment
1.04	In line with your strategic objectives
2.01	Good that public are consulted as well as the statutory bodies
2.05 (a)	Applicants to place an advert in 2 local papers- but it does not state a closing date for submissions
3.01	Very good idea
3.03	Good, so as not to break up continuous shopping frontage
3.07	Totally agree
4.00	We do not welcome — " this does not prevent the council from departing from this policy where it is appropriate to do so" — no examples were given for this . We are disappointed that this sentence has been included as it appears to be the "opt out clause " . This is a very good policy with out this line This policy has considered many points and we look forward to the council adhering to this policy in a coherent and consistent manner

**Any other comments**

Thankyou for including us in this Consultation and if we can help you in any way we are willing to do so

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e-mailed to: [licensing@derrystrabane.com](mailto:licensing@derrystrabane.com)

- Before 12 noon on 30th June 2018
- Thank you for taking the time to submit your comments and/or suggestions

(c) Respondent 3

Consultation on proposed 'Amusement Permit Policy'

About you

Name: [REDACTED]	
Address: [REDACTED]	
Tel. [REDACTED]	
e-mail: [REDACTED]	

Which of the following best describes you? (insert a tick ✓)

I own an amusement arcade	
I own a business premises	
I am a local resident	✓
Other (please specify)	[REDACTED]

Comments on proposed policy

Policy Paragraph Reference	Comment
3.03	Clarify what this means for any application to 'extend' an existing permit to include more machines.
3.04	Reference to 'DOE (NI) Planning', should that be 'DfI'? - repeated elsewhere.

Derry City and Strabane District Council

26 JUN 2018

Health & Community Directorate  
HEALTH & COMMUNITY WELLBEING

Any other comments

I agree with much of the draft. Important that we prevent proliferation of Gaming Arcades in City Centre and protect residential areas also. There are already too many machines here.

(d) Respondent '4'

**I have read the policy document with interest and welcome it in general. I have been in the business of Amusement Arcades for 30 years. I currently own 6 permits in the Council area and a further 6 permits in other parts of Northern Ireland.**

**I am very familiar with the needs of the gaming industry and the vulnerability of certain individuals who need protection from addiction.**

**I operate a very strict code especially in relation to "distressed" gamblers with the necessary safeguards.**

**The idea of gaming is very much part of the "leisure industry". The vast majority of customers enjoy a "flutter" without the issue of addiction. Most gaming as you know now takes place over the "internet".**

**In general therefore the benefits of gaming arcades is that they provide a source of enjoyment and also provide employment.**

**As regards policy guidance – I believe that the Council should have regard (1) to "Need" to avoid "clustering" (2) suitability of the premises (3) a strict and enforceable code of conduct.**

**I would like to meet with the Licensing Committee as I believe (from my own wealth of experience) I could assist in defining a policy which should form the basis of Council's Policy going forward.**

(e) Respondent '5'

**Consultation on proposed 'Amusement Permit Policy'**

**About you**

Name: [REDACTED]	
Address: [REDACTED]	
[REDACTED]	e-mail: [REDACTED]

**Which of the following best describes you? (Insert a tick 1)**

I own an amusement arcade	
I own a business premises	
I am a local resident	
Other	
(please specify)	

**Comments on proposed policy**

In relation to the proposed amusement permit policy is there any comments that you wish to make?	
Policy Paragraph Reference	Comment
	With reference to amusement permit policy I feel that these permits should be very
	Strictly monitored and very sparingly issued. Gambling is the new smoking /drinking.
	But it is a very hidden addiction - at least if a friend or family member is a drinker - they
	Can be seen to be drunk - but no-one can see the untold damage a gambler is doing
	To themselves and family. A wife for instance does not realise that she is about to
	Loose her home and perhaps all her possessions because of debts the partner/
	Husband has incurred. This could also be a wife who is the gambler.
	I object to all the amusement arcades which are springing up in town. I think we have
	Enough.

**Any other comments**

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\_\_\_\_\_

\_\_\_\_\_

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This form should be

- sent to The Licensing Team, Derry City and Strabane District Council, 9 Grand Road, Derry, BT48 7NN, or 47 Derry Road, Strabane, BT82 8DY
- e-mailed to: [licensincaderrystrabane.com](mailto:licensincaderrystrabane.com)

**Before 12 noon on 30<sup>th</sup> June 2018**

Thank you for taking the time to submit your comments and/or suggestions



(f) Respondent '6'

**Derry Office**

**03 JUL 2018**

98 Strand Road  
Derry, BT48 7NN

H Health & Community Directorate  
28/06/2018 HEALTH & COMMUNITY WELLBEING

### COMPLAINT

Wish make complaint regarding regarding Newtownabbey-based Oasis Retail Services had lodged an application with Derry City and Strabane District Council for an amusement permit to open a gaming centre at Unit 23 on Level 2 of the Richmond Centre.

i personally go to town lots like walking round looking at all shops bying we thing here there i personally would not like see this based Oasis Retail Services open a

gambling arcade it be worst thing ever its last thing that derry city needs is that sort thing its last thing that derry needs

the application should be refused

<https://www.derrynow.com/news/derrys-council-review-current-policy-grantingpermits-amusement-arcades-city/234235>

OMG

by looks things this Oasis Retail has managed to open one thes gambling

arcades OMG thats bazar

However, the decision was then quashed at a hearing of the Court of Appeal in Deny after Judge Elizabeth McCaffrey said she had a number of concerns with council's reasons for refusal and granted the appeal am going be wrighting to Elizabeth McCaffrey as she dont have live there and shop there its outrages that she gave thes

con merchants permission open a gambling arcade its last thing that deny needs its barbaric thes crooks are above the law

Council has also stated that one of its corporate objectives is to 'support people, communities and neighbourhoods' and that this is also a key objective of this policy and therefore will seek to 'prevent amusement arcades opening in predominantly residential areas'.

Commenting, the SDLP Foyle MLA urged local people to have their say in the consultation There has been a lot of local opposition to and anger about recent applications for gaming arcades, thes thugs are not intrested in the impact it will cause there just after profits regardless where the money comes from



Oasis Retail Services LTD

Mallusk Dr, Newtownabbey BT36 4GX

<https://www.derrynews.com/news/derrys-council-reviews-current-policy-granting-permits-a-musement-arcades-dtvl234235>

that's bazar that you be able to intimidate and abuse they system get profits

that's decoucting its outrages no better than bunch oon merchants youc dontoare

about the Inpack it will cause its last thing derry city needs is bunch oon

merchants opening gambling arcades

(g) Respondent '7'

The Licensing Team  
Derry City and Strabane District Council  
98 Strand Road  
Derry  
BT48 7NN

14<sup>th</sup> December 2018

Dear Sir/Madam,

Re Draft Amusement Permit Policy for Public Consultation

This letter forms our response to the above consultation. I respond on behalf of [REDACTED] who hold [REDACTED] amusement permits issued by various Councils throughout Northern Ireland. The Company has been an operator and permit holder since the [REDACTED] is operated as an adult gaming machine centre and accordingly restricts admission to persons of 18 years and over.

We welcome the introduction of an amusement permit policy which will be helpful to all interested parties in the applicant process, although we have some concerns and suggestions that I lay out below.

Regarding the main policy...

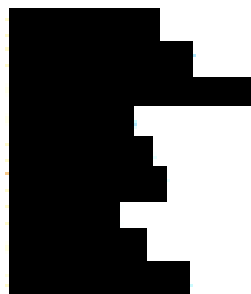
- We suggest the policy should include provision or clarification for allowing the movement of an existing arcade within the retail core under certain circumstances. For instance, at the end of a lease or in the case of redevelopment of an existing site.
- The policy could specifically allow for an application due to the sale, transfer or death of the permit holder of an existing permit holding business that would otherwise offend the policy.
- Point 3.04, If the council wishes to control cumulative build up, we suggest it should also direct its policy to look at additional relevant criteria such as other arcades that exist in the immediate vicinity and not potentially limit any investigation to the very narrow criterion of one per commercial frontage. If taken literally by inspectors as currently drafted compliance with this criterion could be assessed in a tick box manner, which could lead to clustering of arcades in the same location that do not break up a commercial frontage but are yet very close together.
- Pg 16 – the shop design suggestion is rather out of date and not necessarily in keeping with modern retail streetscapes, its inclusion could give the impression that all Amusement Centres should look the same from the exterior.
- It should be made clear that the new policy should not be used to retrospectively re-assess or add conditions to existing permits.

Regarding Appendix F – voluntary code of practice,

In general, the voluntary code of practice is admirable in its intention, and we would seek to meet and exceed most relevant requirements stated as a matter of course, but we would like to highlight the following..

- It is proposed as a “voluntary policy” but point 4 (conclusion) states that the applicant will be “required” to sign up to it, it is unclear whether the policy is voluntary or compulsory and there is no mention made of what happens if an applicant refuses to sign up to it.
- If the voluntary code is in fact compulsory we would be wary that it may be seen as attempting to apply an additional layer of law that does not exist.
- It is not stated as a required document in Appendix C for any application type, so it is unclear how or if it interacts with any permit application or renewal.
- Point 2 does not account for certain machine types. If an Amusement centre holds a 108(1)(ca) Permit then entrance to any area operating gaming machines that offer higher prizes is restricted to over 18 by Law . If the amusement centre holds a 108(1)(c) Permit then prize giving amusement machines designed for all ages (such as ticket machines, coin pushers or teddy bear cranes) could only be made available to over 16s if the operator was to adhere to the suggested code.
- Point 6 –Whilst generally alcohol is not present or permitted to be brought into amusement centres, like many businesses amusement centres hold celebrations and events where it is occasionally present in a responsible and controlled manner, and we would not wish this to be disallowed.
- Point 13 b & c – we feel it is not appropriate to require potentially unsightly signage in a quality facility to tackle a problem unless that is a problem that is experienced on that location. There is an insinuation that drugs are somehow more likely or related to amusement centres than other locations (that are not required to display similar signage) that bears no relation to our experience or knowledge of the industry.
- The voluntary code does not suggest other forms of Social responsibility measures such as Self exclusion policies, staff training or age control verification.

We respect the Council’s wish to strike a balance in the application process and trust that our comments will be helpful in this regard.



(h) Respondent '8'

Dear Sir/Madam

we own and operate licensed amusement premises at [REDACTED]

We have read the draft proposals and comment as follows:

**Appendix F - Voluntary Code of Conduct for Amusement Premises**

- 1) We see no reason why the code of conduct cannot be compulsory rather than voluntary.
- 2) Paragraph 2 states that persons under age 16 years will be prohibited from entering the premises while paragraph 13a requires a notice to be erected to state that persons under age 18 years are prohibited from entering designated area within the premises. We believe this to be possibly confusing and respectfully suggest that to keep things unambiguous the policy and notices should confirm that no persons under 18 years are permitted to enter the premises at all.

Thank you for the opportunity to comment on the draft policy.

Regards

[REDACTED]

## Appendix 4: Council Officer Observations and Suggestions

<i>*Please note comments quote submissions made by respondents.</i>			
Policy Paragraph Reference	Comment	Respondent Status	Observations
1.04	"In line with your strategic objectives"	Respondent 2 Church people of the council area See Appendix 3 (b)	<b>No action required</b>
2.01	"Good that public are consulted as well as the statutory bodies"	Respondent 2 Church people of the council area See Appendix 3 (b)	<b>No action required</b>
2.05 (a)	"Applicants to place an advert in 2 local papers- but it does not state a closing date for submissions"	Respondent 2 Church people of the council area See Appendix 3 (b)	The Amusement Permit (Additional Grounds for Refusal) Regulation (NI) 1994 Schedule specifies the requirements for advertising the 'public notice' in the newspaper (within 7 days of the application), and Regulation 3 specifies that representations must be made within 28 days of the application. <b>No action required</b>
3.00	"Planning regulations and policy already assess the suitability of a location. Recent grants of planning permission for the change of use of a premises should be given significant weight, as many of these applications include expert assessments carried out such as noise impact and include consultation with Environmental Health officers within the council to determine the suitability of an amusement arcade."	Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)	The planning is a different process and will not take into account the recommended criteria outlined in the policy. <b>Action:- No action required.</b>

3.01	"Very good idea"	Respondent 2 Church people of the council area	<b>No action required</b>
3.03	"Does not take into the consideration an applicant may be looking to transfer an amusement permit from one premises to another. There is no facility to do this, yet it is practically the same as a renewal. Part (a) of this also makes references to outdated planning policy (PPS 5) and puts significant weight on DCAN 1, which is simply planning advice and does not carry significant weight in making planning decisions."	Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)	The legislation does not provide any mechanism for the conversion of a full grant application into a provisional grant application or the transfer of an Amusement Permit from one premises to another. Council is a body which is governed by statute and can only do that which it is permitted by statute to do. The fact remains that the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 contains separate provisions in relation to full grant applications (section 111) and provisional grant applications (section 113) and no provisions for transfer of an Amusement Permit from one premises to another. No action required re facility to transfer a permit. <b>ACTION : Replace PPS 5 with Strategic Planning Policy Statement N.I. Town Centres and Retailing paragraph 6.267 - 6.292 (page 10&amp;11 of proposed policy)</b>

<b>Policy Paragraph Reference</b>	<b>Comment</b>	<b>Respondent Status</b>	<b>Observations</b>
3.03 cont.	"Good, so as not to break up continuous shopping frontage"	Respondent 2 Church people of the council area See Appendix 3 (b)	<b>No action required, agrees with policy.</b>

	<p>"Clarify what this means for any application to 'extend' on existing permit to include more machines"</p>	<p>Respondent 3 See Appendix 3 (c)</p>	<p>Any request to have a premises extend the boundary internally or externally to accommodate more amusement arcade machines must make a specific planning application to Council's Planning Department.</p>
3.04	<p>"Similarly, this criterion does not take into consideration an instance where an owner wishes to transfer an amusement permit. Currently an owner has to apply for a new permit, so if the premises was on the same street a new permit would not be granted as one already exists at that owner's current premises. Again, in part (a) of this paragraph out dated planning policy has been refereed to, which questions the basis of this criteria as part (a) of these paragraphs is the "justification" behind the criteria. We also do not believe that 1 premises should be the maximum allowed on a street, as it is unrealistic to consider two a "cumulative build-up". This will also be site specific in terms of the length of the street and the surrounding area."</p>	<p>Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)</p>	<p>The legislation does not provide any mechanism for the conversion of a full grant application into a provisional grant application or the transfer of an Amusement Permit from one premises to another. Council is a body which is governed by statute and can only do that which it is permitted by statute to do. The fact remains that the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 contains separate provisions in relation to full grant applications (section 111) and provisional grant applications (section 113) and no provisions for transfer of an Amusement Permit from one premises to another. No action required <b>Action</b> ;- Replace PPS 5 with Strategic Planning Policy Statement N.I. Town Centres and Retailing paragraph 6.267 - 6.292 (page 10&amp;11 of proposed policy)</p>
	<p>Reference to 'DOE (NI) Planning ----- should be DFI? Repeated elsewhere"</p>	<p>Respondent 3 See Appendix 3 (c)</p>	<p><b>Action</b> Change to DOE Strategic Planning Policy Statement for N.I. 2015 ( SPPS)</p>
Dec 14 <sup>th</sup> 3.04	<p>"If the council wishes to control cumulative build up, we suggest it should also direct its policy to look at additional relevant criteria such as other arcades that exist in the immediate vicinity and not potentially limit</p>	<p>Respondent 7 Representing an amusement arcade owner See Appendix 3 (g)</p>	<p>The suggestion to include looking at existing amusement arcades within the immediate vicinity is a reasonable proposal.</p>

	<p>any investigation to the very narrow criterion of one per commercial frontage.</p> <p>If taken literally by inspectors as currently drafted compliance with this criterion could be assessed in a tick box manner, which could lead to clustering of arcades in the same location that do not break up a commercial frontage but are yet very close together”</p>		<p><b>Noted/Action:</b>This is now included with the proposed policy as a factor to take into consideration. (page 10)</p>
3.05	<p>“Does not clarify what locations are tourism assets or gateway locations in Derry City &amp; Strabane Town Centre.”</p>	<p>Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)</p>	<p>Policy recommends to contact tourism officer at Council for clarification as the criteria would be very cumbersome to include in policy</p> <p><b>No action required</b></p>
3.06	<p>“Clarification that commercial units with residential flats located above should not be considered within these criteria. The justification and clarification also relates to DCAN 1, which is an advice note from 1983 which in planning terms has very little weight in making a decision.”</p>	<p>Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)</p>	<p>Although the respondent refers to a planning 'Advice Note' the advice stated is good advice for inclusion in the proposed policy, this may give the advice more influence.</p> <p><b>Noted.</b></p>
3.07	<p>“This criteria makes the assumption that "vulnerable people" will be attracted to gambling and the use of amusement arcades. It is also the responsibility of the owner and operator to ensure fair and responsible gambling takes places at the premises. This is currently a requirement in the application process now that the applicant/owner is a suitable character to provide this cover. There also are age restrictions placed on gambling which ensures underage gambling does not take place. The proposal that the council will not permit amusement arcades within 200m of a school, youth centre or residential institution is not a fair restriction, as if people</p>	<p>Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)</p>	<p>No assumption mentioned in the policy, the assumption is made by Respondent 1.</p> <p><b>No action required</b></p>



	<p>want to visit an amusement arcade they will travel or walk further than that anyway.”</p>		
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<b>Policy Paragraph Reference</b>	<b>Comment</b>	<b>Respondent Status</b>	<b>Observations</b>
3.07 cont.	“Totally Agree”	Respondent 2 Church people of the council area See Appendix 3 (b)	<b>No action required</b>
	“There is no evidence of substantial research or justification behind the policies which are included within this document. We believe the council should have carried out in depth discussions with stakeholders regarding this proposed policy. This should have included business owners, amusement arcade owners, members of the public and community groups across the city. We believe the criteria included should all be challenged as to the reasoning behind each of these and the council should have carried out in-depth studies as to what the trends are within the city and policy should be formed on the back of in-depth research.”	Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)	Noted: Policies across other council areas have been considered through the NI Licensing Forum. An extensive public consultation exercise has been carried out with a wide range of stakeholders. <b>Noted: No action required.</b>

4.0	<p>"We do not welcome — " this does not prevent the council from departing from this policy where it is appropriate to do so" — no examples were given for this. We are disappointed that this sentence has been included as it appears to be the "opt out clause ". This is a very good policy without this line. This policy has considered many points and we look forward to the council adhering to this policy in a coherent and consistent manner."</p>	<p>Respondent 2 Church people of the council area See Appendix 3 (b)</p>	<p>"this does not prevent the council from departing from this policy where it is appropriate to do so" <b>Noted: Action remove from policy.</b></p>
Any other comments	<p>"There currently is no opportunity for an arcade owner who already has an amusement permit at current premises to transfer the permit to another premises. Currently an owner of an amusement arcade who, due to reasons out of their control, may wish to relocate their business to an alternative premise will have to apply for a new amusement permit. This draft policy is clearly set out to make obtaining a new amusement permit more difficult. Some of the policies discussed above restrict an amusement arcade owner to transfer an existing permit."</p>	<p>Respondent 1 Representing an amusement arcade owner See Appendix 3 (a)</p>	<p>same point as 3.03 <b>No action required</b></p>
	<p>"I agree with much of the draft, Important that we prevent proliferation of gaming arcades in city centre and protect residential areas also. There are already too many machines here."</p>	<p>Respondent 3 See Appendix 3 (c)</p>	<p><b>No action required.</b></p>
<b>Policy Paragraph Reference</b>	<b>Comment</b>	<b>Respondent Status</b>	<b>Observations</b>

<p>Any other comments cont.</p>	<p>"I have read the policy document with interest and welcome it In general. I have been in the business of Amusement Arcades for 30 years. I currently own 6 permits in the Council area and a further 6 permits in other parts of Northern Ireland. I am very familiar with the needs of the gaming industry and the vulnerability of certain individuals who need protection from addiction. I operate a very strict code especially in relation to "distressed" gamblers with the necessary safeguards. The idea of gaming is very much part of the "leisure Industry". The vast majority of Customers enjoy a "flutter" without the issue of addiction. Most gaming as you know now takes place over the "Internet". In general therefore the benefits of gaming Arcades is that they provide a source of enjoyment and also provide employment. As regards policy guidance — I believe that the Council should have regard (1) to "Need" to avoid "clustering"(2) Suitability of the premises (3) a strict and enforceable code of conduct. I would like to meet with the Licensing Committee as I believe (from my own wealth of experience) I could assist in defining a policy which should form the basis of Council's Policy going forward."</p>	<p>Respondent 4 Amusement Arcade Owner See Appendix 3 (d)</p>	<p><b>Action :-Noted: No action required.</b></p>
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	<p>"..With reference to amusement policy I feel that these permits should be very strictly monitored and very sparingly issued. Gaming is the new smoking/drinking. But it is a very hidden addiction- at least if a friend or family member is a drinker - they can be seen to be drunk but no-one can see the untold damage a gambler is doing to themselves and family. A wife for instance does not realise that she is about to loose her home and perhaps all her possessions because of debts the partner/husband has incurred. This could also be a wife who is the gambler. I object to all the amusement arcades which are springing up in town. I think we have enough."</p>	<p>Respondent 5 Local resident See Appendix 3 (e)</p>	<p><b>Action :- Members to consider respondents opinion and comments.</b></p>
	<p>"..Wish to make complaint regarding Newtownabbey-based Oasis Retail. Services had lodged an application with Derry City and Strabane District Council for an amusement permit to open a gaming centre at Unit 23 on Level 2 of the Richmond Centre. I personally go to town lots like walking round looking at all shops bying we thing here there i personaly would not like see this based Oasis Retail Services open a gambling arcade it be worst thing ever its last thing that derry city needs is that sort thing its last thing that derry needs the application should be refused. OMG by looks things this Oasis Retail has managed to open one thes gambling arcades OMG thats bazar. "</p>	<p>Respondent 6 local resident  See Appendix 3 (f)</p>	<p>Comments made by Respondent 6 refer to Court Case and comments made by public representatives published in the local newspapers. <b>No action required</b></p>

	<p>We suggest the policy should include provision or clarification for allowing the movement of an existing arcade within the retail core under certain circumstances. For instance, at the end of a lease or in the case of redevelopment of an existing site.</p> <p>The shop design suggestion is rather out of date and not necessarily in keeping with modern retail streetscapes, its inclusion could give the impression that all Amusement Centres should look the same from the exterior.</p> <p>The policy could specifically allow for an application due to the sale, transfer or death or the permit holder of an existing permit holding business that would otherwise offend the policy.</p>	<p>Respondent 7 Representing an amusement arcade owner See Appendix 3 (g)</p>	<p><b>Noted.</b></p> <p>Any request to have a premises extend the boundary internally or externally or move to a nearby premises within the immediate vicinity to accommodate amusement arcade machines <b>must</b> make a specific planning application to Council.</p> <p>There is a note on below the shop design states 'Reference to the traditional shop-front design is intended to alert applicants to the key features of a retail façade. It is submitted as information only and is not intended to be read as a rigid template for the frontage design of premises'</p> <p><b>Applications will have to be made in accordance with legislative requirements</b></p>
<p>Regarding Appendix F – voluntary code of practice</p>	<p>In general, the voluntary code of practice is admirable in its intention, and we would seek to meet and exceed most relevant requirements stated as a matter of course, but we would like to highlight the following...</p> <ul style="list-style-type: none"> <li>• It is proposed as a “voluntary policy” but point 4 (conclusion) states that the applicant will be “required” to sign up to it, it is unclear whether the policy is voluntary or compulsory and there is no mention made of what happens if an applicant refuses to sign up to it.</li> <li>• If the voluntary code is in fact compulsory we would be wary that it may be seen as attempting to apply an additional layer of law that does not exist.</li> <li>• It is not stated as a required document in Appendix</li> </ul>	<p>Respondent 7 Representing an amusement arcade owner See Appendix 3 (G)</p>	<p><b>Noted.</b></p> <p>The Code is Voluntary and NOT Compulsory</p> <p>This is now included in Appendix 'C' page 18</p> <p>This is reference to point 1. Not point 2. The text now in Appendix 'F' page 24 includes</p> <ul style="list-style-type: none"> <li>• 'Persons under the age of 16 will be totally prohibited from entering the premises, if the premises holds a 108(1)(ca) Permit then entrance to any area operating gaming machines that offer higher prizes is restricted to over 18 by Law</li> </ul>

	<p>C for any application type, so it is unclear how or if it interacts with any permit application or renewal.</p> <ul style="list-style-type: none"> <li>• Point 2 does not account for certain machine types. If an Amusement centre holds a</li> <li>• 108(1)(ca) Permit then entrance to any area operating gaming machines that offer higher prizes is restricted to over 18 by Law .</li> <li>• If the amusement centre holds a 108(1)(c) Permit then prize giving amusement machines designed for all ages (such as ticket machines, coin pushers or teddy bear cranes) could only be made available to over 16s if the operator was to adhere to the suggested code.</li> <li>• Point 6 –Whilst generally alcohol is not present or permitted to be brought into amusement centres, like many businesses amusement centres hold celebrations and events where it is occasionally present in a responsible and controlled manner, and we would not wish this to be disallowed.</li> <li>• Point 13 b &amp; c – we feel it is not appropriate to require potentially unsightly signage in a quality facility to tackle a problem unless that is a problem that is experienced on that location. There is an insinuation that drugs are somehow more likely or related to amusement centres than other locations (that are not required to display similar signage) that bears no relation to our experience or knowledge of the industry.</li> <li>• The voluntary code does not suggest other forms of Social responsibility measures such as Self exclusion policies, staff training or age control verification.</li> </ul>	<p>Respondent 7  Representing an  amusement arcade  owner  See Appendix 3 (g)</p>	
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<p>Regarding Appendix F – voluntary code of practice</p>	<p>1) We see no reason why the code of conduct cannot be compulsory rather than voluntary.</p> <p>2) Paragraph 2 states that persons under age 16 years will be prohibited from entering the premises while paragraph 13a requires a notice to be erected to state that persons under age 18 years are prohibited from entering designated area within the premises.</p> <p>We believe this to be possibly confusing and respectfully suggest that to keep things unambiguous the policy and notices should confirm that no persons under 18 years are permitted to enter the premises at all.</p>	<p>Respondent 8 Representing an amusement arcade owner See Appendix 3 (h)</p>	
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