

ABERDEENSHIRE LICENSING BOARDS

North, Central and South Divisional Boards

1st March 2016

**TO ALL LIQUOR PREMISES LICENCE HOLDERS
TO ALL GAMBLING PREMISES LICENCE HOLDERS**

INFORMATION BULLETIN

FACILITATING BETTING IN PUBS AND CLUBS IS ILLEGAL.

The purpose of this Information Bulletin, issued by the three divisional Licensing Boards in Aberdeenshire, is to ensure that pubs and clubs and betting office premises in Aberdeenshire are not contravening the Gambling Act 2005 by allowing pubs and clubs to be used for betting or by providing facilities enabling betting.

This follows a recent multi-agency educational exercise undertaken by the Gambling Commission, in partnership with officers from Police Scotland and officers of Aberdeenshire Council. The exercise involved educational visits to several licensed establishments in the North East of Scotland to make them aware of the requirements of the Act.

This exercise followed an operation involving Police Scotland and Aberdeenshire Council staff in November 2015 which was the first since the establishment of Police Scotland in April 2013.

The Convenors of the Boards state that “the Boards wish to remind Publicans and other business operators that they should not be allowing their premises to be used for betting or providing facilities for betting. Individuals who engage in the facilitation of illegal betting risk possible imprisonment and/or a significant fine.”

For example –

In St. Helens in 2012: where the White House Pub, St. Helens was subject to a multi-agency operation and a subsequent investigation involving officers from St. Helens Council, the Gambling Commission, Merseyside Police and HM Revenue and Customs. The 64 year old pub manager pleaded guilty to providing illegal gaming under Section 37 of the Gambling Act 2005 at St. Helens Magistrate Court. He was sentenced to 100 hours of unpaid work and ordered to pay costs of £930. HM Revenue and Customs also imposed back-dated tax of £2,952 and penalties totalling £9,750 on the pub manager for general betting duty, failure to declare betting income and failure to submit betting duty returns. As part of the investigation a licensed bookmaker was formally warned by the Gambling Commission for assisting in providing facilities for unlicensed bookmaking at the White House.

Such activity may also led to the possible revocation of premises licences by the Boards under the Licensing (Scotland) Act 2005 and the Gambling Act 2005.

The Boards are committed to ensuring that gambling is conducted in a fair and open manner, preventing criminal activity in connection with gambling and protecting children and the vulnerable.

The Gambling Commission's Guide "**Facilitating betting in pubs and clubs is illegal**" covers the penalties linked to illegal betting. The guide also includes Frequently Asked Questions to demonstrate what is, and isn't permissible under the Act. A copy is attached to this Information Bulletin for your information.