



DRAFT

Statement of Principles

UNDER THE GAMBLING ACT 2005

For the period 31st January 2016 to 30th January 2019

(Approved by Full Council on)
Responsible Authorities updated

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STATEMENT OF PRINCIPLES

Text in the shaded boxes within this Statement of Principles are advisory only intended to give assistance to applicants, interested persons and responsible authorities.

Part A

1 The Licensing Objectives

- 1.1 Teignbridge District Council as ('this licensing authority') has a duty under the Gambling Act 2005 ('the Act') to carry out its licensing functions in a manner which is consistent with the three licensing objectives, which are:
- 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
- 1.2 This Licensing Authority particularly notes the Gambling Commission's latest Guidance to Local Authorities (5th Edition September 2015) from now on referred to as 'the Guidance'.

'In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met. Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

Applicants are also advised to note Part B of this Statement of Principles:-
Premises Licences – General Principles (p10)

2 Introduction

- 2.1 This Statement of Licensing Principles is written pursuant to the provisions of the Act and the Guidance issued under s.25 of the Act by the Gambling Commission.
- 2.2 The Statement takes effect on 31 January 2016.
- 2.3 The Act gives licensing authorities a number of important regulatory functions. The main functions are:-
- licence premises for gambling activities;
 - consider notices given for the temporary use of premises for gambling;
 - grant permits for gaming and gaming machines in clubs and miners' welfare institutes;
 - regulate gaming and gaming machines in alcohol licensed premises;
 - grant permits to family entertainment centres for the use of certain lower stake gaming machines;
 - grant permits for prize gaming;
 - consider occasional use notices for betting at tracks; and
 - register small societies' lotteries.

3 The Geographical Area



- 3.1 This licensing authority is about 260 square miles (67 hectares) in area and includes part of Dartmoor National Park (98 square miles).
- 3.2 This licensing authority is an area between Torquay and Exeter, the eastern park of Dartmoor and a rural area to the south and west of Exeter. The coastline includes the Teign and Exe Estuaries, four of our beaches meet the European bathing water standards and hold Blue Flag or Seaside Awards.
- 3.3 This licensing authority has over 20 countryside parks and nature reserves, including a National Nature Reserve at Dawlish Warren, several Local Nature Reserves and many smaller open spaces for general recreation, family attractions, historic towns, delightful villages and the beauty of Dartmoor.
- 3.4 Nearby are city facilities of Exeter and Plymouth. With the delightful coast and countryside it makes this licensing authority a highly desirable area to live in.
- 3.5 The residential population of this licensing authority, as measured in the 2011, was 129,373. There are just over 58,626 households and just over 5,000 businesses in this licensing authority. Over 42.4% of the population living within the Dartmoor National Park live in this licensing authority area.
- 3.6 The cultural aims are 'to continue to develop and protect a vibrant, vital and sustainable culture for this licensing authority that recognises and promotes the district's uniqueness'.
- 3.7 The corporate aims are to 'make the district of this licensing authority a better place to be for all its inhabitants and visitors'.

Local Area Profiles

- 3.8 In its Guidance to Licensing Authorities, the Gambling Commission suggests that Licensing Authorities should adopt a 'Local Area Profile'. The Guidance suggests that a Local Area Profile is a process of gathering and presenting information about a locality and any particular areas of concern within that locality. It underpins and explains the approach that this Licensing Authority will apply when granting licenses. By adopting the Local Area Profile it is likely to assist operators in identifying specific local risks within the District.
- 3.9 The creation of this Local Area Profile, however, is dependent on information and knowledge of the local area gathered by partner agencies and other relevant organisations that have the expertise and knowledge of the impact gambling has in the local area. Where evidence is submitted to this Licensing Authority which identifies the areas of concern it is intended to produce a Local Area Profile separate to this Policy.

4 Review of Statement of Principles

- 4.1 Licensing authorities are required by the Act to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.
- 4.2 The Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police;
 - One or more persons who appear to this licensing authority to represent the interests of persons carrying on gambling businesses in the this licensing authority's area;
 - One or more persons who appear to this licensing authority to represent the interests of persons who are likely to be affected by the exercise of this licensing authority's functions under the Act.
- 4.3 List of persons this licensing authority consulted:
- Citizen's Advice Bureau
 - Crime and Disorder Reduction Partnership
 - Devon and Cornwall Constabulary
 - Devon and Somerset Fire and Rescue Service
 - Environmental Health
 - Gamblers Anonymous
 - Gambling Commission
 - Gamcare
 - Local businesses and their representatives
 - Local faith groups
 - Local residents and their representatives
 - Mencap
 - NSPCC
 - NHS Northern Eastern and Western Devon Clinical Commissioning Group
 - Representatives of existing licence-holders
 - Voluntary & Community organisations working with children & young people
- 4.4 Proper weight has been given to the views of all those who have been consulted prior to the date of implementation of the Statement of Principles.

Our consultation took place between ***** and ***** and we followed the Cabinet Office, Consultation Principles: (published October 2013), which is available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255180/Consultation-Principles-Oct-2013.pdf

The Statement of Principles was approved at a meeting of the Full Council on ***** and was published via our website on *****. Copies were placed in the public libraries of the area as well as being available for viewing at Teignbridge District Council, Forde House, Brunel Road, Newton Abbot , TQ12 4XX

Should you have comments regarding this Statement of Licensing Principles please write to the above address or email licensing@teignbridge.gov.uk

It should be noted that this statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

5 Declaration

- 5.1 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Act, the Guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

6 The Overriding Principle

- 6.1 In exercising its functions under the Act, this licensing authority will aim to permit the use of premises for gambling;
- in accordance with the Act & associated legislation;
 - in accordance with any relevant Code Of Practice issued by the Gambling Commission under section 24 of the Act;
 - having regard to the relevant Guidance issued by the Gambling Commission under section 25 of the Act;
 - as is reasonably consistent with the licensing objectives; and
 - having regard to this Statement of Principles under section 349 of the Act.
- 6.2 In deciding whether or not to grant a licence, this licensing authority does not have regard to the expected demand for the facilities that are the subject of the application.
- 6.3 The overriding principle does not, however, apply if this licensing authority resolves not to issue casino premises licences.
- 6.4 Each case will be considered on its merits.

7 Responsible Authorities

- 7.1 Responsible authorities are those public bodies, as specified by the Act, which must be notified of applications for premises licence. Such bodies are entitled to make representations to this licensing authority in relation to the applications. The Responsible Authorities are detailed in Appendix A and via the licensing authority's website at <http://www.teignbridge.gov.uk/gambling>.
- 7.2 This licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise this licensing authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of this licensing authority's area; and
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 7.3 In accordance with the suggestion in the Guidance this licensing authority designates the Area Child Protection Committee for this purpose.

8 Interested Parties

- 8.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Act as follows:
“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of this licensing authority which issues the licence or to which the application is made, the person -
- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
 - b) has business interests that might be affected by the authorised activities, or
 - c) represents persons who satisfy paragraph (a) or (b)”
- 8.2 This licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party. The principles are:
- 8.3 Each case will be decided upon its merits. This licensing authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Guidance at 8.9 to 8.17.
- 8.4 Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these, however, this licensing authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 8.5 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX. Tel: 01626 215151 or email: licensing@teignbridge.gov.uk

9 Exchange of Information

Licensing authorities are required to include in their Statement the principles to be applied by this licensing authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

- 9.1 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. This licensing authority will also have regard to the Guidance issued by the Gambling Commission to licensing authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.
- ~~9.2 Should any protocols be established as regards information exchange with other bodies then they will be made available.~~

10 Enforcement

- 10.1 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licenses and other permissions which it authorises.

10.2 The Gambling Commission is the enforcement body for operating and personal licenses and it is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by this licensing authority but should be notified to the Gambling Commission.

~~Licensing authorities are required by regulation under the Act to state the principles to be applied by this licensing authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.~~

10.3 When interpreting legislation and determining necessary enforcement action this Licensing Authority This licensing authority's principles are that it will be guided by the the Guidance and its Code of Practice, the Regulators Code and its own Enforcement Policy and any Primary Authority partnership that may be in place.

10.4 As per the Guidance this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

10.5 This licensing authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognized and resolved at the earliest opportunity, operators are requested to give this licensing authority a single named point of contact, who should be a senior individual, and whom this licensing authority will contact should any compliance queries or issues arise.

10.6 If reports are received of non-compliance, enforcement action will take place in accordance with Section 10.3 above. This authority adopts a graduated approach to enforcement and when seeing to resolve or address issues the general expectation of the authority is that operators promptly work alongside this licensing authority in taking remedial action. However, where a serious issue is identified it is likely that the Authority will immediately initiate some form of enforcement action.

10.7 In undertaking any enforcement action this Authority will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

~~**10.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on:**~~

- ~~• The licensing objectives~~
- ~~• Relevant codes of practice~~
- ~~• Guidance issued by the Gambling Commission, in particular at Part 36~~
- ~~• The principles set out in this statement of licensing policy~~

10.8 Whilst this authority has not currently adopted any primary authority agreements with the local businesses in respect of gambling activity, a number of councils have now signed primary authority agreements with some of the largest gambling operators covering the issue of age verification. Where such arrangements are in place this licensing authority will have regard to the plan agreed between the company and primary authority in developing their own programmes of activity and inspection. It is acknowledged that any primary authority relationship will provide a useful mechanism to feedback general concerns about a particular operator, as the primary authority will have regular contact at senior levels with the operator.

~~The main enforcement and compliance role for this licensing authority in terms of the Act is to ensure compliance with the premises licences and other permissions which it authorises. The~~

~~Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by this licensing authority but should be notified to the Gambling Commission Now 10.1 above.~~

~~This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities. Now 10.3~~

~~Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing department at Teignbridge District Council. Our risk methodology will also be available upon request. Now 10.3~~

11 This Licensing Authority's functions

11.1 The Authority is responsible for the licensing of premises where gambling activities are to take place by issuing premises licenses for:

- Casino premises
- Bingo premises
- Betting premises including tracks
- Adult Gaming Centres; and
- Family Entertainment Centres

11.2 The Authority may also grant other forms of authorisation:

- Temporary Use of Premises
- Occasional Use Notices
- Receive notifications from alcohol licensed premises – less than two machines
- Permits for Gaming Machines on Alcohol Licensed Premises – more than two machines
- Permits for Unlicensed Family Entertainment Centres
- Permits for Prize Gaming
- Permits for Club Gaming Machines and
- Permits for Club Gaming

11.3 The Authority is also required to:

- Register Small Society Lotteries
- Maintain registers of the licenses and permits that are issued
- Provide information to the Gambling Commission regarding details of licenses issued
- ~~Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*~~
- ~~Issue *Provisional Statements*~~
- ~~Regulate *members' clubs and miners' welfare institutes* who wish to undertake certain gaming activities via issuing *Club Gaming Permits and/or Club Machine Permits*~~
- ~~Issue *Club Machine Permits* to *Commercial Clubs*~~
- ~~Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*~~
- ~~Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines~~
- ~~Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines~~
- ~~Register *small society lotteries* below prescribed thresholds~~
- ~~Issue *Prize Gaming Permits*~~
- ~~Receive and Endorse *Temporary Use Notices*~~

- ~~Receive Occasional Use Notices~~
- ~~Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')~~
- ~~Maintain registers of the permits and licences that are issued under these functions~~

11.4 It should be noted that licensing authorities are not involved in licensing remote gambling, this is regulated by the Gambling Commission via Operator Licences.

~~It should be noted that licensing authorities are not involved in licensing remote gambling, this is regulated by the Gambling Commission via Operator Licences.~~

12 The Licensing Process

- 12.1 A Licensing Committee, a Sub-Committee, or the Licensing Manager acting under delegated authority may carry out the powers of this licensing authority under the Act.
- 12.2 Many of the licensing procedures are largely administrative in nature. In the interests of efficiency, non-contentious procedures are carried out by licensing officers.
- 12.3 This licensing authority will ensure that all Licensing Officers and Members of the Licensing Committee have received adequate training for their role under the Act.
- 12.4 Where admissible and relevant representations are received in relation to an application for a premises licence, or in relation to the review of a premises licence, a Sub-Committee is delegated to hear the matter.
- 12.5 Applicants for premises licences are required to copy their applications in full to the responsible authorities as listed in Appendix A.
- 12.6 Delegated functions permitted under the Act are set out in Appendix B.

13 Local Risk Assessments

- 13.1 The Gambling Commissions Licence Conditions and Codes of Practice will require operators to consider local risks with effect from the 6 April 2016.
- 13.2 The Gambling Commission's Social Responsibility Code will require licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, licensees should take into account any relevant matters identified in this policy statement and any associated local area profile produced by this Licensing Authority (see Section 3).
- 13.3 Licensees will be required to undertake local risk assessment when applying for a new premises licence. Their risk assessment will also need to be updated:
- When applying for a variation of a premises licence.
 - To take account of significant changes in local circumstances, including those identified in this policy.
 - When there are significant changes at a licensee's premise that may affect the level of risk or the mitigation of those risks.
- 13.4 This above Social Responsibility Code provision is supplemented by an Ordinary Code that will require licensees to share their risk assessments with this licensing authority when applying for a premises licence or applying for a variation to existing licensed premises or otherwise on request of the licensing authority.
- 13.5 Whilst there are no plans to request that licensed premises share their risk assessments on a periodic basis, where concerns do exist, perhaps prompted by new or existing risks,

this Licensing Authority is likely to request that a licensee share a copy of its risk assessment. The risk assessment will set out the measures the licensee has put in place to address specific concerns, thereby potentially reducing the occasions on which a premises review and the imposition of licence conditions is required.

13.6 When comprising their risk assessments operators should consider:

- **The risks posed to the licensing objectives by the provision of gambling facilities at each of their premises in the local authority area.**
- **Reference to any specific local risks (outlined in any local area profile formulated by the Licensing Authority– see Section 3).**
- **How the operator proposes to mitigate these risks.**
- **How the operator will monitor specific risks.**

13.7 A Guidance on Undertaking Local Gambling Risk Assessments is available to assist operators in comprising their risk assessments which includes a template which can be utilized (this document is produced with the kind permission of Westminster City Council). This document can be found at www.teignbridge.gov.uk/gambling.

Part B - Premises Licences: Consideration of Applications

1 General Principles

- 1.1 Premises Licences are subject to the requirements set-out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 1.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant Guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with this licensing authority's Statement of Licensing Principles.
- 1.3 It is appreciated that as per the Guidance "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for this licensing authority. **Planning issues are not a matter for consideration by licensing.**
- 1.4 **Definition of "premises"**

In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the fifth edition of the Guidance that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.

- 1.5 This licensing authority takes particular note of the Guidance which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit
 - Customers should be able to participate in the activity names on the premises licence.

The Guidance also gives a list of factors which this licensing authority should be aware of, which may include:

Do the premises have a separate registration for business rates?

Is the premises' neighbouring premises owned by the same person or someone else?

Can each of the premises be accessed from the street or a public passageway?

Can the premises only be accessed from any other gambling premises?

This licensing authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below from the Guidance, 7.23:

Casinos

- The principal access entrance to the premises must be from a street (~~as defined at 7.23 of the Guidance~~)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (~~as per para 7.23 Guidance to Licensing Authorities~~) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - betting premises, other than a track

Part 7 of the Guidance contains further guidance on this issue, which this licensing authority will also take into account in its decision-making.

1.6 Premises “ready for gambling”

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this licensing authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this licensing authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.56 – 7.63 of the Guidance.

1.7 Location

This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision making. As per the Guidance, this licensing authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. ~~Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and Each application will be decided on its merits., with the onus upon the applicant showing how potential concerns can be overcome.~~

In determining whether a premises location is suitable for the grant of a licence regard will be given to the following factors:-

- **The proximity of the premises to any school, centre or establishment for the education, training or care of young and/or vulnerable persons**
- **The proximity of the premises to leisure centres used for sporting and similar activities by young and/or vulnerable persons**
- **The proximity of the premises to any youth club or similar establishment, and**
- **The proximity of the premises to any community, ecclesiastical, welfare, health or similar establishments used specifically, or to a large extent, by young and /or vulnerable persons**
- ~~Proximity to payday loan businesses, pawn shops or other similar premises~~
- **The proximity of any other area or location where young and/or vulnerable persons could congregate.**

1.8 Planning:

The Guidance states:

7.56 – In determining applications this licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

This licensing authority will not take into account irrelevant matters as per the Guidance. In addition this licensing authority notes the following excerpt from the Guidance:

7.63 When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. S.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

1.9 Duplication with other regulatory regimes

This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This licensing authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will listen to and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this licensing authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

1.10 Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Guidance and some comments are made below.

1.11 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this licensing authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it and **nuisance is an activity that is more serious and disruptive than mere nuisance**), so as to make that distinction.

1.12 Ensuring that gambling is conducted in a fair and open way

This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however more of a role with regarding to tracks which is explained in more detail in the tracks section see page

1.13 Protecting children and other vulnerable persons from being harmed or exploited by gambling

This licensing authority has noted as suggested in the Guidance sections 5.13 to 5.18, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

- 1.14 This licensing authority is also aware of the Gambling Commissions Codes of Practice as regards this licensing objective, in relation to specific premises.
- 1.15 As regards the term “vulnerable persons” it is noted that the Gambling Commission does not **seeking** to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.”

Where physical barriers are required to separate activities due to differing age restrictions the applicant must provide sufficient information with regards to the height, transparency and materials to be used. This licensing authority will require barriers to be designed and constructed to prevent inadvertent access and viewing of restricted areas. Adequate supervision within these areas must also be maintained.

This licensing authority will consider the licensing objective on a case by case basis.

1.16 **Conditions**

Each application is treated on its own merits and will be granted subject to only the mandatory and default conditions. Any additional conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises: and
- reasonable in all other respects.

- 1.17 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be **evidence of a need to do so** ~~a perceived need~~, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.
- 1.18 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Guidance.
- 1.19 This licensing authority will also ensure that where category C or above machines are on offer in the premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised;
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

- 1.20 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to

ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

- 1.21 It is noted that there are conditions which this licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
 - conditions in relation to stakes, fees, winning or prizes.

1.22 Door Supervisors

The Gambling Commission advises in the Guidance that if this licensing authority **has evidence is concerned** that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

2 Adult Gaming Centres

- 2.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy this licensing authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. **This Authority will expect applicants to offer their own measures to meet the licensing objectives, appropriate measures /** licence conditions may cover issues such as:
- CCTV
 - Door supervisors
 - Location of entry
 - Notices / signage
 - Physical separation of areas
 - Proof of age schemes
 - Provision information leaflets helpline numbers for organisations such as GamCare.
 - Self –exclusion schemes
 - Specific opening hours
 - Supervision of entrances / machine areas

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 2.2 **The licensing authority recognises that the design and layout of adult gaming centres will vary. It will have particular regard to the siting of age restricted gaming machines within each individual premises to ensure, so far as is reasonably practicable, that staff properly monitor the use of these machines by children and young persons. The licensing authority reserves the right to request that gaming machines are re-positioned where circumstances demonstrate that it is appropriate to do so.**

Additional factors to be taken into consideration will include to following:

- **Visual observation**
- **Re-location of the machines**
- **Door buzzers**

- **Remote cut-off switches**
- **Training provision**
- **Any other factor considered relevant**

2.3 ~~This licensing~~ The Authority will have regard to any relevant additional guidance that may be issued by the Gambling Commission in respect to adult gaming centre applications in any decision-making.

2.4 ~~This licensing~~ The Authority accepts that there must be no direct entry from one adult gaming centre into another and will have regard to any relevant guidance issued by the Gambling Commission in respect of such applications.

3 (Licensed) Family Entertainment Centres

3.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy this licensing authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

3.2 This licensing authority may consider measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV
- Door supervisors
- Location of entry
- Measures / training for staff on how to deal with suspected truant school children on the premises
- Notices / signage
- Physical separation of areas
- Proof of age schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- self-exclusion schemes
- Specific opening hours
- Supervision of entrances / machine areas

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3.3 This licensing authority will, as per the Guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

3.4 This licensing authority recommends applicants consider the adoption of BACTA's voluntary Code of Social Responsibility and Good Practice in respect to Adult Gaming Centres and Family Entertainment Centres.

4 Casinos

4.1 This licensing authority has not passed a 'no casino' resolution under Section 166 of the Act, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

5 Bingo premises

5.1 This licensing authority notes that the Guidance states:

18.5 Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.

5.2 This licensing authority may consider measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- **CCTV**
- **Door supervisors**
- **Location of entry**
- **Measures / training for staff on how to deal with suspected truant school children on the premises**
- **Notices / signage**
- **Physical separation of areas**
- **Proof of age schemes**
- **Provision of information leaflets / helpline numbers for organisations such as GamCare.**
- **self-exclusion schemes**
- **Specific opening hours**
- **Supervision of entrances / machine areas**

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

5.3 This licensing authority also notes the Guidance at paragraph 18.9 - The gaming machines must remain within the licensed area covered by the premises licence. In the unusual circumstance that an existing bingo premises covered by one premises licence applies to vary the licence and acquire additional bingo premises licences (so that the area that was the subject of a single licence will become divided between a number of separate licensed premises) it is not permissible for all of the gaming machines to which each of the licences brings an entitlement to be grouped together within one of the licensed premises; and

5.4 paragraph 18.7 Children and young people are allowed into bingo premises, however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

6 Betting premises

6.1 Betting machines

6.2 This licensing authority recognises that the design and layout of betting premises (or any other premises including tracks) will vary. It will have particular regard to the siting of age restricted gaming machines within each individual premises to ensure, so far as is reasonably practicable, that staff properly monitor the use of these machines by children and young persons. This licensing authority reserve the right to request that gaming machines are re-positioned where circumstances demonstrate that it is appropriate to do so.

Factors to be taken into consideration will include the following:

- **CCTV**
- **Visual observation**
- **Re-location of the machines**
- **Door buzzers**
- **Remote cut off switches**
- **Training provision**
- **Any other factor considered relevant.**

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

7 Tracks

- 7.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 7.2 This licensing authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 7.3 This licensing authority may consider measures to meet the licensing objectives such as:
- CCTV
 - Location of entry
 - Notices / signage
 - Physical separation of areas
 - Proof of age schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare
 - Self-exclusion schemes
 - Specific opening hours
 - Supervision of entrances / machine areas

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

7.4 Gaming machines

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Applicants are advised to consult the Guidance on where gaming machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority will take note of this guidance. This licensing authority will also, in line with the Guidance, consider the location of gaming machines at tracks.

7.5 Betting machines

This licensing authority will, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

On tracks where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machines, this licensing authority will generally consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

7.6 Applications and plans

The Act (s151) requires applicants to submit plans of the premises with their application, in order to ensure that this licensing authority has the necessary information to make an informed

judgement about whether the premises are fit for gambling. The plan will also be used for this licensing authority to plan future premises inspection activity. (Guidance 20.43)

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (Guidance 20.44)

This licensing authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this licensing authority can satisfy itself that the plan indicates the main areas where betting might take place.

Only one premises licence may be issued for any particular premises at any time. There is one exception to this rule, namely a track (i.e. a horse race course, dog track or other premises where races or sporting events take place), which may be subject to more than one premises licence, provided each licence relates to a specified area of the track. The Act sets out that there will be a main (betting premises) licence for the track, and in addition subsidiary premises licences for other gambling activities may be issued. The normal limitations in terms of access by children and young persons will apply, although in relation to a premises licence in respect of a track, children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place. This is subject to the rule that children and young persons may not enter any areas where gaming machines (other than category D machines) are provided...In principle there is no reason why all types of gambling should not co-exist upon a track, however this licensing authority will want to think about how the third licensing objective is delivered by the co-location of premises. As with the granting of multiple licences in a single building, this licensing authority will need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

Premises licences in relation to tracks are unusual in that, because the track operator does not need to have an operating licence (although may have one), the premises licence will need to contain requirements on the premises licence holder about his responsibilities in relation to the proper conduct of betting. The conduct of the betting on tracks will be regulated primarily through the operating licences that the persons offering betting on the track will need to hold (whether a general betting operating licence or a pool betting operating licence). But the track operator will have a role to play in ensuring, for example, that the betting areas are properly administered, and licensing authorities will have an important role in regulating tracks, because of the particular rules surrounding on-course betting, and the sub-division of the track into different areas.

Special rules apply to applicants for a premises licence in relation to a track. Most importantly, as noted above, the applicant need not hold an operating licence. That is because, unless the occupier of the track wishes to offer pool betting (or general betting) facilities himself (for which he will need a licence), the betting that is provided upon the track will not be provided by him, but will be provided by other operators who come on-course. Since those people will require the necessary operating licences, the Act allows the track operator to obtain a premises licence without also having to hold an operating licence. This track premises licence then authorises anyone upon the premises with an operating licence to offer betting facilities

The secondary aspect to this rule is that each individual operator who comes onto the track on race days does not need to hold a premises licence. Instead, he will be covered by the umbrella of the premises licence held by the track operator.

Applicants are advised to consult the Guidance on where gaming machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority will take

note of this guidance. This licensing authority will also, as per the Guidance, consider the location of gaming machines at tracks. Children and young persons are not prohibited from playing category D gaming machines on a track.

Applicants for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded.

This licensing authority has power under the Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. In relation to betting premises away from tracks, this licensing authority will take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. This licensing authority will generally consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

This licensing authority also notes that, as per the Guidance:

The Commission has issued Guidance about how such premises should be delineated, both to make it clear to the public that they are entering a “betting office” and to keep children and young persons out. (Guidance 20.28)

As the betting premises licence for a track could authorise the entire premises to be used for providing betting facilities, this could mean that no separate betting premises licence would be necessary for the self-contained premises. The effect of this approach would be that the track operator was responsible for premises licence issues relating to the self-contained premises, rather than accountability resting with the betting operator providing facilities within it.

If the self-contained premises were the subject of a separate premises licence, that licence would have its own, directly imposed conditions. It would also allow the premises to use up to four gaming machines (in categories B2 to D), as described in Part 19.

In the Commission’s view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

8 Travelling Fairs

- 8.1 This licensing authority is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 8.2 This licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 8.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9 Provisional Statements

- 9.1 Developers may wish to apply to this licensing authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 9.2 Section 204 of the Act provides for a person to make an application to this licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.
- 9.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 9.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 9.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. This licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
 - they reflect a change in the applicant's circumstances.
- In addition, this licensing authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by objectors at the provisional statement stage;
 - which in this licensing authority's opinion reflect a change in the operator's circumstances; or
 - where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.
- 9.6 Once an operator has completed a building, this licensing authority will be able to consider a premises licence application for it. Requiring the building to be complete ensures that the authority can inspect it fully, as can other responsible Authorities with inspection rights under Part 15 of the Act. Inspection will allow Authorities to check that gambling facilities comply with all necessary legal requirements, for example, that Category C and D machines in a licensed family entertainment centre are situated so that people under 18 do not have access to the category C machines. The physical location of the machines will be an important part of this, and inspection will allow the authority to check that the layout complies with the operator's proposals and the legal requirements.**

10 Reviews

- 10.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for this licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant Guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with this licensing authority's Statement of Principles.

- 10.2 The request for the review will also be subject to the consideration by this licensing authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this licensing authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 10.3 This licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 10.4 Once a valid application for a review has been received by this licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by this licensing authority, who will publish notice of the application within 7 days of receipt.
- 10.5 This licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 10.6 The purpose of the review will be to determine whether this licensing authority should take any action in relation to the licence. If action is justified, the options open to this licensing authority are:-
- (a) add, remove or amend a licence condition imposed by this licensing authority;
 - (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 10.7 In determining what action, if any, should be taken following a review, this licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 10.8 In particular, this licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 10.9 Once the review has been completed, this licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs.

PART C

Permits / Temporary & Occasional Use Notice

- 1. Unlicensed Family Entertainment Centre** (Unlicensed Family Entertainment Centre gaming machine permits Statement of Principles on Permits – Schedule 10 Para 7)
 - 1.1 The term ‘unlicensed family entertainment centre’ (uFECs) is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements, such as computer games and penny-pushers. The premises is ‘unlicensed’ in that it does not require a premises licence, but does require a permit to be able to provide its category D gaming machines. It should not be confused with a ‘licensed family entertainment centre’ which does require a premises licence because it contains both category C and D gaming machines.**
 - 1.2 uFECs will be most commonly located at seaside resorts, in airports and at motorway style service centres, and will cater for families, including unaccompanied children and young persons.
 - 1.3 The Authority will only grant a uFEC gaming machine permit where it is satisfied that the premises will be operated as a bona fide uFEC.
 - 1.4 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to this licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
 - 1.5 When determining a permit, this Licensing Authority will have regard to the Guidance to Licensing Authorities and, although not required to, will have regard to the three Licensing Objectives.**
 - 1.6 The licensing authority notes the Guidance (Guidance 24.9) which states that ‘An application for a permit may be granted only if this Licensing Authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre and if the Chief Officer of Police has been consulted on the application...’.**
 - 1.7 As these premises particularly appeal to children and young persons, the Authority will give weight to child protection issues and the Authority will expect applicants to demonstrate:**
 - **A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres;**
 - **That staff are, or will be trained to have a full understanding of the maximum stakes and prizes**
 - **A disclosure and barring check from a recognised body dated within one calendar month of the date of the application being submitted to the Authority, showing that the applicant has**
 - **That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act.**
 - ~~1.3 The Act states that this licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it may not (but may) have regard to the licensing objectives and shall have regard to any relevant Guidance issued by the Commission under section 25. The Guidance also states: “ a licensing authority may include a statement of principles that it proposed to apply when exercising its functions in considering applications for permits....., licensing authorities will want to give weight to matters relating to child protection issues.” (Guidance 24.6) Superseded by 1.5 above~~

1.5 Statement of Principles

~~1.5.1 This licensing authority has adopted a Statement of Principles in accordance with Paragraph 7 of Schedule 10 of the Act and they are for the purposes of clarifying the measures that the council will expect applicants to demonstrate when applying for a permit for an unlicensed family entertainment centre. This will allow the council to better determine the suitability of the applicant and the premises for a permit.~~

1.8 In line with the Act, while the licensing authority cannot attach conditions to this type of permit, the licensing authority can refuse applications if they are not satisfied that the issues raised in this “Statement of Principles” have been addressed through the application.

1.9 Within this process this licensing authority will aim to grant the permit where the applicant is able to demonstrate that:

- they are a fit and proper person to hold the permit
- they have considered and are proposing suitable measures to promote the licensing objectives, and
- they have a legal right to occupy the premises to which the permit is sought.

1.10 Where an applicant provides evidence that he has an Operating Licence and as a result undergone rigorous checks by the Gambling Commission, then a disclosure and barring check will not be required.

1.11 Where an applicant is a company or organisation and does not hold an Operating Licence, then the proposed Manager responsible for the day to day running of the premises of the premises will be required to produce a disclosure and barring check dated within one calendar month of the date of the application being submitted to the Authority.

1.12 When a permit holder appoints a new manager responsible for the day to day running of the premises, that person will be required to produce a criminal record disclosure check dated within one calendar month of the appointment date.

1.13 As these premises are open to children and young persons, the Authority will require additional information when an applicant applies for this permit as follows:

- proof of age (a certified copy or sight of an original birth certificate, a photo style driving licence, or passport – all applicants for these permits must be aged 18 or over)
- proof that the applicant has the right to occupy the premises. Acceptable evidence would be a copy of any lease, a copy of the property’s deeds or a similar document
- the result of a disclosure and barring disclosure [criminal conviction certificate] (the disclosure must have been issued within the previous month). This will be used to check that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act.) – Basic Disclosures can be obtained from Disclosure Scotland. The website link <http://www.disclosurescotland.co.uk>
- In the case of applications for an uFEC gaming machine permit evidence that the machines to be provided are or were supplied by a legitimate gambling machine supplier or manufacturer who holds a valid gaming machine technical operating licence issued by the Gambling Commission
- Unless otherwise agreed with the Authority, the plan should be 1:100 scaled of the premises for which the permit is sought showing the following items:
 - (i) the boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways
 - (ii) where any category D gaming machines are positioned and the particular type of machines to be provided (e.g. slot machines, penny-falls, cranes)
 - (iii) the positioning and types of any other amusement machines on the premises
 - (iv) the location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area
 - (v) the location of any ATM/cash machines or change machines
 - (vi) the location of any fixed or temporary structures such as columns or pillars
 - (vii) the location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises

- (viii) the location of any public toilets in the building

~~Unless otherwise agreed with the council, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100.~~

~~1.5.3 The measures suggested in this document should be read as guidance only and the council will be happy for applicants to suggest measures above and beyond those listed in the document and or to substitute measures as appropriate.~~

~~1.6 Unlicensed family entertainment centres~~

~~1.6.1 The term 'unlicensed family entertainment centre' (uFECs) is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny-pushers. The premises is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide its category D gaming machines. It should not be confused with a 'licensed family entertainment centre' which does require a premises licence because it contains both category C and D gaming machines.~~

~~1.7 Supporting documents~~

~~1.7.1 The council will require the following supporting documents to be served with all uFEC gaming machine permit applications:~~

~~1.14 Child protection issues~~

1.14 The Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The Authority will assess these policies and procedures on their merits, and they should (depending on the particular permit being applied for) include appropriate measures / training for staff relating to the following:

- maintain contact details for any local schools and or the education authority so that any truant children can be reported
- employ policies to address the problems associated with truant children who may attempt to gain access to the premises and gamble when they should be at school
- employ policies to address any problems that may arise during seasonal periods where children may frequent the premises in greater numbers, such as half terms and summer holidays
- maintain information at the premises of the term times of any local schools in the vicinity of the premises and also consider policies to ensure sufficient staffing levels during these times
- display posters displaying the 'Child Line' phone number in discreet locations on the premises e.g. toilets
- maintain an incident register of any problems that arise on the premises related to children such as children gambling excessively, truant children, children being unruly or young unaccompanied children entering the premises. (The register should be used to detect any trends which require attention by the management of the premises.)
- [take steps to](#) ensure all young children are accompanied by a responsible adult.
- Maintain policies to deal with any young children who enter the premises unaccompanied
- The provision of satisfactory basic disclosure checks (criminal records checks) for all staff who will be working closely with children.

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

~~1.15 Protection of Vulnerable Persons Issues~~

- 1.15 The Authority will expect the applicant to show that there are policies and procedures in place to protect vulnerable persons. ~~Applicants should refer to the section in the council's 'Statement of Licensing Policy under the Gambling Act 2005' to familiarise themselves with who the council considers vulnerable.~~—The Authority will assess these policies and procedures on their merits, however, they may (depending on the particular permit being applied for) include appropriate measures / training for staff relating to the following:
- display Gamcare helpline stickers on all gaming machines
 - display Gamcare posters in prominent locations on the premises
 - training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
 - consider appropriate positioning of ATM and change machines. (including the display of Gamcare stickers on any such machines.)

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

~~1.16 Other miscellaneous issues~~

- 1.16 The applicant should also be mindful of the following possible control measures (depending on the particular permit being applied for) to minimise crime and disorder and the possibility of public nuisance:
- maintain an effective CCTV system to monitor the interior and exterior of the premises
 - keep the exterior of the premises clean and tidy
 - ensure that external lighting is suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining premises
 - consider the design and layout of the outside of the premises to deter the congregation of children and youths.

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

- 1.17 **These Statement of Principles apply to initial applications only and not to renewals. With regard to renewals, this Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the Licensing Objectives.**
- 1.18 **Where an applicant fails to comply with the above requirements, this Licensing Authority may refuse the application. Where there is such a refusal, this Licensing Authority will notify the applicant of its intention to refuse and the reasons for the refusal. The applicant will then have an opportunity to make representations orally, in writing or both and will have a right of appeal against any decision made.**
- 1.19 **Where the Permit has been granted this Licensing Authority will issue the permit as soon as is reasonably practicable and in any event in line with the Regulations issued by the Secretary of State. The permit will then remain in effect for 10 years unless surrendered or lapsed.**
- 1.20 **Applications for unlicensed FEC permits will be available on this licensing authority's web site or by contacting Licensing Services.**
- 1.21 **This licensing authority encourages applicants for unlicensed FEC Permits to consider adopting BACTA's voluntary Code of Practice for Amusement with Prizes Machines in Family Entertainment Centres. This Code of Practice promotes awareness of social responsibility and acknowledges that proactive specific and appropriate commitment will be given to educating children and young persons, thereby minimising the potential for harm.**

2 (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))

2.1 Automatic Entitlement for two machines

There is provision in the Act for a premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify this licensing authority. This licensing authority can remove the automatic authorisation in respect of any premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e. that written notice has been provided to this licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises

This licensing authority will use its discretion to remove permits where appropriate taking into account individual circumstances.

2.2 Permit - three or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and this licensing authority must consider that application based upon the licensing objectives, the Guidance issued by the Gambling Commission issued under Section 25 of the Act, and “other such matters as the Authority think relevant.” This licensing authority considers that “such matters” will be decided on a case-by-case basis. However generally there will be regard to:

- **The adult machines being sited close to the bar;**
- **The adult machines being sited where staff can monitor them;**
- **Appropriate notices and signage;**
- **Provision of information leaflets / help line numbers for organisations such as GamCare.**
- ~~the size of the premises in comparison to the number of machines sought and to the need to protect children and vulnerable persons from harm or being exploited by gambling~~
- ~~will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines~~
- ~~measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18.~~
- ~~Notices and signage may also be helpful. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.~~

2.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

2.4 It should be noted that this licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

2.5 **A plan must accompany applications indicating where and what type of gambling machines are to be provided. This plan may take the form of an amendment to the plan attached to the Premises Licence issued under the Licensing Act 2003.**

2.6 Applicants should be aware that only those premises which have a ‘bar’ (servery) at which alcohol is sold for consumption on the premises will be eligible for a machine in the bar area of

the premises. This means that premises such as restaurants which do not have a bar for serving drinks or can only sell alcoholic drinks as an ancillary to food will not qualify for two machines.

2.7 Gaming in alcohol-licensed premises

This licensing authority recognises that low level gaming may take place in alcohol-licensed premises. Exempt gaming being equal chance gaming that should be ancillary to the purposes of the premises. This gaming, however, is subject to statutory stakes and prize limits determined by the Secretary of State. Gaming in alcohol-licensed premises should therefore be supervised by a nominated gaming supervisor, i.e. the Designated Premises Supervisor and all gaming should comply with the Codes of Practice issued by the Gambling Commission. As there is likely to be limited regulatory scrutiny of gaming provided in these premises, the applicant must be aware of and adopt these Codes of Practice and any subsequent guidance issued by the Gambling Commission and to ensure that all gaming in such premises is suitably managed.

~~2.5 It should also be noted that the holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.~~

~~Applicants should be aware that only those premises which have a 'bar' (servery) at which alcohol is sold for consumption on the premises will be eligible for a machine in the bar area of the premises. This means that premises such as restaurants which do not have a bar for serving drinks or can only sell alcoholic drinks as an ancillary to food will not qualify for two machines. Moved to 2.7 above.~~

3 Prize Gaming Permits – (Schedule 14 Para 8 (3))

3.1 The Act states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the authority propose to consider in determining the suitability of the applicant for a permit”.

3.2 Statement of Principles

3.2.1 This licensing authority has adopted a Statement of Principles in accordance with paragraph 8(b) of Schedule 14 of the Act and they are for the purposes of clarifying the measures that this licensing authority will expect applicants to demonstrate when applying for a prize gaming permit. This will allow this licensing authority to better determine the suitability of the applicant and the premises for a permit.

3.2.2 Within this process this licensing authority will aim to grant the permit where the applicant is able to demonstrate that:

- they are a fit and proper person to hold the permit
- they have considered and are proposing suitable measures to promote
- the licensing objectives, and
- they have a legal right to occupy the premises to which the permit is sought.

3.2.3 This licensing authority will expect the applicant to set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.
- clear policies that outline steps to be taken to protection children from harm.

3.2.4 In making its decision on an application for a prize gaming permit this licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (The Act, Schedule 14 paragraph 8(3)).

3.2.5 The measures suggested in this document should be read as guidance only and this licensing authority will be happy for applicants to suggest measures above and beyond those listed in the document and or to substitute measures as appropriate.

3.3 Prize gaming permits

3.3.1 Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The operator will determine the prizes before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered and the prizes are displayed.

3.3.2 A prize gaming permit is a permit issued by this licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.

3.3.3 Applicants should be aware of the conditions in the Act with which prize gaming permit holders must comply. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

3.3.4 In line with the Act, while this licensing authority cannot attach conditions to this type of permit, this licensing authority can refuse applications if they are not satisfied that the issues raised in this “Statement of Principles” have been addressed through the application.

3.4 Supporting documents

3.4.1 This licensing authority will require the following supporting documents to be served with all prize gaming permit applications:

- proof of age (a certified copy or sight of an original birth certificate, a photo style driving licence, or passport – all applicants for these permits must be aged 18 or over)**
- proof that the applicant has the right to occupy the premises. Acceptable evidence would be a copy of any lease, a copy of the property’s deeds or a similar document**
- the result of a disclosure and barring disclosure [criminal conviction certificate] (the disclosure must have been issued within the previous month). This will be used to check that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act.) – Basic Disclosures can be obtained from Disclosure Scotland. The website link <http://www.disclosurescotland.co.uk>**
- In the case of applications for an uFEC gaming machine permit evidence that the machines to be provided are or were supplied by a legitimate gambling machine supplier or manufacturer who holds a valid gaming machine technical operating licence issued by the Gambling Commission**
- Unless otherwise agreed with the Authority, the plan should be 1:100 scaled of the premises for which the permit is sought showing the following items:**
 - (ix) the boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways**
 - (x) where any category D gaming machines are positioned and the particular type of machines to be provided (e.g. slot machines, penny-falls, cranes)**
 - (xi) the positioning and types of any other amusement machines on the premises**
 - (xii) the location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area**
 - (xiii) the location of any ATM/cash machines or change machines**
 - (xiv) the location of any fixed or temporary structures such as columns or pillars**

- (xv) the location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises
- (xvi) the location of any public toilets in the building

- ~~☐ proof of age (a certified copy or sight of an original birth certificate, photo style driving licence, or passport – all applicants for these permits must be aged 18 or over)~~
- ~~☐ proof that the applicant has the right to occupy the premises. Acceptable evidence would be a copy of any lease, a copy of the property's deeds or a similar document~~
- ~~☐ the result of a criminal records basic disclosure [criminal conviction certificate] (the disclosure must have been issued within the previous month). This will be used to check that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act.) – Basic Disclosures can be obtained from Disclosure Scotland. For further details call their helpline number 0870 609 6996, or visit the website <http://www.disclosurescotland.co.uk/>.~~
- ~~☐ A plan of the premises for which the permit is sought showing the following items:

 - ~~(i) the boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways~~
 - ~~(iii) The location where any prize gaming will take place (including any seating and tables) and the area where any prizes will be displayed~~
 - ~~(iv) the positioning and types of any other amusement machines on the premises~~
 - ~~(v) the location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area~~
 - ~~(vi) the location of any ATM/cash machines or change machines~~
 - ~~(vii) the location of any fixed or temporary structures such as columns or pillars~~
 - ~~(viii) the location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises~~
 - ~~(ix) the location of any public toilets in the building~~~~

~~Unless otherwise agreed with the council, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100.~~

- 3.4.2 Where an applicant provides evidence that he has an Operating Licence and has as a result undergone rigorous checks by the Gambling Commission, then a criminal record disclosure check will not be required.
- 3.4.3 Where an applicant is a company or organisation and does not hold an Operating Licence, then the proposed Manager responsible for the day to day running of the premises of the premises will be required to produce a criminal record disclosure check dated within one calendar month of the date of the application being submitted to this licensing authority.
- 3.4.4 When a permit holder appoints a new manager responsible for the day to day running of the premises, that person will be required to produce a criminal record disclosure check dated within one calendar month of the appointment date.
- 3.4.5 In making its decision on an application for this permit, this licensing authority does not need to have regard to the Licensing Objectives and will take into account, after consultation, any objections that the Police may wish to make whether relevant to the Licensing Objectives. The grounds for decision making as regards renewals are the same as for initial applications.
- 3.4.6 Where this licensing authority intends to refuse the application for a permit, it will notify the applicant of its intention to refuse it stating the reasons and offering the applicant an opportunity to make representations orally or in writing or both.
- 3.4.7 Where an application is granted this licensing authority will issue it as soon as is reasonably practicable.
- 3.5 Child protection issues

- 3.5.1 The Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. This licensing authority will assess these policies and procedures on their merits, and they should (depending on the particular permit being applied for) include appropriate measures / training for staff relating to the following:
- maintain contact details for any local schools and or the education authority so that any truant children can be reported
 - employ policies to address the problems associated with truant children who may attempt to gain access to the premises and gamble when they should be at school
 - employ policies to address any problems that may arise during seasonal periods where children may frequent the premises in greater numbers, such as half terms and summer holidays
 - maintain information at the premises of the term times of any local schools in the vicinity of the premises and also consider policies to ensure sufficient staffing levels during these times
 - display posters displaying the 'Child Line' phone number in discreet locations on the premises e.g. toilets
 - maintain an incident register of any problems that arise on the premises related to children such as children gambling excessively, truant children, children being unruly or young unaccompanied children entering the premises. (The register should be used to detect any trends which require attention by the management of the premises.)
 - ensure all young children are accompanied by a responsible adult.
 - Maintain policies to deal with any young children who enter the premises unaccompanied
 - The provision of satisfactory basic disclosure checks (criminal records checks) for all staff who will be working closely with children.

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

3.6 **Protection of Vulnerable Persons Issues**

- 3.6.1 The Authority will expect the applicant to show that there are policies and procedures in place to protect vulnerable persons. Applicants should refer to the section in this licensing authority's 'Statement of Licensing Policy under the Gambling Act 2005' to familiarise themselves with who this licensing authority considers vulnerable. This licensing authority will assess these policies and procedures on their merits, however, they may (depending on the particular permit being applied for) include appropriate measures / training for staff relating to the following:
- display Gamcare helpline stickers on all gaming machines
 - display Gamcare posters in prominent locations on the premises
 - training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
 - consider appropriate positioning of ATM and change machines. (including the display of Gamcare stickers on any such machines.)

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

3.7 **Other miscellaneous issues**

- 3.7.1 The applicant should also be mindful of the following possible control measures (depending on the particular permit being applied for) to minimise crime and disorder and the possibility of public nuisance:
- maintain an effective CCTV system to monitor the interior and exterior of the premises
 - keep the exterior of the premises clean and tidy
 - ensure that external lighting is suitably positioned and operated so as not to cause nuisance to neighbouring or adjoining premises
 - consider the design and layout of the outside of the premises to deter the congregation of children and youths.

NB: Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.

4 Club Gaming and Club Machines Permits

- 4.1 Members Clubs (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machine permit. The Club Gaming Permit will enable the premises to provide gaming machines. **A Commercial club is established as a commercial enterprise and differs from a members club that is conducted for the benefit of its members. Commercial clubs may only apply for Club Machine permits. Each type of permit allows the provision of different types of gaming. The current limits can be found by visiting the Gambling Commissions website www.gamblingcommission.gov.uk (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A Club machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.**
- 4.2 A non commercial club must meet the following criteria to be considered a members club:
- it must have at least 25 members
 - it must be established and conducted wholly or mainly for purposes other than gaming (unless the gaming is permitted by separate regulations)
 - it must be permanent in nature
 - it must not be established to make a commercial profit
 - it must be controlled by its members equally.

Examples including working mens clubs, branches of Royal British Legion and clubs with political affiliations.

~~This licensing authority notes that the Guidance states:~~

~~'25.46 This licensing authority has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. It is suggested that applicants for permits should be asked to supply sufficient information and documents to enable this licensing authority to take account of the matters discussed in paragraphs 25.7 to 25.49, at the time they submit their applications to the licensing authority'.~~

~~These include the constitution of the club, the frequency of gaming and ensuring that there are more than 25 members. The club must be conducted 'wholly or mainly' for purposes other than gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.~~

- 4.3 The Guidance also notes that "licensing authorities may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police.
- 4.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure. As the Guidance states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon

which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed by regulations under s.266 of the Act;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

~~The Guidance also states~~

~~'25.44 Those clubs applying for permits by way of conversion of their pre-existing 1968 Act Part II of Part III club registrations do not have the fast track procedure available to them, even if they hold club premises certificates. In these instances, the club must still send a copy of the application to the Gambling Commission and chief officer of police. However, the Gambling Commission (and the police) may not object to the application and this licensing authority is, in fact, obliged to grant the application'.~~

4.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

4.6 The Authority will need to satisfy itself that the club meets the requirements of the Act to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- Whether there is a list of committee members and evidence of their election by the club members?
- Which members hold the position of Chair, Secretary and Treasurer?
- Whether there are any minutes of previous meetings (where appropriate)?
- Is the primary activity of the club something other than gaming?
- Are the clubs profits retained solely for the benefit of the clubs members?
- Are there 25 or more members?
- Do guest arrangements link each guest to a member?
- Are there annual club accounts available for more than one year?
- Are children permitted in the club?
- Does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?

4.7 When examining the clubs constitution the Authority would expect to see evidence such as:

- Who makes commercial decisions on behalf of the club?
- What are the aims of the club?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Can people join with a temporary membership? What is the usual duration of membership?

5 Temporary Use Notices

5.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

This licensing authority can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

Secondary legislation – Gambling Act 2005 (Temporary Use Notices) Regulations 2007 – sets out the restrictions on the type of gambling to be offered under a TUN. These restrictions are:

- it can only be used to offer gambling of a form authorised by the operator's operating licence, and consideration should therefore be given as to whether the form of gambling being offered on the premises will be remote, non-remote, or both
- gambling under a TUN may only be made available on a maximum of 21 days in any 12 month period for any or all of a named set of premises
- it can only be used to permit the provision of facilities for equal chance gaming, and where the gaming in each tournament is intended to produce a single overall winner
- gaming machines may not be made available under a TUN.

There are a number of statutory limits as regards temporary use notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

In considering whether a place falls within the definition of "a set of premises", this licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Guidance 14.14.

6 Occasional Use Notices

- 6.1 This licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will consider the definition of a 'track' and whether the applicant is permitted to serve the notice.

7 Vessels

- 7.1 This licensing authority when considering applications for premises licences in respect of vessels will give particular weight to the views of the Maritime and Coastguard Agency in respect of promoting the licensing objectives. Where in the opinion of this licensing authority any of the three objectives are undermined, and this cannot be resolved through the imposition of conditions, the application will be refused.

Where a premises licence is sought in connection with a vessel which will be navigated whilst licensable activities take place, this licensing authority will be concerned following the receipt of relevant representations, with the promotion of the licensing objectives on-board the vessel. This licensing authority will not focus on matters relating to safe navigation or operation of the vessel, the general safety of passengers or emergency provisions, all of which are subject to regulations which must be met before the vessel is issued with a Passenger Certificate and Safety Management Certificate. It is expected that if the Maritime and Coastguard Agency is satisfied that the vessel complies with Merchant Shipping standards for a passenger ship, the premises will normally be accepted as meeting the public safety objectives. In respect of other public safety aspects, representations made to this licensing authority by the Maritime and Coastguard Agency will be given particular weight.

8 Small Society Lotteries

- 8.1 Under the Act a lottery is unlawful unless it runs under an operating licence or is an exempt lottery. This licensing authority will register and administer small society lotteries as defined under the Act. Promoting or facilitating a lottery will fall into two categories.
- Licensed lotteries (requiring an operating licence from the Gambling Commission).
 - Exempt lotteries (including small society lotteries registered with Teignbridge District Council).

- 8.2 Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission and are defined as:
- Small society lotteries;
 - Incidental non-commercial lotteries;
 - Private lottery;
 - Private society lottery;
 - Work lottery;
 - Residents' lottery;
 - Customers' lottery.

Advice regarding the definitions of the above exempt lotteries is available from the Gambling Commission website:

<http://www.gamblingcommission.gov.uk/Gambling-sectors/Lotteries/Lotteries-raffles.aspx>

- 8.3 **Applicants for lottery registrations must apply to this licensing authority in the area where their principal office is located. Where this licensing authority believes that the Society's principal office is situated in another area it will inform the Society as soon as possible and where possible, will inform the other Licensing Authority.**
- 8.4 **This licensing authority may refuse an application for registration if in their opinion:**
- **The applicant is not a non-commercial society;**
 - **A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or**
 - **Information provided in or with the application for registration is false or misleading.**

Responsible Authorities Contacts:-

The list of Responsible Authorities and their contact details may change where additional responsibility authorities are designated by regulations from the Secretary of State or existing Responsible Authorities change their address (last updated May 2015)

An up to date list of Responsibility Authorities relating to the Teignbridge District with their contact details can be obtained by accessing the Teignbridge District Council's licensing pages on this licensing authority's website www.teignbridge.gov.uk/gambling or by request to the licensing section by emailing licensing@teignbridge.gov.uk or telephoning 01626 215151.

(a) Teignbridge District Council

Licensing Section, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX
Tel: 01626 215151 E-mail: licensing@teignbridge.gov.uk

(b) The Gambling Commission

Victoria Square House, Victoria Square, Birmingham, B2 4BP
Tel: 0121 233 1058 Email:- info@gamblingcommission.gov.uk

(c) Devon & Cornwall Police

Licensing Department, Devon and Cornwall Police Headquarters, Middlemoor, Exeter, EX2 7HQ
Tel: 01392 452225 Fax: 01392 452447 Email: licensingeast@devonandcornwall.pnn.police.uk

Depending on the location of the premises (please see plan on reverse of this page)

(d) Devon & Somerset Fire & Rescue Service

Western Command, The Fire Station, Newton Road, Torquay, TQ2 7AD
Tel: 01803 653700 E-mail: southfiresafety@dsfire.gov.uk

Or

Central Command, Exeter Group, Exeter Fire Station, Danes Castle, Howell Road, Exeter, EX4 4LP
Tel: 01392 872200 (ask for Exeter Group) E-mail: exeterfs@dsfire.gov.uk

(e) Local Planning Authority

Planning Department, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX
Tel: 01626 361101 Email: Planning@teignbridge.gov.uk

Or if premises situated within the Dartmoor National Park:

Dartmoor National Park, Haytor Road, Bovey Tracey, TQ13 9JQ
Tel: 01626 832093 Email: devcl@dartmoor-npa.gov.uk

(f) Environmental Health Department (Control)

Environmental Control Manager, Environmental Health and Housing Services Department, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX
Tel: 01626 361101 E-mail: envc@teignbridge.gov.uk

(g) Child Protection

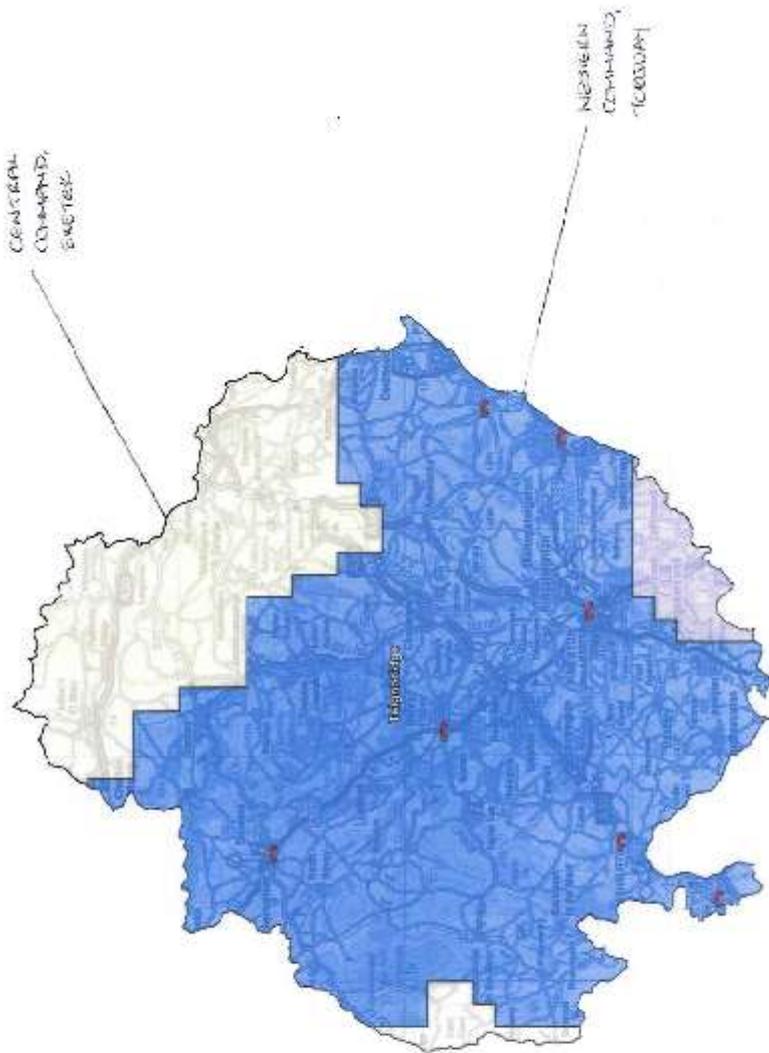
CP Checks, MASH, PO Box 723, Exeter, EX1 9QS
Tel: 01392 386067/380739 Email: cpchecks@devon.gcsx.gov.uk

(h) HM Revenue & Customs – The National Registration Unit

Betting & Gaming, Portcullis House, 21 India Street, Glasgow, G2 4PZ
Tel: 0141 555 3492 Email: NRUBetting&Gaming@HMRC.gsi.gov.uk

(i) Maritime & Coastguard Agency (Boats only)

Harbour Master, Teignmouth Harbour Commission, The Old Quay House, Old Quay, Teignmouth TQ14 8ES
Tel: 01626 773165 Email: harbourmaster@onetel.com



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Administration, Exercise and Delegation

Recommended delegation functions permitted under the Act.

(X indicates the lowest level to which decisions can be delegated)

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Licensing Manager
Three year licensing Statement of Principles	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)	X (to be approved by Executive)		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits		X on request of applicant	X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

APPENDIX C

Gaming machines fall into categories depending on the maximum stake and prize available

Premises type	Machine Category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines) within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines) within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo Premises 1				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Adult Gaming Centre 2				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Licensed Family Entertainment Centre 3						No limit on category C or D machines	
Family Entertainment Centre with permit 3							No limit on category D machines
Clubs or minor's welfare institute (with permits) 4					Maximum of 3 machines in categories B3A or B4 to D		
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

1. Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

2. Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.
3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FEC's and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for this licensing authority to set a limit on the number of machines under the FEC permit.
4. Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.
5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

GLOSSARY

Admissible Representations	Representations submitted by a Responsible Authority or interested party
Authorised Local Authority Officer	A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that authority's area.
Authorised Person	A Licensing Officer and an officer of an authority other than a Licensing Authority, both of whom have been authorised for a purpose relating to premises in that authority's area. The following are considered authorised persons: <ul style="list-style-type: none"> • Inspectors appointed under the Fire Precautions Act 1971; • Inspectors appointed under the Health and Safety at Work, etc. Act 1974 • Inspectors or Surveyors of ships appointed under the Merchant Shipping Act 1995; • A person in a class prescribed in regulations by the Secretary of State.
ATM	Automated Teller Machine (cash machine)
Automatic Conditions	Conditions attached automatically to premises licences or authorisations. This Licensing Authority has no discretion not to include or modify them.
AWP machines	Amusement with Prizes Machines
BACTA	British Amusement Catering Trade Association
Betting Intermediary	Offers services via remote communication, such as the internet.
Betting Machines	A machine designed or adapted for use to bet on future re
Bingo High and Low Turnover Bingo	A game of equal chance. Occurs when aggregate stakes or prizes in any 7-day period exceed £2,000. If this occurs then play at that level in the ensuing year would require an Operating Licence. Anything below this level is deemed to be low turnover bingo normally held in pubs, clubs and community centres, etc.
Child	Individual who is less than 16 years old.
Christmas Day Period	Covers the period of 24 hours from midnight on 24 December.
Club Gaming Machine Permit	Permit to enable the premises to provide gaming machines, equal chance gaming and games of chance.
Complex Lottery	An arrangement where: <ul style="list-style-type: none"> • Persons are required to pay to participate in the arrangement; • In the course of the arrangement, one or more prizes are allocated to one or more members of a class; • The prizes are allocated by a series of processes; and • The first of those processes relies wholly on chance.
Conditions	Conditions to be attached to licences by way of: <ul style="list-style-type: none"> • Automatic provision • Regulations provided by Sec. Of State • Conditions provided by Gambling Commission • Conditions provided by this licensing authority Conditions may be general in nature (either attached to all licences or all licences of a particular nature) or may be specific to a particular licence.
Customer Lotteries	Lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These

	lotteries may <u>not</u> be conducted on vessels.
Default Conditions	Conditions that will apply unless this licensing authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.
Delegated Powers	Decisions delegated either to a Licensing Committee, Sub-Committee or Licensing Officers.
Disorder	No set interpretation, however, likely to be connected to the way gambling is being conducted. In the case of gambling premises licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.
Domestic Computer	Definition in Regulations. Exempt from a Gaming Machine Permit.
Dual Use Computer	Definition in Regulations. Exempt from a Gaming Machine Permit.
Equal Chance Gaming	Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.
EBT	Electronic Bingo Ticket Minders. Electronic equipment operated by a Bingo Operators Licence for the purposes of playing bingo.
Enforcement Officers	The Gambling Commission have power to appoint Enforcement Officers.
Exempt Gaming	Equal chance gaming generally permissible in any club or alcohol-licensed premises. Such gaming to be ancillary to the purposes of the premises.
Exempt Lotteries	Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are 4 types: <ul style="list-style-type: none"> • Small Society Lottery (required to register with Licensing Authorities. • Incidental Non Commercial Lotteries • Private Lotteries • Customer Lotteries
External Lottery Manager	An individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.
Fixed Odds Betting	General betting on tracks.
Gaming	Prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before the play commences.
Gaming Machine	As defined by the Gambling Act 2005, a machine that is designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes). Stakes and prizes available on Gambling Commission's website.
Gaming	Prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before the play commences.
Gaming Machine	As defined by the Gambling Act 2005, a machine that is designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes). Stakes and prizes available on Gambling Commission's website.

Guidance to Licensing Authorities	Guidance issued by the Gambling Commission. The document that Licensing Authorities should refer to when discharging their functions under the Gambling Act 2005.
Human Rights Act 1998 Articles: 1, 6, 8 and 10	Article 1: Protocol 1 – the right to peaceful enjoyment of possessions Article 6: - the right to a fair hearing Article 8: - the right of respect for private and family life Article 10: - the right to freedom of expression
Inadmissible Representation	A representation not made by a Responsible Authority or Interested Party.
Incidental Non Commercial Lottery	A lottery promoted wholly for purposes other than private gain, and which are incidental to non-commercial events (commonly charity fund raising events, lottery held at a school fete or at a social event such as a dinner dance).
Information Exchange	Exchanging of information with other regulatory bodies under the Gambling Act.
Inspector	A constable, enforcement officer or authorised person.
Interested Party	A person who: <ul style="list-style-type: none"> • Lives sufficiently close to the premises to be likely affected by the authorised activities • Has business interests that might be affected by the authorised activities • Represents persons in either of the above groups
Irrelevant Representations	<ul style="list-style-type: none"> • Where other legislation can cover the representation • Demand • Competition • Likelihood of obtaining planning consent
Judicial Review	Legal action in the Administrative Court where a party believes that the decision taken by this Licensing Authority is: <ul style="list-style-type: none"> • Illegal, i.e. beyond the powers available to this Licensing Authority • Procedurally improper or unfair • Irrational
Judicial Review - Orders	<ol style="list-style-type: none"> 1. Mandatory Order – compels the reviewed body to do something 2. Prohibitory Order – compels it to refrain from doing something 3. A 'declaration' – sets out the court's view on the legality of a particular course of action 4. Quashing Order – nullifies a decision and remits it for reconsideration 5. Injunction – similar to Mandatory or Prohibitory Order
Large Lottery	Where the total value of tickets in any one lottery exceeds £20,000 OR tickets in separate lotteries in one calendar year exceeds £250,000. This requires an Operating Licence.
Licensed Lottery	Large society lotteries and lotteries run for the benefit of local authorities which will be regulated by the Gambling Commission. Operating Licences will be required.
Licensing Objectives (Gambling Act 2005)	<ol style="list-style-type: none"> 1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime; 2. Ensuring that gambling is conducted in a fair and open way; and 3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.
Licensing Objectives (Licensing Act 2003)	<ol style="list-style-type: none"> 1. Prevention of Crime and Disorder 2. Public Safety 3. Prevention of Public Nuisance

	4. Protection of Children from Harm
Live Gaming	Gambling on a live game as it happens.
Lottery	An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.
Lottery Tickets	Tickets that must: <ul style="list-style-type: none"> • Identify the promoting society • State the price of the ticket, which must be the same for all tickets • State the name and address of the member of the Society who is designated as having responsibility at the Society for the promotion of the lottery, or, if there is one, the external lottery manager; and • State the date of the draw, or enable the date of the draw to be determined.
Mandatory Conditions	Conditions that must be attached to a licence. This may apply to all Premises Licences, to a class of Premises Licence or licences for specified circumstances.
Members Club	A club that must <ul style="list-style-type: none"> • have at least 25 members • be established and conducted 'wholly or mainly' for purposes other than gaming • be permanent in nature • not established to make commercial profit • controlled by its members equally.
Non commercial event	An event where all the money raised at the event, including entrance fees, goes entirely to purposes that are not for private gain.
Non Commercial Society	A society established and conducted: <ul style="list-style-type: none"> • for charitable purposes • for the purpose of enabling participation in, or of supporting, sport athletics or a cultural activity; or • for any other non-commercial purpose other than that of private gain.
Occasional Use Notice	Betting may be permitted on a 'track' without the need for a full Premises Licence.
Off Course Betting	Betting that takes place other than at a track, i.e. at a licensed betting shop.
Off Course Betting – Tracks	Betting that takes place in self contained betting premises within the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operate only on race days.
On Course Betting - Tracks	Betting that takes place on a track while races are taking place
Operating Licences	Licence to permit individuals and companies to provide facilities for certain types of gambling. They may authorise remote or non-remote gambling.
Permits	Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.
Personal Licence	Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. These cannot be held by companies.
Pool Betting – Tracks	Betting offered at a horse racecourse by the Tote and at a dog track by the holder of the premises licence for the track
Premises	Defined as including 'any place'. It is for this Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.

Premises Licence	Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres
Private Lotteries	3 Types of Private Lotteries: <ul style="list-style-type: none"> • Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society • Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises • Residents' Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises;
Prize Gaming	Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.
Prize Gaming Permit	A permit to authorise the provision of facilities for gaming with prizes on specific premises.
Provisional Statement	Where an applicant can make an application to this licensing authority in respect of premises that he: <ul style="list-style-type: none"> • Expects to be constructed • Expects to be altered • Expects to acquire a right to occupy.
Racino	Casino located at a racecourse.
Relevant Representations	Representations that relate to the Licensing Objectives, or that raise issues under the Licensing Policy Statement or the Gambling Commission's Guidance or Codes of Practice.
Responsible Authorities	Public bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences, as follows: <ul style="list-style-type: none"> • This licensing authority in whose area the premises is partly or wholly situated • The Gambling Commission • The Chief Officer of Police in whose area the premises is partly or wholly situated • Devon & Somerset Fire & Rescue Service • Planning Authority – Teignbridge District Council; or • Planning Authority – Dartmoor National Park • Environmental Health (related to pollution and harm to human health) • Body competent to advise on protection of children from harm, i.e. Children & Young Peoples' Service • HM Revenue & Customs • Authority in relation to vulnerable adults (yet to be decided by Sec. of State??) • Vessels only – Navigation Authority whose statutory functions are in relation to waters where the vessel is usually moored or berthed, i.e. <ul style="list-style-type: none"> • Environment Agency • British Waterways Board • Maritime & Coastguard Agency
SIA	Security Industry Authority
Simple Lottery	An arrangement where: <ul style="list-style-type: none"> • Persons are required to pay to participate in the arrangement • In the course of the arrangement, one or more prizes are allocated to one or more members of a class; and • The prizes are allocated by a process which relies wholly on chance.
Skills with Prizes	A machine on which the winning of a prize is determined only

	by the player's skill and there is no element of chance, e.g. trivia game machine, Formula 1 simulators, shooting game. Skills Machines are unregulated.
Small Lottery	Where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.
Small Society Lottery	A lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.
Small Operations	Independent on course betting operators with only one or two employees or a bookmaker running just one shop.
Society	The society or any separate branch of such a society, on whose behalf a lottery is to be promoted.
Temporary Use Notice	To allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.
Totalisator or Tote	Pool betting on tracks.
Touch Bet Roulette	Where a player gambles on a live game of chance on an electronic terminal.
Track	Sites where races or other sporting events take place e.g. horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place.
Travelling Fair	A fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.
Vehicles	Defined trains, aircraft, seaplanes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted
Vessel	Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything, or part of any place, situated on or in water.
Vessel and Relevant Licensing Authority	This licensing authority for the area in which the vessel is usually moored or berthed.
Virtual Betting	Machine that takes bets on virtual races, i.e. images generated by computer to resemble races or other events.
Vulnerable Persons	No set definition but likely to mean group to include people who gamble more than they want to, people who gamble beyond their means; people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.
Young Person	An individual who is not a child but who is less than 18 years old.

References:

Gambling Act 2005

<http://www.legislation.gov.uk/ukpga/2005/19/contents>

Guidance under Section 25 of the Act

<http://www.gamblingcommission.gov.uk/pdf/GLA5---March-2015.pdf>

DCMS - Department for Culture Media and Sport

<https://www.gov.uk/government/policies/gambling-regulation>

Gambling Commission

<http://www.gamblingcommission.gov.uk/>

Quick guides including:

- Poker in Clubs and in Pubs
- Members Clubs or Commercial Club
- Prize competitions and free draws
- Race, Casino and Poker Nights
- And many more

Code of Practice:

- Equal chance gaming in clubs and premises with an alcohol licence
- Licensing conditions and code of practice – February 2015 (updated April 2015)